

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1938 TERM TULSA, OKLAHOMA FRIDAY, DECEMBER 30, 1938

MISCELLANEOUS - ORDER DISCHARGING PETIT JURY.

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

MISCELLANEOUS

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

REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA TUESDAY, JANUARY 3, 1939

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

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

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

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

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

O R D E R

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

F. E. KENNAMEER
District Judge

SERVICE OF COPY ACKNOWLEDGED:
GEORGE H. JENNINGS, Atty for Evelyn Seber and Creekmore Wallace, Gdn.

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

United States of America, Plaintiff,)
vs.) No. 55 Civil
Russell Gipson, Defendant.)

O R D E R

Now on this 3rd day of January, 1939, this cause having come on for hearing on the application of plaintiff for a temporary injunction, enjoining the defendant, Russell Gipson, from interfering with the possession, management and control by the proper agencies of said plaintiff of the land described in plaintiff's complaint filed herein on December 28, 1938; and plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and the defendant, Russell Gipson, appearing in person; and the Court having heard the statements of counsel, and having examined the complaint and application for temporary injunction herein, finds that plaintiff is entitled to the relief sought in said complaint.

IT IS THEREFORE THE ORDER of the Court that said defendant, Russell Gipson, be, and he hereby is enjoined from interfering with the possession, management and control of the following described land located in Osage County, Oklahoma, to-wit:

That part of the North Half of Northeast Quarter and East Half of Northwest Quarter of Section 36, Township 28 North, Range 7 East, lying north of the Midland Valley Railway Containing approximately 100 acres, more or less.

IT IS THE FURTHER ORDER of the Court that said defendant, Russell Gipson, be, and he hereby is granted until January 18, 1939, to remove from the above described premises.

IT IS THE FURTHER ORDER of the Court that said temporary injunction be, and the same is sufficient authority for the United States Marshal for the Northern District of Oklahoma to dispossess the said Russell Gipson of said premises, and to deliver possession of the same to the Superintendent of the Osage Indian Agency, in behalf of Josephine Jump, restricted Osage Allottee No 1 438, said land to remain in the possession, management and control of said Superintendent until the further order of this Court, on final hearing in this cause.

F. E. KENNAMER
JUDGE

O.K. AS TO FORM Service of copy acknowledged
WHIT Y. MAUZY
Whit Y. Mauzy, United States Attorney

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

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

United States of America, Plaintiff,)
vs.) No. 57 Civil ✓
J. H. McBroom, Defendant.)

O R D E R

Now on this 3rd day of January, 1939, this cause having come on for hearing on the application of plaintiff for a temporary injunction, enjoining the defendant, J. H. McBroom, from interfering with the possession, management and control by the proper agencies of said plaintiff of the land described in plaintiff's complaint filed herein on December 28, 1938; and plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district; and the defendant, J. H. McBroom, appearing in person; and the Court having heard the statements of counsel, and having examined the complaint and application for temporary injunction herein, finds that plaintiff is entitled to the relief sought in said complaint.

IT IS THEREFORE THE ORDER of the Court that said defendant, J. H. McBroom, be, and he hereby is enjoined from interfering with the possession, management and control of the following described land located in Osage County, Oklahoma, to-wit:

East Half of the Southwest Quarter; West Half of Southeast Quarter; of Section Nineteen (19), Township Twenty-three (23) North, Range Six (6) East.

IT IS THE FURTHER ORDER of the Court that said defendant J. H. McBroom, be, and he hereby is granted until January 13, 1939, to remove from the above described premises.

IT IS THE FURTHER ORDER of the Court that said temporary injunction be, and is sufficient authority for the United States Marshal for the Northern District of Oklahoma to dispossess the said J. H. McBroom of said premises, and to deliver possession of the same to the Superintendent of the Osage Indian Agency, in behalf of Maud McKinley, restricted Osage Allottee No. 83, said land to remain in the possession, management and control of said Superintendent until the further order of this Court, on final hearing in this cause.

F. E. KENNAMER
JUDGE

O.K. AS TO FORM Service of copy acknowledged.
WHIT Y. MAUZY
Whit Y. Mauzy, United States Attorney

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

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

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

HARTFORD ACCIDENT AND INDEMNITY COMPANY, a corporation,	Plaintiff)	
)	
vs.)	
		)	NO. 1064 IN EQUITY
PETROLEUM ROYALTIES COMPANY OF OKLAHOMA, a corporation, PETROLEUM ROYALTIES COMPANY a trust estate, R. R. HAYS, J. G. CATLETT and RICHARD HUGHES, Trustees of said trust estate,	Defendants.)	

ORDER DENYING MOTION OF PETROLEUM ROYALTIES COMPANY, A TRUST
ESTATE, AND ITS TRUSTEES, R. R. HAYS, J. G. CATLETT AND
RICHARD HUGHES, FOR AN ORDER AMENDING THE FINDINGS OF FACT AND
CONCLUSIONS OF LAW

This cause and matter coming on for hearing on this date, on the motion of the defendants, Petroleum Royalties Company, a trust estate, and its Trustees, R. R. Hays, J. G. Catlett and Richard Hughes, for an order of the court amending the findings of fact and conclusions of law heretofore entered by the court, and the plaintiff, Hartford Accident and Indemnity Company, a corporation, being present by its attorneys, H. R. Williams and Wallace Robertson, and the defendants, Petroleum Royalties Company, a trust estate, and R. R. Hays, J. G. Catlett and Richard Hughes, Trustees of said trust estate, being present by their attorneys, Logan Stephenson and H. R. Young, and the court having heard and considered the oral argument on said motion in open court, on this day, is of the opinion that said motion should be overruled and denied.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED by the court that the motion of the defendants, Petroleum Royalties Company, a trust estate, and R. R. Hays, J. G. Catlett and Richard Hughes, Trustees of said trust estate, for an order of the court amending the findings of fact and conclusions of law heretofore entered in this cause by the court, be and the same is hereby in all things overruled and denied, to which action of the court the defendants, Petroleum Royalties Company, a trust estate, and R. R. Hays, J. G. Catlett and Richard Hughes, Trustees of said Trust estate, and each of them, in open court excepted, and said exceptions were allowed.

Done in open court this 21st day of December, A. D. 1938, at Tulsa, Oklahoma.

ALFRED P. MURRAH
United States District Judge

OK AS TO FORM
H. R. WILLIAMS

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

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

HARTFORD ACCIDENT AND INDEMNITY COMPANY,
a corporation, Plaintiff,

-vs-

PETROLEUM ROYALTIES COMPANY OF OKLAHOMA,
a corporation, PETROLEUM ROYALTIES
COMPANY, a trust estate, R. R. HAYS,
J. G. CATLETT and RICHARD HUGHES, Trustees
of said trust estate, Defendants.

NO. 1064 IN EQUITY

ORDER DENYING MOTION FOR NEW TRIAL OF THE DEFENDANTS, PETROLEUM ROYALTIES COMPANY, A TRUST ESTATE, AND R. R. HAYS, J. G. CATLETT AND RICHARD HUGHES, TRUSTEES OF SAID TRUST ESTATE

This cause and matter coming on to be heard on the motion of the defendants, Petroleum Royalties Company, a trust estate, and R. R. Hays, J. G. Catlett and Richard Hughes, Trustees of said trust estate, to set aside the judgment of the court and to grant unto the said defendants, Petroleum Royalties Company, a trust estate, and R. R. Hays, J. G. Catlett and Richard Hughes, Trustees of said trust estate, a new trial herein; and the plaintiff, Hartford Accident and Indemnity Company, a corporation, being present by its attorneys, H. R. Williams and Wallace Robertson and the defendants, Petroleum Royalties Company, a trust estate, and R. R. Hays, J. G. Catlett and Richard Hughes, Trustees of said trust estate, being present by their attorneys, Logan Stephenson and H. R. Young, and the court having heard and considered the oral argument on said motion in open court on this date, is of the opinion that said motion should be overruled and denied.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED by the court that said motion for a new trial of the defendants, Petroleum Royalties Company, a trust estate, and R. R. Hays, J. G. Catlett and Richard Hughes, Trustees of said trust estate, and each of them, be and the same is hereby overruled and denied, to which action of the court the defendants, Petroleum Royalties Company, a trust estate and R. R. Hays, J. G. Catlett and Richard Hughes, Trustees of said trust estate, and each of them, in open court except, and said exceptions are duly allowed; and thereupon the said defendants, Petroleum Royalties Company, a trust estate, and R. R. Hays, J. G. Catlett and Richard Hughes, Trustees of said trust estate, in open court, give oral notice of appeal from the judgment of the District Court of the United States for the Northern District of Oklahoma to the United States Circuit Court of Appeals for the Tenth Circuit.

And said defendants, Petroleum Royalties Company, a trust estate, and R. R. Hays, J. G. Catlett and Richard Hughes, Trustees of said trust estate, thereupon asking the court for an extension of time in which to file supersedeas bond herein, and the court now sets said supersedeas bond at the sum of Thirty-five Thousand (\$35,000.00) Dollars, and defendants are hereby granted an extension of fifteen (15) days from this date in which to make and file said supersedeas bond herein.

Done this the 21st day of December, A. D., 1938, at Tulsa, Oklahoma.

ALFRED P. MURRAH
United States District Judge

OK AS TO FORM

H. R. WILLIAMS

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

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

HARTFORD ACCIDENT AND INDEMNITY
COMPANY, a corporation,

Plaintiff,

vs.

NO. 1064 IN EQUITY

PETROLEUM ROYALTIES COMPANY OF OKLAHOMA,
a corporation, PETROLEUM ROYALTIES
COMPANY, a trust estate, R. R. HAYS,
J. G. CATLETT, and RICHARD HUGHES,
Trustees of said trust estate,

Defendants.

ORDER OF THE COURT FINDING THE APPEAL HEREIN UNDER FEDERAL
RULES OF CIVIL PROCEDURE TO BE FEASIBLE AND JUST

It is the opinion of the District Court of the United States for the Northern District of Oklahoma that the appeal to be prosecuted herein by the defendants, Petroleum Royalties Company, a trust estate, and R. R. Hays, J. G. Catlett and Richard Hughes, Trustees of said trust estate, may be prosecuted under the federal rules of civil procedure which became effective on September 1, 1938, and that the prosecution of said appeal under said federal rules of civil procedure will be feasible and will not work an injustice to any party to said appeal.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the appeal prosecuted hereunder by the defendants, Petroleum Royalties Company, a trust estate, and R. R. Hays, J. G. Catlett and Richard Hughes, Trustees of said trust estate, may be prosecuted under the federal rules of civil procedure which became effective September 16, 1938.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the prosecution of said appeal under said federal rules of civil procedure and the provisions thereof will be feasible and will not work an injustice to any party to said appeal.

DONE this the 21st day of December, A. D. 1938, at Tulsa, Oklahoma.

ALFRED P. MURRAH

Judge of the District Court of the
United States for the Northern District
of Oklahoma.

OK as to form
H. R. WILLIAMS

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

Court adjourned to January 4, 1939

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

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

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff,)
vs.) CIVIL FILE NO. 45
STANLEY LAY, Defendant.)

ORDER OF DISMISSAL

NOW, on this 4th day of January, 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.

O.K. SERVICE OF COPY ACKNOWLEDGED

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

WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney

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

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

United States of America, Plaintiff,)
vs.) No. 2546 Law
R. R. Canary, Guy Doughty and)
J. H. Thompson, Defendants.)

ORDER NUNC PRO TUNC

Now on this 4th day of January, 1939, this matter coming on before the Court on the application of plaintiff for an order Nunc Pro Tunc correcting the name of one of the defendants in the Journal Entry of Judgment entered in said cause of action of June 9, 1938; and it appearing to the Court that the name of said defendant was written wrong through clerical error, and should be corrected;

IT IS THEREFORE THE ORDER OF THE COURT that said Journal Entry of Judgment, entered herein on June 9, 1938, be corrected in line four of the caption of said cause to read J. H. Thompson in place of J. E. Thompson, as it now reads; and that said Journal Entry of

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, JANUARY 4, 1939

Judgment be further corrected in line four of the second paragraph of the same to read J. H. Thompson in place of J. E. Thompson.

O.K. AS TO FORM
Service of copy acknowledged.

F. E. KENNAMER
JUDGE

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

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

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

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
Vs.		)	No. 2577 Law..
)	
THE BARNSDALL OIL COMPANY, a Corporation,	Defendant.)	

ORDER EXTENDING TIME FOR FILING AMENDED COMPLAINT

This matter coming on for hearing on this 4th day of January, 1939, upon the motion of the above named plaintiff for an order of this court extending the time for the filing of the amended complaint herein from the 3rd day of January, 1939, to the 4th day of January, 1939 and for an order permitting the filing of said amended complaint from the 3rd day of January, 1939 to the 4th day of January, 1939, and it appearing to the court that from the facts alleged in said motion of the plaintiff that plaintiff is entitled to the extension of said time; and it further appearing to the court that the above named defendant has filed its written acceptance of said motion and has agreed to the filing of said amended complaint upon this the 4th day of January, 1939

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that the time within which the amended complaint in this cause is hereby extended from the 3rd day of January, 1939, to the 4th day of January, 1939, and plaintiff is hereby permitted to file said amended complaint upon this the 4th day of January, 1939.

F. E. KENNAMER
J U D G E.

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

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

CLARA M. TIMMONS, Plaintiff,)
vs.) No. Law 2690
CITIES SERVICE OIL COMPANY, A Corporation, and E. E. HAUGHNEY, Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this the 10th day of November, 1938, this matter comes on to be heard upon its merits; the plaintiff appeared by her counsel, B. A. Hamilton and S. J. Clendinning, and the defendants appeared by their counsel, Hudson & Hudson; and both sides having waived a jury, the cause proceeded to trial before the court.

Both sides introduced testimony and rested. Thereupon the court found that the plaintiff was entitled to judgment against the defendants and each of them, in the sum of Fourteen Thousand (\$14,000.00) Dollars and the costs of said action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court, that the plaintiff, Clara M. Timmons, have and recover judgment against the defendants, Cities Service Oil Company, a corporation, and E. E. Haughney, and each of them, in the sum of Fourteen Thousand (\$14,000.00) Dollars, together with the costs of this action. For all of which let execution issue.

F. E. KENAMER
U. S. DISTRICT JUDGE

O.K. and service acknowledged:

HAMILTON & CLENDINNING
BY S. J. CLENDINNING
Attorneys for Plaintiff.

R. D. HUDSON
W. E. HUDSON
Attorneys for Defendants

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

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 4th day of January, 1939, it being one of the regular court days of this court, on the motion of T. P. Farmer, Receiver for Exchange

On this 7th day of January, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

United States of America,	Complainant,)	
)	
vs.		)	No. 1260 Equity
)	
Albert Jackson and Rae Jackson,	Respondents.)	

O R D E R

Now on this 7th day of January, 1939, this matter coming on before the Court on the application of the complainant for an order Nunc Pro Tunc to correct the Journal Entry of Judgment entered herein on June 9, 1938, to conform with the judgment of the Court, and the Court, after being fully advised in the premises finds that on June 9, 1938, the Court rendered a personal judgment in this cause in favor of the complainant and against the respondents, and a judgment foreclosing the mortgage lien involved; and further finds that heretofore, and on June 9, 1938, a Journal Entry of Judgment was filed in this cause, in which Journal Entry of Judgment the Court found that complainant was entitled to a personal judgment, in its own behalf and in behalf of James G. Blaine, Osage Allottee No. 431, heir of Walker Blaine, deceased, unallotted Osage Indian, against the respondents Albert Jackson and Rae Jackson in the sum of \$4600.00, with interest thereon at the rate of 7% per annum, payable semi-annually from November 1, 1937, until paid, and a further judgment for unpaid taxes in the sum of \$280.28, with interest and penalties, and for all costs of this action.

That said Journal Entry of Judgment, filed herein on June 9, 1938, through clerical error, does not set out a formal order granting a personal judgment against said respondents Albert Jackson and Rae Jackson; and the Court being advised in the premises finds that said Journal Entry of Judgment, filed herein on June 9, 1938, should contain the following paragraph after the first paragraph on the first page of said Journal Entry of Judgment;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the United States of America, in its own behalf and in behalf of James G. Blaine, Osage Allottee No. 431, heir of Walker Blaine, deceased, unallotted Osage Indian, have and recover judgment against the respondents, Albert Jackson and Rae Jackson, and each of them, in the sum of \$4600.00 with interest thereon at the rate of 7% per annum, payable semi-annually, from November 1, 1937, until paid, and a further judgment for unpaid taxes in the sum of \$280.28, with interest and penalties, and for all costs of this action.

IT IS THEREFORE ORDERED that said Journal Entry of Judgment, filed herein on June 9, 1938, be, and the same is hereby corrected to recite the action of the Court on June 9, 1938, by inserting the insertion above set forth as the second paragraph on page one of said Journal Entry of Judgment.

IT IS FURTHER ORDERED that a corrected Journal Entry of Judgment be filed, including said insertions.

F. E. KENNAMER
JUDGE

O.K. SERVICE OF COPY ACKNOWLEDGED:
WHIT Y. MAUZY, United States Attorney
CHESTER A. BREWER, Assistant United States Attorney
ENDORSED: Filed Jan 7 1939
H. P. Warfield, Clerk, U. S. District Court AC

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

United States of America, Complainant,)
vs.) No. 1260 Equity
Albert Jackson and Rae Jackson, Respondents.)

CORRECTED JOURNAL ENTRY OF JUDGMENT

Now on this 9th day of June, 1938, this cause came on regularly to be heard in open court before Honorable F. E. Kennamer, Judge presiding, and the complainant, United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and it being shown to the Court that the respondents, Albert Jackson and Rae Jackson, and each of them, have been regularly served with subpoena in equity in this cause more than 60 days prior to this date, and that neither of said respondents has appeared, answered, demurred or otherwise pleaded herein, they are by the Court declared to be in default, and the Court finds that complainant, United States of America, in its own behalf and in behalf of James G. Blaine, Osage Allottee No. 431, heir of Walker Blaine, deceased, unallotted Osage Indian, is entitled to judgment against the respondents, Albert Jackson and Rae Jackson, and each of them, in the sum of \$4600.00, with interest thereon at the rate of 7% per annum, payable semi-annually from November 1, 1937, until paid, and a further judgment for unpaid taxes in the sum of \$280.28, with interest and penalties and for all costs of this action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the United States of America, in its own behalf and in behalf of James G. Blaine, Osage Allottee, No. 431, heir of Walker Blaine, deceased, unallotted Osage Indian, have and recover judgment against the respondents, Albert Jackson, and Rae Jackson, and each of them, in the sum of \$4600.00, with interest thereon at the rate of 7% per annum, payable semi-annually from November 1, 1937, until paid, and a further judgment for unpaid taxes in the sum of \$280.28, with interest and penalties, and for all costs of this action.

IT IS THE FURTHER ORDER AND JUDGMENT of the Court that complainant, United States of America, in its own behalf and in behalf of its said ward, have judgment foreclosing the mortgage herein, and if said indebtedness is not paid at the expiration of six months from date of this judgment an order of sale issue out of this court to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, without appraisalment, the following described property, to-wit:

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

the proceeds of said sale to be applied as follows:

- First - To payment of costs of sale and this action.
- Second - Payment to complainant in behalf of its said ward the sum of \$4600.00, with interest at 7% per annum, payable semi-annually from November 1, 1937, until paid.
- Third - Payment of taxes on the mortgaged property in the sum of \$280.28, with interest and penalties.
- Fourth - The residue, if any there be, to be paid into this court to await the further orders of the Court,

and that after the sale of said property the respondents, Albert Jackson and Rae Jackson, and all persons claiming by, through or under them since the commencement of this suit, be, and they are hereby forever barred from claiming or asserting any claim, right, title, interest, equity or

estate in or to the property hereinabove described, or any part thereof.

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

F. E. KENNAMER
JUDGE

O.K. SERVICE OF COPY ACKNOWLEDGED:

WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney

ENDORSED: Filed Jan 7 1939
H. P. Warfield, Clerk
U. S. District Court AC

Court adjourned to January 9, 1939

REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA MONDAY, JANUARY 9, 1939

On this 9th day of January, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

IN THE MATTER OF THE ESTATE OF)
WOOSEY THOMAS, NEE JOHN, Deceased,) No. 35 Civil Consol. ✓

O R D E R

On this 9th day of January, 1939 this matter comes on for hearing upon application of R. K. Robertson and William M. Taylor, attorneys, for permission to withdraw as attorneys of record for Alexander George in this cause.

For good cause shown,

IT IS THE ORDER AND JUDGMENT of this Court that R. K. Robertson, attorney of Sapulpa, Oklahoma and William M. Taylor, attorney of Tulsa, Oklahoma be and they are hereby permitted and authorized to withdraw as attorneys of record for Alexander George, claimant herein and the names of said attorneys are hereby ordered stricken from the record as attorneys for the said Alexander George in this cause.

It is the further order that a copy of this order be mailed to Alexander George at Kelleyville, Oklahoma.

F. E. KENNAMER
U. S. District Judge

(Cont'd)

On this 12th day of January, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

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

JOURNAL ENTRY

On this 12th day of January, 1939 comes on for hearing the above entitled cause, the court having under consideration motion for pre-trial conference and other motions filed herein by the defendants. The plaintiff appeared by her counsel, A. O. Harrison and Davidson & Taylor, and the defendants appeared by their attorneys, Rowland & Talbott.

After statement of the matters in controversy and of the pending motions, it was agreed by counsel for all parties respectively, that the entire issue involved in this action should be settled and disposed of by arbitration, the Honorable F. E. Kennamer, United States District Judge, to act as arbitrator.

WHEREUPON, counsel for the parties respectively made statements of the issues and of the evidence which they had assembled and which was material to the issues involved, and after argument the following award is made by the undersigned, F. E. Kennamer, as arbitrator, without the necessity of findings of fact and as an award which is acceptable to both sides, the following disposition of the case is made, to-wit:

1. Within thirty days from the date hereof, it is ordered that the plaintiff pay to the defendant, Bartlesville Hotel Company, the cash sum of Three Hundred Fifty and no/100 Dollars (\$350.00), and that plaintiff, also, pay all costs of this action.
2. Upon compliance with the foregoing obligation imposed upon the plaintiff the defendants, Bartlesville Hotel Company and C. E. Burlingame, shall deliver to the Plaintiff, Mrs. Paul Shortridge, all of the pictures and other personal property seized by the Bartlesville Hotel Company and held as security for the hotel bill of the plaintiff, except two (2) pictures, entitled "Pals", by Brown, and "The Old Farm", by Shayer, which shall be delivered to John Douthitt of New York City and, also, except a woman's used coat, two pair of slippers, two old corsets, and two old black dresses, which were given by the hotel company to the hotel janitor.

If the plaintiff should fail, neglect, or refuse to make the cash payment of Three Hundred Fifty and no/100 Dollars (\$350.00), as hereinbefore prescribed, within the time above mentioned, then this cause shall be considered as dismissed with prejudice and at the cost of the plaintiff.

F. E. KENNAMER
 United States District Judge

(Continued)

Service of copy acknowledged.
O.K. A. O. HARRISON

DAVIDSON & TAYLOR
By WILLIAM M. TAYLOR
Attorneys for Plaintiff

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

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

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

MADGE L. RILEY, Plaintiff,)
vs.)
F. H. AKRIGHT, RUFUS RANDOLPH) No. 67 Civil
RILEY, and STANDARD OIL COMPANY,)
A Corporation, Defendants.)

ORDER OF APPOINTMENT

Upon application of Harold E. Roschach, attorney for plaintiff herein, I hereby appoint Wilson A. Clift specially for the purpose of serving copy of Warning Order issued this date, copy of summons, and copy of complaint, on Rufus Randolph Riley, a non-resident of the State of Oklahoma, and said Wilson A. Clift is hereby ordered to make return of this actions within twenty days, pursuant to the appointment herein.

Dated at Tulsa, Oklahoma this 12th day of January, 1939.

F. E. KENNAMER
District Judge

ENDORSED: Filed Jan 12, 1939
H. P. Warfield, Clerk
U. S. District Court B

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

Federal Housing Administration,	Plaintiff,)	
)	
-vs-		)	No. 2665 - Law
)	
Stanley J. Ehlinger,	Defendant.)	

ORDER OF DISMISSAL

Now on this 12th day of January, A. D. 1939, upon motion of the United States Attorney, and for good cause shown, the court finds that this cause should be dismissed.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the same be and it is hereby dismissed.

F. E. KENNAMER
JUDGE

ACKNOWLEDGMENT OF SERVICE AND OK AS TO FORM:

WHIT Y. MAUZY
Whit Y. Mauzy
United States Attorney

JOE W. HOWARD
Joe W. Howard, Assistant.

ENDORSED: Filed Jan 12 1939
H. P. Warfield, Clerk
U. S. District Court EA

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

Federal Life Insurance Company, a corporation,	Plaintiff,)	
)	
vs.		)	No. 1245 Equity
)	
Fred B. F. Smith, also known as Fred B. Smith, also known as Fred Smith, et al,	Defendants.)	

ORDER CONFIRMING SPECIAL MASTER'S SALE

This matter comes on to be heard this 12th day of January, 1939, upon the motion of the plaintiff to confirm the sale of real estate made by the special master duly appointed by this court in this cause on the 29th day of November, 1938, pursuant to special execution and order of sale issued out of this court on the 19th day of October, 1938, the said land so sold being situated in Craig and Mayes Counties, State of Oklahoma, to-wit:

The Southwest Quarter of the Southwest Quarter of Section Thirty-three (33) and the Northwest Quarter of the Southeast Quarter, and the North Half of the Southeast Quarter of the Southeast Quarter, and the Southwest Quarter of the Southeast Quarter of the Southeast Quarter of Section Thirty-two (32),

Township Twenty-four (24) North, Range Twenty (20)
East of the Indian Meridian in Craig County, Oklahoma; also, Lot Two
(2), and the Southwest Quarter of the Northeast Quarter of Section Five
(5), Township Twenty-three (23) North, Range Twenty (20) East
of the Indian Meridian in Mayes County, Oklahoma;

and also the following described lands situated in Craig County, State of Oklahoma, to-wit:

The Southwest Quarter of the Northwest Quarter, and the North Half
of the Northwest Quarter of the Southwest Quarter, and the Northwest
Quarter of the Northeast Quarter of the Southwest Quarter of Section
Thirty-three (33), Township Twenty-four (24) North, Range Twenty (20)
East of the Indian Meridian,

The court, having examined the proceedings of the special master under the
said special execution and order of sale, and being well and sufficiently advised in the pre-
mises, finds that pursuant to the decree of this court entered in this cause, the special
execution and order of sale issued thereon, that the special master duly levied upon the above
described real estate, and duly and legally advertised the said real estate for sale for more
than 30 days prior to the date of said sale by publication of notice in "The Vinita Leader,"
a newspaper printed and of general circulation in Craig County, State of Oklahoma, and in "The
Mayes County Democrat", a newspaper printed and of general circulation in Mayes County, State of
Oklahoma, and that on the 29th day of November, 1938, at the hour of 10 o'clock A.M. of said day
at the north front door of the court house in the city of Vinita, Craig County, State of Oklahoma,
that being the time and place fixed in said notices for the holding of said sale, the special
master herein offered the said lands above described in one parcel at public auction to the
highest bidder, without appraisal, and sold the said lands in one parcel to the Federal Life
Insurance Company, a corporation, for the sum of \$5,000.00; that the said Federal Life Insurance
Company was the highest and best bidder at said sale, and the said sum was the highest and best
sum bid, and there being no objections or exceptions on file herein, it is ordered that the Clerk
of this Court note on the journal of this court that the court is satisfied as to the legality
of the said sale and the proceedings of the special master under order of sale issued herein, and
that the said sale should be confirmed.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the proceedings of the
Special Master and the sale of the real estate aforesaid be, and the same are hereby, in all
things confirmed and approved.

It is further ordered that the Honorable Richard L. Wheatley, the duly
appointed special master herein, make, execute, and deliver to the Federal Life Insurance
Company, a corporation, the purchaser at the sale of the real estate aforesaid a good and
sufficient deed of conveyance to the said real estate aforesaid.

It is further ordered that the fee of the special master be, and the same
is hereby, fixed in the sum of \$50.00, which is hereby taxed as costs in this cause.

7 It is further ordered that the purchaser of the said real estate aforesaid
be immediately let into possession of the said real estate, and each and every part thereof,
and upon refusal of any person in possession of the said real estate to deliver the same, upon
application duly filed, the Clerk is directed to issue a writ of assistance addressed to
the United States Marshal, commanding him to place the purchaser of the said real estate in
possession thereof.

ENDORSED: Filed Jan 12 1939
H. P. Warfield, Clerk
U. S. District Court H

F. E. KENNAMER
DISTRICT JUDGE

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

Federal Life Insurance Company, a corporation,	Plaintiff,)	
)	
vs.		)	No. 1245 Equity
)	
Fred B. F. Smith, also known as Fred B. Smith, also known as Fred Smith, et al.,	Defendants.)	

ORDER APPROVING RECEIVER'S REPORT AND DISCHARGING
RECEIVER

Now, on this 12th day of January, 1939, there comes on to be heard the report of the receiver appointed by this court to take charge of rent, and receive the rents and profits from the lands involved in the above styled and numbered cause, and the said receiver, appearing by and through his attorneys of record, presents his report to the court and the court having been well and sufficiently advised, finds:

That Page Crahan, the receiver herein, pursuant to the order of this court, took possession of the lands involved in this suit and rented the portion thereof in cultivation to Sam Smith for the sum of \$55.00, which said sum has been paid to said receiver, that the receiver has made necessary disbursements, as follows:

Maryland Casualty Company for bonding of receiver \$10.00

and that the receiver has on hand the sum of \$45.00 to be distributed.

The Court further finds that the remaining portion of the lands involved in the above suit being pasture lands, and the same not being properly fenced, and there being no funds in the hands of the receiver to properly prepare said lands for rental, the same were not by the receiver rented, and he has received no rents, revenue, or profit therefrom.

The court further finds that compensation for the receiver for acting in this cause is of the reasonable value of \$25.00, and out of the funds in the hands of the said receiver the said sum of \$25.00 shall be paid to said receiver as his fee.

The court further finds that, after the payment of receiver's fee, there remains, in the hands of the receiver the sum of \$20.00, and that under the judgment in favor of the plaintiff herein, the sale of the lands did not bring a sufficient sum to pay plaintiff's judgment, interest, costs, and attorney's fees, and plaintiff is entitled to have distributed to it the said sum of \$20.00 in the hands of the said receiver.

The court further finds that the lands involved in the above suit were sold, by the special master appointed herein, on November 29, 1938, to the plaintiff, and that there remains no further necessity for the receiver to act in connection with the said land, and the said receiver should be discharged, and the surety on the receiver's bond should be exonerated from further liability on said bond.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the receiver's report made and filed herein be, and the same is hereby, approved and confirmed.

It is further ordered that the Receiver be paid the sum of \$25.00 out of the fund in his hands as his fee for acting as such receiver.

It is further ordered that the remaining sum in the hands of the receiver, being \$20.00, be paid over by the receiver to the plaintiff herein to be credited on the judgment of the plaintiff entered in the above styled and numbered cause.

It is further ordered that the receiver herein has well and truly performed all acts on his part to be performed, and that no other or further acts are necessary herein, and that the said receiver be, and he is hereby, discharged, and that the surety on the bond of the receiver be, and is, hereby exonerated and released from further liability under the bond made and filed by the receiver herein.

F. E. KENNAMER
District Judge

ENDORSED: Filed Jan 12 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, Defendant.)

DECREE ON CROSS-PETITION OF THE OIL COUNTRY SPECIALTIES MFG. CO.

It appearing to the court that The Oil Country Specialties Mfg. Co. has filed a cross-petition in the above styled cause, praying for possession of certain personal property sold to the defendant, Gilmort Oil Company, under three certain conditional sales contracts, as set out in its cross-petition;

And it further appearing to the court that said property, consisting of machinery, is not necessary for the operation of the properties in the receivership in this cause, and its present value is not in excess of the balance due;

And the parties having agreed that upon a return of said property to The Oil Country Specialties Mfg. Co. that it will waive any and all possible deficiency against said defendant company in this receivership, in consideration of its immediate return;

IT IS THEREFORE THE ORDER OF THE COURT that the receivers, Wilbur J. Holleman and L. L. Wiles, be and hereby are directed to deliver forthwith to The Oil Country Specialties Mfg. Co. the property sold by it to said defendant, Gilmort Oil Company, and described as follows, to wit:

- 1 - O.C.S. 20 HP Duck Pumping Unit
- 12 - 110# Weights (1320# 3.90 cwt)
- 1 - Model P-30 McCormick Deering Engine Complete
- 1 10 1/2" 4-C Engine Sheave
- 1 - OCS HP Goslin Double Reduction Unit complete w/30 1/2" 2 C Sheave - C Belts
- 1 - P-12 McCormick Deering Engine Hood Side Doors, Tools, Welded Steel Base, Ensign Combination Carburetor

- 1 - 10 1/4" 2 C Engine Sheave
- 1 - OCS 10 HP Goslin Double Reduction Unit
Complete with 30-1/2" 2 C Sheave - C Belts
- 12 - 75# Extra Weights 900# @ 3.90 cwt.
- 1 - P 12 McCormick Deering Engine - Hood Side Doors
Tools, Welded Steel Base, Ensign Combination Carburetor
- 1 - 10 1/2" 2 C Engine Sheave

AND IT IS FURTHER THE ORDER OF THE COURT that upon the delivery of said property, The Oil Country Specialties Mfg. Co. shall accept the same in full and complete satisfaction of any and all claims against the defendant corporation or the receivership herein pending.

DATED THIS 12th day of January, 1939.

F. E. KENNAMER
JUDGE

OK: LAWRENCE MILLS
Attorneys for Receiver

YANCEY, SPILLERS & BUSH
Attorneys for O.C. S. Mfg. Co.

ENDORSED: Filed Jan 12 1939
H. P. Warfield, Clerk
U. S. District Court AC

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

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

O R D E R

Now this 12 day of January, 1939 this matter comes on for hearing on the application of the Respondents asking an order of this court directing and requiring H. A. Andrews as Superintendent of the Quapaw Indian Agency at Miami, Oklahoma, and A. B. Keith as appraiser for said Indian Agency to testify as witnesses in behalf of the Respondents in the above styled and numbered cause of action and to produce such books and records pertinent to their testimony herein as may be in their official possession.

It appearing to the court that the testimony of said witnesses is material and that respondents in good faith are seeking said testimony.

IT IS THEREFORE ORDERED that the said H. A. Andrews and the said A. B. Keith do testify as witnesses herein on behalf of the Respondents and that they do produce and testify from such books and records as may be in their official custody as Superintendent and Appraiser, respectively of the Quapaw Indian Agency at Miami, Oklahoma.

F. E. KENNAMER
JUDGE

OK FRANK NESBITT, Attorney for Respondent
SERVICE OF COPY ACKNOWLEDGED
WHIT Y. MAUZY CHESTER A. BREWER

ENDORSED: Filed Jan 12 1939
H. P. Warfield, Clerk, U. S. District Court B

Court adjourned to January 13, 1939

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR
THE NORTHERN DISTRICT OF OKLAHOMA
REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA FRIDAY, JANUARY 13, 1939

On this 13th day of January, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

IN THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE TENTH JUDICIAL
CIRCUIT
SITTING AT WICHITA, KANSAS.
FIRST DAY, JANUARY TERM, MONDAY, JANUARY 9th, A. D. 1939.

PRESENT: Honorable Orrie L. Phillips, Circuit Judge,
Honorable Sam G. Bratton, Circuit Judge,
Honorable Robert L. Williams, Circuit Judge,

Lon Warner, Esquire, Marshal,
Albert Trego, Esquire, Clerk.

Before Honorable Orrie L. Phillips, Honorable Sam G. Bratton and
Honorable Robert L. Williams, Circuit Judges. (No. 936-Equity)

Secretary of the Interior, Appellant,)
1928 vs.) Appeal from the District Court of the
New York Life Insurance Company, et al, Appellees.) United States for the Northern District
of Oklahoma.

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

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

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

A true copy as of record,

TESTE: ALBERT TREGO
CLERK

(SEAL)

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

IN THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE TENTH JUDICIAL
CIRCUIT
SITTING AT WICHITA, KANSAS
FIRST DAY, JANUARY TERM, MONDAY, JANUARY 9th, A. D. 1939

PRESENT: Honorable Oris L. Phillips, Circuit Judge,
Honorable Sam G. Bratton, Circuit Judge,
Honorable Robert L. Williams, Circuit Judge,

Lon Warner, Esquire, Marshal,
Albert Trego, Esquire, Clerk.

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

John R. Pearson, Executor of the Estate
of Wayne M. Penn, Deceased,

Appellant,

Appeal from the District Court of the
United States for the Northern District
of Oklahoma.

1829

vs.

Secretary of the Interior et al,

Appellees.

(No. 936 - Equity) ✓

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

On consideration whereof, it is now here ordered by the court that the said motion
be and the same is hereby granted and that the appeal in this cause be and the same is hereby dis-
missed out of this court at the costs of appellant.

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.

Costs of Appellees:

Clerk, ----- \$7.85
Attorney, ----- 20.00
\$27.85

(SEAL)

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

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

In the matter of)
GILMORT OIL COMPANY,) No. 1277 Equity
Bankrupt.)

ORDER PERMITTING MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY TO FILE CLAIM WITH THE SPECIAL MASTER OUT OF TIME

On this 12th day of January, 1939, upon application of the Massachusetts Mutual Life Insurance Company, and for good cause shown:

IT IS ORDERED by the court that said applicant be, and it is hereby permitted to file with the Special Master herein, forthwith, its claim for \$135.50, representing the balance due on a note dated April 1, 1936, signed by the above named bankrupt, and secured by chattel mortgage of the same date on certain office furniture and fixtures. A photostatic copy of said note and chattel mortgage, together with a statement of the balance due, being attached to said claim.

IT IS FURTHER ORDERED by the court that the Special Master herein consider said claim as though same had been filed within the time heretofore allowed for the filing of claims.

O.K. SERVICE ACKNOWLEDGED OR COPIES MAILED PARTIES.

F. E. KENNAMER
JUDGE

LAWRENCE MILLS
E. J. DOERNER

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

Court adjourned to January 14, 1939

On this 14th day of January, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

JAMES T. SPENCER, Administrator of the
Estate of JACKSON BARNETT, Deceased, Plaintiff,
vs. No. 39 Civil
GYPSY OIL COMPANY, a Corporation, et al.,
Defendants.

O R D E R

This matter coming on for hearing this 14th day of January, 1939, upon the application of the United States of America, appearing by Whit M. Mauzy, United States Attorney for the Northern District of Oklahoma, and the Court being fully advised in the premises finds that the United States of America should be allowed to intervene herein and to file its intervening petition.

IT IS, THEREFORE the order of the Court that the United States of America be and it hereby is permitted and allowed to intervene in this cause and is given Thirty (30) days from this date in which to file its intervening petition.

AND IT IS SO ORDERED.

ALFRED P. MURRAH
U. S. District Judge.

O.K. SERVICE OF COPY ACKNOWLEDGED.

WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Asst. U. S. Atty.

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

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

Mrs. R. L. Bond, Plaintiff,
vs. No. 2613 - L
Tulsa City Lines, Defendant.

ORDER SUSTAINING DEMURRER AND JUDGMENT FOR DEFENDANT

This cause came on to be heard on this 14th day of January, 1939, the cause having been previously orally argued, briefs having been previously submitted by both parties, and the matter having been duly considered, the Court does hereby find that the defendant's demurrer to the plaintiff's petition should be sustained.

IT IS THEREFORE ordered, adjudged and decreed that the defendant's demurrer to the plaintiff's petition be hereby sustained, and judgment is rendered for the defendant, to which ac-

tion of the Court the plaintiff does except, and exceptions are allowed.

F. E. KENNAMER
JUDGE

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

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

O. L. Bassett, Plaintiff,)
vs) No. 2693 - L
James E. Brown, Defendant.)

ORDER REMANDING CAUSE

This matter coming on for hearing on this 14th day of January, 1939, the matter having been previously orally argued, briefs submitted by both parties, the matter being duly considered, the Court finds that the plaintiff's motion to remand this cause to the State Court should be sustained.

IT IS THEREFORE, ordered, adjudged and decreed that this case be remanded to the State Court.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Jan 14 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. 2728 - Law
A. A. FORBES, ET AL, Defendants.)

ORDER OF DISMISSAL

NOW, on this 14 day of January, 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.

F. E. KENNAMER
U. S. District Judge

O.K. SERVICE OF COPY ACKNOWLEDGED

WHIT Y MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney

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

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

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

ORDER DISBURSING FUNDS IN ACCORDANCE WITH DECREE

Now, on this 14th day of January, A. D. 1939, it having been made to appear to the Court that the respective appeals of the defendants, Secretary of the Interior and John R. Pearson, Executor of the Estate of Wayne M. Penn, deceased, to the United States Circuit Court of Appeals for the Tenth Circuit, were dismissed on the 9th day of January, 1939, pursuant to motions, stipulations and agreement of the parties hereto,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the funds in the registry of this Court in the above entitled cause be disbursed in accordance with the decree of this Court in the above entitled cause entered the 11th day of May, 1938, in respect to which Findings of Fact, Conclusions of Law and Decree were filed the 29th day of July, 1938.

IT IS FURTHER ORDERED that, Sam S. Canterbury, one of the attorneys for Mabel E. Schafer nee Penn, the intervenor, having presented and filed written authorization, duly verified of the said Mabel E. Schafer nee Penn, to receive and receipt for the funds due said intervenor in accordance with said decree, the same to be paid over to the said Sam S. Canterbury.

F. E. KENNAMER
United States District Judge

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA.

United States of America,	Plaintiff,)	
)	
vs.)	
)	
Board of County Commissioners)	
of Pawnee County, State of Okla-		)	No. 16 Civil
homa, John L. Maltzberger, County)	
Treasurer of Pawnee County, State of)	
Oklahoma and George F. Feaster,)	
County Assessor of Pawnee County,)	
State of Oklahoma.	Defendants.)	

JOURNAL ENTRY OF JUDGMENT

Now on this 16th day of January, 1939, this cause came on to be heard in open court before Honorable F. E. Kennamer, Judge presiding, pursuant to regular assignment, plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and it being shown to the Court that the above named defendants, and each of them, have been regularly served with summons and a copy of the complaint in this cause more than 20 days prior to this date, and that none of said defendants has answered or otherwise pleaded herein, said defendants, and each of them, are by the Court found to be in default; and the Court finds that plaintiff is entitled to judgment as demanded herein.

The Court further finds that on December 5, 1932, there was purchased with restricted funds, for and on behalf of Nora White, Pawnee Indian, the following described real estate, to-wit:

West Half of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section Twenty-nine (29), Township Twenty-two North, Range Five (5) East, situated in Pawnee County, State of Oklahoma.

That said property was purchased with the proceeds derived from the sale of non-taxable land belonging to the said Nora White, Pawnee Indian. That said above described land was purchased with the approval of the Secretary of the Interior, and with the understanding that same would be non-taxable in the same quantity and upon the same terms and conditions as the non-taxable real estate from which the invested funds were derived.

The Court further finds that Nora White, Pawnee Indian, is now and was at all times herein mentioned, in the possession of the above described real estate.

The Court further finds that although the land above described was non-taxable, under the provisions of the Act of Congress of June 30, 1932 (47 Stat. 474), George F. Feaster, the duly appointed, qualified and acting County Assessor of Pawnee County, Oklahoma, assessed said land for taxes for the years 1933, 1934, 1935, 1936, 1937 and 1938, and that John L. Maltzberger, the duly appointed, qualified and acting County Treasurer of Pawnee County, Oklahoma, is attempting to collect said taxes.

The Court further finds that said County authorities of Pawnee County, Oklahoma, advertised said real estate for sale for non-payment of taxes for the years 1933, 1934, 1935, and 1936, during the month of April, 1938. That on May 4, 1938, the West Half of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section Twenty-nine (29), Township Twenty-two (22) North, Range Five (5) East, was purportedly sold to the Board of County Commissioners of Pawnee County, Oklahoma, for the use and benefit of Pawnee County, for a consideration of

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 16, 1939

\$141.53, and that a purported re-sale tax deed was issued to the said Board of County Commissioners of Pawnee County, Oklahoma, which deed was filed of record on June 10, 1938, at 9 O'clock A.M. and recorded in book 3 of re-sale records, at page 530, in the office of the county Clerk of Pawnee County, Oklahoma. That said re-sale tax deed is void and of no force and effect, and should be vacated, set aside and held for naught.

The Court further finds that said land above described was not subject to taxation during the years herein above mentioned, and is not now subject to taxation by the taxing authorities of Pawnee County, Oklahoma.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that the re-sale tax deed, dated May 4, 1938, filed of record June 10, 1938, at 9 o'clock A.M., and recorded in book 3 of re-sale records, at page 530, in the office of the County Clerk of Pawnee County, Oklahoma, conveying the West Half of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section Twenty-nine (29), Township Twenty-two (22) North, Range Five (5) East, Pawnee County, Oklahoma, be, and the same hereby is vacated and canceled of record.

IT IS THE FURTHER JUDGMENT of the Court that the taxes levied against the above described real estate for the years 1933, 1934, 1935, 1936, 1937 and 1938 are void and of no force and effect, and the same are hereby canceled of record, and the title to the above described real estate is hereby quieted in the name of Nora White, Pawnee Indian.

IT IS THE FURTHER ORDER AND JUDGMENT of the Court that the County Assessor of Pawnee County, Oklahoma, and the County Treasurer of Pawnee County, Oklahoma, be, and they hereby are restrained and enjoined from assessing or collecting, or attempting to collect the above described taxes or any other taxes on said real estate so long as the same remains restricted against alienation and not subject to taxation.

IT IS THE FURTHER ORDER AND DECREE of the Court that the plaintiff herein recover its costs against said defendants, and each of them.

O.K. HORACE BALLAINE
County Attorney, Pawnee County, Oklahoma.

F. E. KENNAMER
JUDGE

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,)
vs.)
Board of County Commissioners of Pawnee County,)
Oklahoma, John L. Maltzberger, County Treasurer)
of Pawnee County, Oklahoma, George F. Feaster,)
County Assessor of Pawnee County, Oklahoma, and)
O. R. DeWitt, Defendants.)
No. 37 Civil

JOURNAL ENTRY OF JUDGMENT

Now on this 16th day of January, 1939, this cause came on to be heard in open court before the Honorable F. E. Kennamer, Judge presiding, pursuant to regular assignment,

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

REGULAR JANUARY 1939 TERM

MONDAY, JANUARY 16, 1939

24

plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and it being shown to the Court that the above named defendants, and each of them, have been regularly served with summons and a copy of the complaint in this cause more than 20 days prior to this date, and it further appearing to the court that the defendant, O. R. DeWitt has filed his disclaimer in this action, disclaiming any right, title or interest in and to the property involved, and it further appearing to the Court that the other defendants herein, and each of them, have failed to answer or otherwise plead herein, said defendants and each of them, are by the Court found to be in default; and the Court finds that plaintiff is entitled to judgment as demanded in its complaint in this action.

The Court further finds that on the 26th day of March, 1934, there was purchased with restricted funds, for and on behalf of Vernon Murie, Pawnee Indian, the following described real estate, to-wit:

South Half of Southwest Quarter of Section Fourteen (14), West Half of Northwest Quarter of Section Twenty-three (23), Township Twenty-two (22) North, Range Four (4) East, Pawnee County, Oklahoma.

That said property was purchased with the proceeds derived from the sale of non-taxable land belonging to Vernon Murie, Pawnee Indian. That said above described land was purchased with the approval of the Secretary of the Interior, and with the understanding that same would be non-taxable in the same quantity and upon the same terms and conditions as the non-taxable real estate from which the invested funds were derived.

The Court further finds that Vernon Murie, Pawnee Indian, is now and was at all times herein mentioned, in possession of the above described real estate.

The Court further finds that although the land hereinabove described was non-taxable under the provisions of the Act of Congress of June 30, 1932 (47 Stat. 474), George F. Feaster, the duly appointed, qualified and acting County Assessor of Pawnee County, Oklahoma, assessed said land for taxes for the years 1934, 1935, 1936, 1937 and 1938, and that John L. Maltzberger, the duly appointed, qualified and acting County Treasurer of Pawnee County, Oklahoma, is attempting to collect said taxes.

The Court further finds that said county authorities of Pawnee County, Oklahoma advertised said real estate for sale for non-payment of taxes for the years 1934, 1935 and 1936, during the month of April, 1938. That on April 18, 1938, the West Half of the Northwest Quarter of Section Twenty-three (23), Township Twenty-two (22) North, Range Four (4) East, Pawnee County, Oklahoma, was purportedly sold to the defendant, O. R. DeWitt for a consideration of \$175.00, and that thereafter a purported re-sale tax deed was issued to said defendant, O. R. DeWitt, which deed was filed of record on the 25th day of April, 1938, at 11:15 A.M., and recorded in book 3 of re-sale records, at page 227, in the office of the County Clerk of Pawnee County, Oklahoma. That said re-sale tax deed is void and of no force and effect, and should be vacated, set aside and held for naught.

The Court further finds that on May 4, 1938, the South Half of the Southwest Quarter of Section Fourteen (14), Township Twenty-two (22) North, Range Four (4) Pawnee County, Oklahoma, was purportedly sold to the Board of County Commissioners of Pawnee County, Oklahoma, by the regularly appointed, qualified and acting officials of Pawnee County, Oklahoma, for the use and benefit of Pawnee County, Oklahoma, for a consideration of \$80.67, and thereafter a purported re-sale tax deed was issued to the Board of County Commissioners of Pawnee County, Oklahoma, which deed was filed of record on June 10, 1938, at 9 o'clock A.M., and recorded in book 3 of re-sale records, at page 528, in the office of the County Clerk of Pawnee County, Oklahoma.

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

The Court further finds that said land above described was not subject to taxation during the years hereinabove mentioned, and is not now subject to taxation by the taxing authorities of Pawnee County, Oklahoma, and that said deed above described, purporting to convey the above described land, is void and of no force and affect, and should be canceled of record.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that the re-sale tax deed dated April 18, 1938, filed of record on the 25th day of April, 1938, at 11:15 o'clock A.M., and re-recorded in book 3 of re-sale records, at page 227, in the office of the County Clerk of Pawnee County, Oklahoma, conveying the West Half of the Northwest Quarter of Section Twenty-three (23), Township Twenty-two (22) North, Range Four (4) East, Pawnee County, Oklahoma, be, and the same hereby is vacated and canceled of record.

That the re-sale tax deed dated May 4, 1938, filed of record June 10, 1938, at 9 o'clock A.M., and recorded in book 3 of re-sale records, at page 528, in the office of the County Clerk of Pawnee County, Oklahoma, conveying the South Half of the Southwest Quarter of Section Fourteen (14), Township Twenty-two (22) North, Range Four (4) East, Pawnee County, Oklahoma, be and the same hereby is vacated and canceled of record.

IT IS THE FURTHER JUDGMENT of the Court that the taxes levied against all of the above described real estate for the years 1934, 1935, 1936, 1937 and 1938, are void and of no force and effect, and the same are hereby canceled of record, and the title to the above described real estate is hereby quieted in Vernon Murie, Pawnee Indian.

IT IS THE FURTHER ORDER AND JUDGMENT of the Court that the County Assessor of Pawnee County, Oklahoma, and the County Treasurer of Pawnee County, Oklahoma, be, and they hereby are restrained and enjoined from assessing and collecting or attempting to assess or collect said taxes, or any other taxes on said above described real estate so long as same remains restricted against alienation, and not subject to taxation.

IT IS THE FURTHER ORDER AND JUDGMENT of the Court that the plaintiff herein recover its costs against the defendants, Board of County Commissioners of Pawnee County, Oklahoma, J. L. Maltberger, County Treasurer of Pawnee County, Oklahoma, and George F. Feaster, County Assessor of Pawnee County, Oklahoma, and each of them,

F. E. KENNAMER
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

O.K. HORACE BALLAINE, County Attorney, Pawnee County.

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

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

ELEANOR A. SMITH, Plaintiff,)
v.) No. 2618 - Law.
THE UNION CENTRAL LIFE INSURANCE)
CO. A Corporation, Defendant.)

O R D E R

Upon this the 16th day of January, A. D. 1939, upon the application of the plaintiff, Eleanor A. Smith, she is granted permission to file in the above cause her amended petition and the defendant is granted and allowed 10 days hereafter to further plead..

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

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

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

United States of America, Plaintiff,)
vs.) No. 2671 Law
Raymond Smith, F. L. Smith and)
Jake Bonner, Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 16th day of January, 1939, this cause came on to be heard in open court before Honorable F. E. Kennamer, Judge, presiding, on the petition of the plaintiff and the default of the defendants; and plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district; and it being shown to the Court that each of the above named defendants has been regularly served with summons in this cause more than 30 days prior to this date, and that neither of said defendants has answered, demurred or otherwise pleaded herein, they are by the Court found to be in default, and the Court finds that plaintiff is entitled to judgment as prayed in its petition herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Juanita Scott, Osage Allottee No. 860, have judgment against the defendants, Raymond Smith, F. L. Smith and Jake Bonner, and each of them, in the sum of \$100.00, with interest thereon at the rate of 6% per annum from November 1, 1936, until paid, and for all costs of this action.

OK AS TO FORM Service of copy acknowledged.
WHIT Y. MAUZY
Whit Y. Mauzy, United States Attorney

F. E. KENNAMER
JUDGE

CHESTER A. BREWER,
Chester A. Brewer, Assistant United States Attorney
ENDORSED: Filed Jan 16 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
1939

TULSA, OKLAHOMA

MONDAY, JANUARY 16, 1939

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

United States of America,	Plaintiff,)	
)	
vs.		)	No. 2672 - Law
)	
L. H. Smith, Roy Alexander and W. E. Niehof,	Defendants.)	

JOURNAL ENTRY OF JUDGMENT

Now on this 16th day of January, 1939, this cause came on regularly to be heard in open court before Honorable F. E. Kennamer, Judge presiding, plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and it being shown to the Court that each of the above named defendants has been regularly served with summons in this cause more than 30 days prior to this date, and that neither of said defendants has answered, demurred or otherwise pleaded herein, they are by the Court found to be in default.

The Court further finds that settlement has been made with the Osage Indian Agency for the indebtedness herein, but that the court costs of this suit have not been paid, and that plaintiff is entitled to have its costs herein.

IT IS THEREFORE THE ORDER of the Court that plaintiff recover its costs in this cause, for which let execution issue.

F. E. KENNAMER
JUDGE

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

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

ENDORSED: Filed Jan 16 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. 2677 Law
)	
W. J. Buchanan, W. E. Witty and G. C. Bolton,	Defendants.)	

JOURNAL ENTRY OF JUDGMENT

Now on this 16th day of January, A. D. 1939, this cause came on to be heard in open court before Honorable F. E. Kennamer, Judge presiding, on the petition of the plaintiff and the default of the defendants; and plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States

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

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

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

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

G. C. ROUGHTON, Plaintiff,
vs.
UTILITIES PRODUCTION CORPORATION, a Corporation, and Utilities Oil Production Corporation, a Corporation, Defendants.

NUMBER 2

O R D E R

Now on this the 17th day of January, 1939, the court having had under advisement the motion of the defendants to dismiss in the above styled and numbered cause, is of the opinion that the said motion, and each part thereof, should be and the same is hereby overruled and denied, to which action of the court the defendants except, and each defendant excepts, and ask that their exceptions be allowed and noted of record, which is accordingly done.

It is further ordered that the defendants be and they are hereby granted twenty days from this date in which to file answer herein.

WITNESS MY HAND AS JUDGE, this January 17, 1939.

F. E. KENNAMER
JUDGE

APPROVED: ROBERT W. RAYNOLDS
Attorney for Plaintiff

APPROVED AS TO FORM: SERVICE OF COPY ACKNOWLEDGED.

E. J. LUNDY
Attorney for Defendants.

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

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

G. C. ROUGHTON, Plaintiff,)
vs.) NUMBER 3
UTILITIES PRODUCTION CORPORATION, a)
corporation, and Utilities Oil Production)
Corporation, a corporation, Defendants.)

O R D E R

Now on this the 17th day of January, 1939, the court having had under advise-
ment the motion of the defendants to dismiss in the above styled and numbered cause, is of the
opinion that the said motion, and each part thereof, should be and the same is hereby over-
ruled and denied, to which action of the court the defendants except, and each defendant excepts,
and ask that their exceptions be allowed and noted of record, which is accordingly done.

It is further ordered that the defendants be and they are hereby granted twenty
days from this date in which to file answer herein.

WITNESS MY HAND AS JUDGE, this January 17, 1939.

APPROVED: ROBERT W. RAYNOLDS, Attorney for Plaintiff. F. E. KENAMER, Judge.

APPROVED AS TO FORM: SERVICE OF COPY ACKNOWLEDGED.
E. J. LUNDY, Attorney for Defendants

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

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

G. C. ROUGHTON, Plaintiff,)
vs.) NUMBER 4
UTILITIES PRODUCTION CORPORATION, a)
Corporation, and Utilities Production)
Corporation, a corporation, Defendants.)

O R D E R

Now on this the 17th day of January, 1939, the court having had under advise-
ment the motion of the defendants to dismiss in the above styled and numbered cause, is of the
opinion that the said motion, and each part thereof, should be and the same is hereby overruled
and denied, to which action of the court the defendants except, and each defendat excepts, and
ask that their exceptions be allowed and noted of record, which is accordingly done.

It is further ordered that the defendants be and they are hereby granted twenty days from this date in which to file answer herein.

WITNESS MY HAND AS JUDGE, this January 17, 1939.

F. E. KENNAMER
JUDGE

APPROVED: ROBERT W. RAYNOLDS
Attorney for Plaintiff

APPROVED AS TO FORM:
SERVICE OF COPY ACKNOWLEDGED.
E. J. LUNDY
Attorney for Defendants.

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

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

G. C. ROUGHTON, Plaintiff,)
)
vs.)
) No. 8
UTILITIES PRODUCTION CORPORATION a Corporation,)
and Utilities Oil Production Corporation, a)
corporation, Defendants.)

O R D E R

Now on this the 17th day of January, 1939, the court having had under advisement the motion of the defendants to dismiss in the above styled and numbered cause, is of the opinion that the said motion, and each part thereof, should be and the same is hereby overruled and denied, to which action of the court the defendants except, and each defendant excepts, and ask that their exceptions be allowed and noted of record, which is accordingly done.

It is further ordered that the defendants be and they are hereby granted twenty days from this date in which to file answer herein.

WITNESS MY HAND AS JUDGE, this January 17, 1939.

F. E. KENNAMER
JUDGE

APPROVED: ROBERT W. RAYNOLDS
Attorney for Plaintiff

APPROVED AS TO FORM: SERVICE OF COPY ACKNOWLEDGED.
E. J. LUNDY
Attorney for Defendants

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

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

G. C. ROUGHTON, Plaintiff,)
vs.)
UTILITIES PRODUCTION CORPORATION a corporation,) No. 9
and Utilities Production Corporation, a corporation,)
Defendants.)

O R D E R

Now on this the 17th day of January, 1939, the court having had unaver advised the motion of the defendants to dismiss in the above styled and numbered cause is of the opinion that the said motion, and each part thereof, should be and the same is hereby overruled and denied, to which action of the court the defendants except, and each defendant excepts, and ask that their exceptions be allowed and noted of record, which is accordingly done.

It is further ordered that the defendants be and they are hereby granted twenty days from this date in which to file answer herein.

WITNESS MY HAND AS JUDGE, this January 17, 1939.

APPROVED: ROBERT W. RAYNOLDS Attorney for Plaintiff
F. E. KENNAMER Judge.

APPROVED AS TO FORM: SERVICE OF COPY ACKNOWLEDGED.
E. J. LUNDY
Attorney for Defendants

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

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

VIDAL ZUNIGA, Plaintiff,)
vs.) No. 2260 Law.
United States of America, Defendant.)

JOURNAL ENTRY OF JUDGMENT

This cause came on for trial by regular assignment on May 24, 1937, before Honorable Alfred P. Murrah sitting as judge of the United States District Court for the Northern District of Oklahoma. Plaintiff appeared in person and was represented by his attorney of record, Benj. E. Cook. The defendant appeared by Chester A. Brewer, Assistant United States Attorney, and Daniel Dillon, Attorney, Department of Justice. Plaintiff and defendant, prior to the date of said trial, had made their written waiver of jury in this cause and consented to try it before the Court without a jury. Upon said cause being called for trial, plaintiff and defendant announced ready for trial. Plaintiff introduced his evidence of witnesses sworn and examined in open court and introduced documentary evidence and rested. Thereupon the defendant offered its demurrer to the evidence and moved for judgment. The Court overruled said motion and demurrer and

allowed defendant an exception.

Thereupon, defendant introduced its testimony of witnesses sworn and examined in open court and introduced its documentary evidence and rested. At the close of all evidence introduced by plaintiff and defendant, the defendant made its motion for judgment. The Court having heard the argument by counsel for both parties, took the case under advisement.

Thereafter, on the 16th day of January, 1939, the Court being fully advised, overruled the defendant's motion for judgment and sustained the plaintiff's motion for judgment, to which rulings and orders of the Court the defendant excepts and exceptions are by the Court allowed.

The Court finds that Vidal Zuniga enlisted in the United States Army on May 4, 1917, and was honorably discharged therefrom on May 14, 1919; that while in said Military Service, said Vidal Zuniga applied for and there was granted to him a War Risk Term insurance policy in the principal sum of \$10,000.00; that the premiums on said insurance contract were paid through April 1, 1920; that the monthly premium on said insurance contract was \$6.50.

That on December 14, 1928, plaintiff filed with the Veterans' Administration a claim for disability compensation, and on February 14, 1929, the Veterans' Administration entered an award in favor of the plaintiff, as follows, to-wit:

- 1: From date of discharge to Oct. 15, 1928 - 15%
- 2: From October 16, 1928 to Oct. 22, 1928 - 50%
- 3: From October 23, 1928 to Dec. 9, 1928 - 100%

The Court further finds that under the definition of A War Risk Term insurance contract, the plaintiff became permanently and totally disabled on the 22nd day of October, 1928.

The Court further finds that under the provision of Section 305, World War Veterans' Act, the aforementioned insurance contract matured on the 22nd day of October, 1928, and that there became due and payable to said plaintiff on and after the 22nd day of October, 1928, the proceeds of said insurance contract.

The Court further finds that proper demand was made for the proceeds of said insurance contract on June 30 1931, and that said claim was denied on December 10, 1935, and that at the time this law suit was instituted, a disagreement existed between the plaintiff and defendant and jurisdiction was thereby vested in this Court to try this cause.

The Court further finds that for the purpose of prosecuting this law suit, the plaintiff employed Benj. E. Cook, a licensed and practicing attorney in the State of Oklahoma, and that said attorney has prosecuted this action on behalf of said plaintiff, for which services plaintiff agreed to pay said attorney 10% of any award to be made under the terms of said insurance contract, which said sum the Court finds to be a reasonable attorney fee in this cause.

It is therefore ordered, adjudged and decreed by the Court that this plaintiff have and recover from the defendant herein in accordance with the terms of said War Risk Term Insurance contract, the proceeds of said insurance policy payable from the 22nd day of October, 1928, and to the date of this judgment, the total amount of said monthly installments to be computed by the Veterans' Administration.

It is the further order and judgment of the Court that of the moneys herein awarded to the plaintiff, there shall be paid to Benj. E. Cook, as attorney for the plaintiff, an attorney fee of 10% of the amount of this judgment, and 10% of all future payments made by the Veterans' Administration as a result of this judgment, said amount to be paid as provided by law.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA TUESDAY, JANUARY 17, 1939

To all of which verdict and judgment the defendant excepts, and its exceptions are allowed.

ALFRED P. MURRAH
United States District Judge.

Consented to by:
BENJ. E. COOK
Attorney for Plaintiff.

O.K. AS TO FORM AND SERVICE ACCEPTED.
DANIEL DILLON
Atty. Dept. of Justice.

WHIT Y. MAUZY, U. S. Atty.
Attorneys for Defendant.

CHESTER A. BREWER, Asst. U. S. Atty.

ENDORSED: Filed Jan 17 1939.
H. P. Warfield, Clerk
U. S. District Court. B

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

G. C. ROUGHTON, Plaintiff,)
vs.)
UTILITIES PRODUCTION CORPORATION, a corporation,) No. 2645
and Utilities Oil Production Corporation, a)
corporation, Defendants.)

O R D E R

Now on this the 17th day of January, 1939, the court having had under advisement the motion of the defendants to dismiss in the above styled and numbered cause, is of the opinion that the said motion, and each part thereof, should be and the same is hereby overruled and denied, to which action of the court the defendants except, and each defendant excepts, and ask that their exceptions be allowed and noted of record, which is accordingly done.

It is further ordered that the defendants be and they are hereby granted twenty days from this date in which to file answer herein.

WITNESS MY HAND AS JUDGE, this January 17, 1939.

APPROVED: ROBERT W. RAYNOLDS,
Attorney for Plaintiff

F. E. KENNAMER
JUDGE

APPROVED AS TO FORM SERVICE OF COPY ACKNOWLEDGED
E. J. LUNDY
Attorney for Defendants

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

Court adjourned to January 18, 1939.

On this 18th day of January, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

MRS. R. L. BOND,	Plaintiff,)	
)	
vs.		)	No. 2613 - L ✓
)	
TULSA CITY LINES,	Defendant.)	

O R D E R

Upon the application of plaintiff in the above entitled and numbered cause, she is now granted leave to file her amended petition in this cause within ten days from this date.

This 17 day of January, 1939.

F. E. KENNAMER
 District Judge.

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

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

United States of America,	Plaintiff,)	
)	
vs.		)	No. 2724 Law ✓
)	
Thomas Bellieu, John W. Ducoty and Frank Simpkins,	Defendants.)	

ORDER OF DISMISSAL

Now on this 18th day of January, 1939, this matter coming on before the Court on regular assignment, and it appearing that a satisfactory settlement has been made of the indebtedness sued upon, and that said cause should be dismissed;

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

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

F. E. KENNAMER
 JUDGE

WHIT Y. MAUZY, United States Attorney
 CHESTER A. BREWER, Assistant United States Attorney.
 OK MACDONALD, FILES & BARNEY, By R. A. Barney, Attorney for Defendants.

ENDORSED: Filed Jan 18 1939 H. P. Warfield, Clerk, U. S. District Court EA

Court adjourned to January 19, 1939

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

THURSDAY, JANUARY 19, 1939

On this 19th day of January, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

United States of America, Plaintiff,
vs. Board of County Commissioners of Pawnee County, Oklahoma, and John L. Maltzberger, County Treasurer of Pawnee County, Oklahoma, and George F. Feaster, County Assessor of Pawnee County, Oklahoma, Defendants.
No. 1208 Equity

JOURNAL ENTRY OF JUDGMENT

Now on this 19th day of January, 1939, this cause came on to be heard in open court before Honorable F. E. Kennamer, Judge presiding, pursuant to regular assignment; plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and it being shown to the Court that the above named defendants, and each of them, have been regularly served with subpoena in equity in this cause more than 60 days prior to this date, that said defendants filed their answer to the original bill of complaint herein, but that thereafter, after having obtained leave of Court, Plaintiff filed an amended bill of complaint. That said defendants have failed to answer or otherwise plead to said amended bill of complaint, and they are by the court found to be in default, and the Court finds that plaintiff is entitled to judgment as demanded in its amended bill of complaint.

The Court further finds that Florence Mae Roberts, Henry Roberts, Jr., Vandervoort James Roberts and Edity Muriel Roberts are restricted Pawnee Indians who did not receive an allotment of the land of said Pawnee Tribe, but had certain funds on deposit with the Secretary of the Interior of the United States of America, in lieu of an allotment.

That on August 4, 1922, the Secretary of the Interior of the United States of America released certain funds which were held in trust by him, to the above named wards of this plaintiff, for the purpose of purchasing the following described land, to-wit:

North Half of Lots Six (6), Seven (7) and Eight (8) in Block Fifty-seven (57) in the original town, now city, of Pawnee, Pawnee County, Oklahoma.

That the deed conveying the above described land to the wards of this plaintiff, contained the following restrictions against alienation:

"Subject to the condition that no deed, power of attorney, contract to sell, or other instrument affecting the land, executed by the grantees, their heirs or legal representatives, shall be of any force or effect without the approval of the Secretary of the Interior."

That said land was purchased for the wards of this plaintiff with the understanding that same would

not be subject to taxation.

That by virtue of Section 2 of the Act of Congress of June 20, 1936 (49 Stat. 1542), said land was not subject to taxation for the year 1936.

The Court further finds that notwithstanding the fact that said land was not subject to taxation the duly constituted authorities of Pawnee County, Oklahoma, placed said land upon the tax rolls for said year of 1936, and on January 5, 1937, a statement for taxes for the year 1936 was mailed by the County Treasurer of Pawnee County, Oklahoma, to Henry Roberts, father of plaintiff's wards, in the sum of \$37.21. That thereafter the first half of said 1936 taxes in the sum of \$18.69, was paid under protest to the County Treasurer of Pawnee County, Oklahoma.

That on May 19, 1937, the Act of Congress of June 20, 1936, was amended so as to relieve homesteads theretofore purchased out of restricted funds of individual Indians from taxation. That the land hereinabove described has been set aside and designated as the homestead of plaintiff's wards, and pursuant to the provisions of the Act of Congress of May 19, 1937 (50 Stat. 188) the same is not subject to taxation.

The Court further finds that notwithstanding the fact that the above described land had been designated as the homestead of plaintiff's wards the County Assessor of Pawnee County, Oklahoma has listed and placed said land upon the tax rolls of said county, and the County Treasurer of Pawnee County, Oklahoma, has demanded payment of said taxes so illegally assessed, and will sell said land for non-payment of taxes.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that all taxes heretofore assessed against the above described land be, and they hereby are stricken from the tax rolls of Pawnee County, Oklahoma, and the County Assessor of Pawnee County, Oklahoma, is hereby restrained and enjoined from placing upon the tax rolls of Pawnee County, Oklahoma, the following described land, to-wit:

North Half of Lots Six (6) and Seven (7),
and Eight (8), in Block Fifty Seven (57) in the
original town, not city, of Pawnee, Pawnee County, Oklahoma.

IT IS THE FURTHER DECREE of the Court that the County Treasurer of Pawnee County, Oklahoma, be, and he hereby is restrained and enjoined from demanding or accepting any taxes upon the above described land, and that said County Treasurer of Pawnee County, Oklahoma, be, and he hereby is restrained and enjoined from selling or offering for sale such land above described, for non-payment of such illegal taxes, and that the defendants, Board of County Commissioners of Pawnee County, Oklahoma, and George F. Feaster, County Assessor of Pawnee County, Oklahoma, and each of them are hereby restrained and enjoined from acting individually or jointly in hindering or interfering with this plaintiff in its policy of caring for and protecting its said wards.

IT IS THE FURTHER DECREE of the Court that the United States of America, in behalf of Florece Mae Roberts, Henry Roberts, Jr., Vandervoort James Roberts and Edity Muriel Roberts, have and recover judgment against the Board of County Commissioners of Pawnee County, Oklahoma, for the principal sum of \$18.69, with interest at the rate of 6 % per annum from the date of payment, until paid to this plaintiff, and for the costs of this action.

F. E. KENNAMER
JUDGE

O.K. AS TO FORM, SERVICE OF COPY ACKNOWLEDGED.
WHIT Y. MAUZY, United States Attorney
CHESTER A. BREWER, Assistant United States Attorney
ATTORNEYS FOR PLAINTIFF.
HORACE P. BALLAINE, Attorney for Defendants.

ENDORSED: Filed Jan 25 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
REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA THURSDAY, JANUARY 19, 1939

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

FRED W. SEYMOUR, TRUSTEE, Plaintiff,)
)
-vs-) #1277 - In Equity
)
GILMORT OIL COMPANY, a Defendant.)
corporation,)

ORDER GRANTING FRED L. HAMMACK PERMISSION TO FILE ANSWER AND CROSS-PETITION OUT OF TIME.

NOW, TO-WIT, on this 19th day of January, 1939, for good cause shown Fred L. Hammack, one of the defendants in the above styled and numbered cause, is hereby granted permission to file, instanter, his answer and cross-petition therein.

F. E. KENNAMER
U. S. DISTRICT JUDGE

ENDORSED: Filed Jan 19 1939
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to January 20, 1939

REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA FRIDAY, JANUARY 20, 1939

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

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

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

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

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

D E C R E E

The above consolidated causes coming on for trial the 19th day of January, 1939 to determine the heirs of Wosey Thomas, nee Deere, nee John, enrolled as John, a full-blood Creek Indian, opposite Roll #9546, said proceeding having been removed from the County Court of Creek County, State of Oklahoma; Milford Thomas, Intervener and Claimant, appeared in person and by his attorneys Norman Barker, Glenn O. Young, and Neal E. McNeill, The Contestants and Claimants, Evelyn Seber appeared in person and by George H. Jennings, her attorney; Juanita McLish, nee Deere, appeared in person, by her Guardian Eldee Star and By Creekmore Wallace, her attorney, and Jimmie Poweshiek appeared in person and by her Guardian, Creekmore Wallace, and George H. Jennings, attorney for said Creekmore Wallace, Guardian, and the United States Probate Attorney's office appeared by Joe H. Brown, Probate Attorney, and the Claimant and Intervener, Alexander George, appeared not. No other claimant or interveners appeared, although the time for appearance of said claimants to appear and plead had expired. The United States appeared by Whit Y. Mauzy, United States District Attorney, and Chester Brewer, Assistant United States District Attorney; all parties present announced ready for trial.

After statement of counsel as to the issues involved in said cause and as set forth in the pleadings, it was stipulated and agreed in open court that the decedent, Wosey Thomas, nee Deere, nee John, was a full-blood Creek Indian, enrolled opposite Roll #9546, and was a resident of Creek County, Oklahoma, and died intestate on September 2, 1938, leaving an estate, both real and personal.

It was further stipulated that at the time of the death of decedent, she left as issue the following children:

- Evelyn Seber, an adult daughter.
- Juanita McLish, nee Deere, a minor daughter, and
- Jimmie Poweshiek, a minor son,

and no other know issue or issue of any deceased child; that her said estate had been accumulated and acquired prior to any marriage with Milford Thomas.

Thereupon the Intervener, Milford Thomas, introduced evidence in support of his claim that on the date of the death of decedent he was the lawful husband of decedent. The contestants, Evelyn Seber, Juanita McLish, and Jimmie Poweshiek, through their respective attorneys and Guardians, introduced evidence in opposition to the claim of the said Intervener, Milford Thomas, and the

evidence not being concluded, the hearing was adjourned to the 20th day of January, 1939.

Now on this 20th day of January, 1939, the introduction of evidence being resumed and closed, the cause submitted to the court and the court being fully advised in the premises, finds the issues in favor of the Intervener, Milford Thomas, upon his plea of intervention and against the contestants.

FINDINGS OF FACT.

(a) - The court finds that proceedings to administer upon the Estate of Decedent and to determine her heirs were duly instituted in the County Court of Creek County, Oklahoma, having jurisdiction of said estate, and were properly and regularly removed to this court which has jurisdiction to determine the heirs of said decedent.

(b) - The Court further finds that due and legal notice of the proceedings to determine heirship of Wosey Thomas, nee Deere, nee John was duly given, as required by law, in the County Court of Creek County, Oklahoma, prior to the time the proceedings were removed to this court, and that due and legal notice of the proceedings to determine the heirs of said Decedent has been had in this court by publication and the time to appear and plead has expired.

(c) - The Claimant and Intervener, Alexander George, in his pleadings, alleges a common-law marriage entered into between hi self and decedent on or about the 15th day of September, 1930, the Answer of Milford Thomas discloses that Alexander George, on the 27th day of August, 1914, entered into a ceremonial marriage with Mary Ann George, which was not dissolved until the 3rd day of October, 1931, a copy of the divorce proceedings in said case is attached to the Answer; that upon filing said Answer, the attorneys for Alexander George, with permission of this court, withdrew as attorneys and the said Alexander George was duly notified thereof, and of the date of this proceeding, but has failed to file any reply to said answer and has further failed to appear or to produce any evidence to support said claim. The Court finds from the pleadings that said Alexander George was incompetent to enter into the marriage contract pleaded by him and his said claim is without merit and should be denied.

(d) - The court further finds that there was no marriage contract entered into between the said Ada May Dick and Milford Thomas in March 1933, or at any other time as alleged by contestants.

(e) - The Court further finds that on the 15th day of May, 1935, the decedent and Milford Thomas were each legally competent to enter into the marriage relation; that on said date they were duly and legally married by ceremonial marriage at Muskogee, Oklahoma. That thereafter, on the 20th day of September, 1937, the said Wosey Thomas, nee Deere, nee John, instituted proceedings in the District Court of Creek County, Oklahoma, against Milford Thomas for divorce; that a decree was entered in said action on the 25th day of September, 1937; that on the 29th day of October, 1937, the said Milford Thomas instituted proceedings to set aside and vacate said decree, which proceedings to vacate said decree came on for hearing on the 12th day of November, 1937, and were denied by said court. That within three days thereafter a Motion for New Trial was filed, which remains undetermined by said court; that on or about the 30th day of March, 1938, the said Milford Thomas and Wosey Thomas, nee Deere nee John, became reconciled and in good faith resumed their marital relations as husband and wife, and thereafter cohabited together as husband and wife up to and including the date of the death of decedent, and were so recognized and held themselves out to the general public as, and were, husband and wife.

(f) - The Court further finds that the sole and only heirs of said decedent are Milford Thomas, husband, Evelyn Seber, daughter, Juanita McLish, daughter, and Jimmie Poweshie, a son.

(g) - The Court further finds that none of the Estate of said Wosey Thomas, nee John, was accumulated by the joint efforts of the said decedent and Milford Thomas during their married life.

CONCLUSIONS OF LAW.

The Court concludes, as a matter of law:

1. That on the date of the death of said decedent, the said Milford Thomas was the legal and lawful husband of said decedent, and that the heirs of said Wosey Thomas, nee Deere, nee John, are as follows:

- Milford Thomas, surviving husband;
- Evelyn Seber, daughter;
- Juanita McLish, nee Deere, daughter;
- Jimmie Poweshiek, a son.

2. That the said Wosey Thomas, nee Deere, nee John, died intestate and the said Milford Thomas, Evelyn Seber, Juanita McLish, nee Deere, and Jimmie Poweshiek, are her sole and only heirs; that there are no unknown heirs and said estate descended to and vested in the said heirs in equal proportions or shares.

JUDGMENT.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court:

- (a) - That Alexander George was not, at the time of the death of decedent, the husband of the decedent.
- (b) - That the Intervener and Claimant, Milford Thomas, was the legal and lawful husband of decedent at the time of her death.
- (c) - That the heirs of decedent, Wosey Thomas, nee Deere, nee John are and are hereby decreed and established to be as follows:

- Milford Thomas, surviving husband,
- Evelyn Seber, daughter,
- Juanita McLish, nee Deere, daughter;
- Jimmie Poweshiek, son.

and all other persons, known or unknown, are forever hereafter barred, estopped and enjoined from claiming or asserting to be such heirs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that upon the death of the said Wosey Thomas, nee Deere, nee John, the estate, both real and personal, descended to and vested in the heirs above stated in the following proportions, to-wit:

- Milford Thomas, surviving husband, 1/4th;
- Evelyn Seber, daughter, 1/4th;
- Juanita McLish, nee Deere, daughter, 1/4th;
- Jimmie Poweshiek, son, 1/4;

subject to administration proceedings conformable to the laws of the State of Oklahoma and this decree determining the heirship therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that this cause be remanded to the County Court of Creek County for Administration and that upon final distribution all property of decedent remaining for distribution be distributed to the heirs above set forth in the proportions hereinabove stated.

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

FRIDAY, JANUARY 20, 1939

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the claimant, Milford Thomas, have and recover his costs herein expended, and that said costs be taxed against the contestants; to which finding of fact and conclusions of law that Milford Thomas was the legal and lawful husband of decedent and entitled to participate in her estate as an heir, the said Evelyn Seber, daughter, Juanita McLish, nee Deere, daughter, and Jimmie Poweshiek, son, except and exceptions allowed.

The Government excepts to the above finding, and exception allowed.

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

O.K. AS TO FORM:
NORMAN BARKER
GLENN O. YOUNG
N. E. McNEILL
Attorneys for Milford Thomas.

O.K. AS TO FORM: SERVICE OF COPY ACKNOWLEDGED.
WHIT Y. MAUZY
United States District Attorney for
Northern District of Oklahoma.

AND SERVICE OF COPY ACKNOWLEDGED:
CREEKMORE WALLACE
GEORGE H. JENNINGS
Attorneys for Contestants.
Evelyn Seber, Juanita McLish and
Jimmie Poweshiek.

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

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

United States of America, Plaintiff,)
vs.) No. 1170 Equity
Gulf Refining Company, a)
corporation, Defendant.)

O R D E R

This cause coming on to be heard on the application of the defendant for an extension of time in which to file motions or otherwise plead, and the Court after hearing and considering the same finds that the same should be granted, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the defendant, Gulf Refining Company, be and hereby is given to and including the 10th day of February, 1939, in which to file motions or otherwise plead to plaintiff's amended complaint under order of November 10, 1938.

F. E. KENNAMER
United States District Judge

O.K. MACDONALD, FILES MOSS & YOUNG
Attorneys for Plaintiff.
O.K. JAMES B. DIGGS
Attorney for Defendant.

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

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

United States of America, Plaintiff,)
vs.) No. 1171 Equity
Gulf Oil Corporation, a corporation,)
Defendant.)

O R D E R

This cause coming on to be heard on the application of the defendant for an extension of time in which to file motions or otherwise plead, and the Court after hearing and considering the same finds that the same should be granted, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the defendant, Gulf Oil Corporation, be and hereby is given to and including the 10th day of February, 1939, in which to file motions or otherwise plead to plaintiff's amended complaint under order of November 10, 1938.

F. E. KENNAMER
United States District Judge.

O.K. MACDONALD & FILES
MOSS & YOUNG
Attorneys for Plaintiff.

O.K. JAMES B. DIGGS
Attorney for Defendant.

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

Court adjourned to January 23, 1939

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

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

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

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

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

ORDER ALLOWING PLAINTIFF TO FILE AND SERVE SUPPLEMENT TO ITS COMPLAINT

On this 23rd day of January, 1939, the plaintiff having presented to the Court its Motion for leave to file and serve supplement to its complaint; and the Court having read said motion and the defendant Moore Oil Company having waived Notice and Hearing of said Motion, and agreed that order be entered allowing such amendment.

It is by the Court ordered that plaintiff be allowed to file and serve a supplement to its complaint herein, as set out in said Motion.

F. E. KENNAMER
Judge of the United States Court

COPIES DELIVERED TO
RAMSEY, MARTIN & LOGAN 1-23-39

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

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 Proctor, et al., Respondents.)

ORDER APPOINTING COMMISSIONERS

Now on this 23rd day of January, 1939, the above cause came on regularly for hearing upon the petition of the United States of America for an order appointing commissioners; and it appearing to the Court that the United States of America has the power to acquire by eminent domain the lands hereinafter described, and that the acquisition of said lands is necessary for the United States of America in carrying on and establishing the Delaware County Rehabilitation of Indians, Subsistence Farming Project of the Department of Agriculture, under and by virtue of Title II of the 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, Public Resolution No. 47 - 75th Congress (Chapter 401 - First Session) approved June 29, 1937, Weeks Law (36 Statute 961), Clarke-McNary Act (43 Statute 633), an Act of Congress approved August 1, 1888 (25 Statute 357), and all other executive orders, Acts of Congress, supplemental or amendatory of any of the above executive orders or Acts of Congress.

The said lands being so acquired for said purposes are described as follows, to-wit:

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;

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;

Tract No. 42, being the West Half ($W\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) 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;

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, State of Oklahoma, containing 10 acres of land, more or less;

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, State of Oklahoma, containing 10 acres of land, more or less.

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;

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;

Tract No. 70, being the South Half ($S\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$), and the

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 23, 1939

Northwest Quarter (NW $\frac{1}{4}$) 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;

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 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), Range Twenty-two (22), East of the Indian Meridian, Delaware County, State of Oklahoma, containing 60,995 acres of land, more or less;

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

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

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

It further appears that all of those persons who are now living and claim interests in the said lands adverse to the United States of America, and which said persons are respondents in this proceeding, have been duly served according to law with notice of the hearing of the application for the appointment of commissioners by this court.

The Court hears evidence and specifically finds that the returns of the marshals filed herein, showing service of the notice of the hearing on the application for the appointment of commissioners, are true and correct and service was had as stated in said returns.

The Court further specifically finds that publication service was had according to law made and provided in such cases, and the Affidavit of the publisher as filed herein is hereby accepted and approved by this court.

The Court further finds that the respondents named in the caption of the petition filed herein are the heirs, executors, administrators, trustees, devisees, successors and assigns of the owners of said premises and that said persons have been served according to law with notice of this hearing, and it is now proper for this court to enter its order appointing commissioners in this cause as prayed for by the petitioner.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that LEE CAPEHART, LESTER JORDAN R. E. CROW, being disinterested freeholders of Delaware County, State of Oklahoma, whose names are on the regular jury list of this court, be, and they are hereby appointed as commissioners to inspect and view said real property hereinabove described and consider the fair, cash, market

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

REGULAR JANUARY 1939 TERM

MONDAY, JANUARY 23, 1939

value and the damages the respondents in this cause, as owners thereof, will sustain by the appropriation of said lands and estate therein as hereinabove described.

Said commissioners are hereby authorized, empowered and directed to forthwith take the oath prescribed by law and to immediately inspect, view and appraise said real property and file their report in this court as provided by law.

F. E. KENNAMER
J U D G E

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

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

HARRY WILLIAMS,)
Plaintiff,)
)
-vs-) No. 66.
)
R. T. DANIEL and C. L. WALKER,)
Defendants.)

ORDER REMANDING CAUSE

Now on this 23rd day of January, 1939, there came on for hearing by the court the plaintiff's motion to remand this cause to the District Court of Tulsa County, State of Oklahoma, from which court the cause was removed, the plaintiff appearing in person and by Frank Hickman his attorney, and the defendant R. T. Daniel appearing by his attorney E. M. Connor, and the said motion having been presented to the court and the court having considered the same finds that the same should be sustained and that the cause should be remanded.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this cause be and the same is hereby remanded to the District Court of Tulsa County, State of Oklahoma.

F. E. KENNAMER
United States District Judge

RECEIPT OF COPY ACKNOWLEDGED JAN. 23, 1939
FRANK HICKMAN, ATTY FOR PLFF.

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

CURTIS F. BRYAN, ET AL,)
Plaintiffs,)
)
-vs-) No. 2445 - Law.
)
UNITED STATES OF AMERICA,)
Defendant.)

Now on this 23rd day of January, A. D. 1939, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above styled and numbered cause, same being in words and figures as follows, to-wit:

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 23, 1939

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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

(SEAL)

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Curtis F. Bryan, Chas. R. Bostick and Paul L. Sisk, Trustees of the Imperial Royalties Company, a trust estate, et al., plaintiffs, and The United States of America, defendant, No. 2445 Law, the judgment of the said District Court in said cause entered on February 17, 1938, was in the following words, viz:

* * * * *

"It is, therefore, ordered, adjudged and decreed by the court that the amended petition of the plaintiffs be and it hereby is dismissed with prejudice and that the United States of America recover its costs herein, to which rulings of the court plaintiffs except and exceptions are allowed, whereupon plaintiffs give notice of their intention to appeal to the Circuit Court of Appeals for the Tenth Circuit."

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 Curtis F. Bryan, Chas. R. Bostick and Paul L. Sisk, Trustees of the Imperial Royalties Company, a trust estate, et al, 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 and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed; and that United States of America, appellee, have and recover of and from Curtis F. Bryan, Chas. R. Bostick, and Paul L. Sisk, Trustees of the Imperial Royalties Company, a trust estate, et al., appellants, its costs herein.

-- October 19, 1938.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 21st day of January, in the year of our Lord one thousand nine hundred and thirty-nine.

COSTS OF	APPELLEE:	
Clerk,	\$ 6.00	
Printing Record,	\$-- --	
Attorney,	\$20.00	
	<u>\$26.00</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 Curtis F. Bryan, et al., Trustees
of the Imperial Royalties Company, a trust estate, et al., vs. United States of America,
No. 1710

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

ATTEST:

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

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

H. C. COLVIN, TRUSTEE,	Plaintiff,)
)
-vs-		) No. 957 - Equity.
)
J. E. CROSBIE, ET AL,	Defendants.)

Now on this 23rd day of January, A. D. 1939, it is ordered by the Court that the
Clerk file and spread of the record, the Mandate in the above styled and numbered 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

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

REGULAR JANUARY 1939 TERM

MONDAY, JANUARY 23, 1939

District of Oklahoma, before you, or some of you in a cause between H. C. Colvin, Trustee for the Bradstreet Oil Company, a corporation, plaintiff, and J. E. Crosbie, et al., defendants, No. 957, Equity, the decree of the said District Court in said cause entered on June 21, 1937, was in the following words, viz:

* * * * *

"It is ordered, adjudged and decreed that judgment be entered in favor of defendants and against the plaintiff; that the present value of the property in controversy does not exceed the sum of \$100,000.00, and that as of January 1, 1934, there remained due against the interest claimed by plaintiff the sum of \$394,125.70.

"It is further ordered, adjudged and decreed that the bankruptcy estate represented by the plaintiff Trustee in Bankruptcy has no beneficial interest in said properties or any of them.

"It is further ordered that the costs of this action be taxed against plaintiff. Plaintiff excepts, and is granted leave to appeal."

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 H. C. Colvin, Trustee for the Bradstreet Oil Company, a corporation, agreeably to the Act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, by order of the United States Circuit Court of Appeals for the Tenth Circuit, entered on September 16, 1938, Margaret Crosbie Sweet, Ethel Crosbie Porter and Catherine Crosbie Moran, Co-Executrices of the Estate of J. E. Crosbie, Deceased, were substituted as appellees in this cause in the place and stead of J. E. Crosbie, Deceased.

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 Margaret Crosbie Sweet et al., Coexecutrices of the Estate of J. E. Crosbie, Deceased, et al., appellees, have and recover of and from H. C. Colvin, Trustee for the Bradstreet Oil Company, a corporation, their costs herein.

-- December 7, 1938.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 21st day of January, in the year of our Lord one thousand nine hundred and thirty-nine.

COSTS OF	APPELLEES:
Clerk	(\$Paid by Appellant)
Printing record,	\$
Attorney,	\$20.00
	<u>\$20.00</u>

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

ENDORSED: Filed Jan 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

MONDAY, JANUARY 23, 1939

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.		)	No. 1177 - Equity
)	
MID-CONTINENT PETROLEUM CORPORATION, A CORPORATION,	Defendant.)	

O R D E R

NOW, on this 23rd day of January, 1939, pursuant to the written stipulation of the parties hereto;

IT IS HEREBY ORDERED that the above named defendant be, and it is hereby, given twenty (20) days from this date within which to file herein such pleading or pleadings, or motion or motions, or other paper or papers, or objection or objections, as is allowed by the Rules of Civil Procedure for the District Courts of the United States.

F. E. KENNAMER
J U D G E

Service acknowledged:
OK: H. R. YOUNG
R. H. WILLS, Atty for Defts.

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

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
-vs-		)	No. 1178 - Equity
)	
COSDEN PIPE LINE COMPANY, A CORPORATION,	Defendant.)	

O R D E R

NOW, on this 23rd day of January, 1939, pursuant to the written stipulation of the parties hereto;

IT IS HEREBY ORDERED that the above named defendant be, and it is hereby, given twenty (20) days from this date within which to file herein such pleading or pleadings, or motion or motions, or other paper or papers, or objection or objections, as is allowed by the Rules of Civil Procedure for the District Court of the United States.

Service acknowledged:
OK: H. R. YOUNG
R. H. WILLS, Atty for Deft.

F. E. KENNAMER
J U D G E

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

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 23, 1939

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

Maryland Casualty Company, of Baltimore, Md., a corp.,	Plaintiff,)	
)	
vs.		)	No. 1290 Equity
)	
E. A. Kelleam, Nell Southard, et al.,	Defendants.)	

JOURNAL ENTRY OVERRULING SEPARATE SPECIAL APPEARANCE AND MOTION TO DISMISS OF JOE E. KELLEAM, J. R. SOUTHARD, JR., AND NELL SOUTHARD, AND SPECIAL APPEARANCE AND PLEA TO THE JURISDICTION OF E. A. KELLEAM.

Now on this the 6th day of January, 1939, this cause coming on for final disposition on Special Appearance and Motion to Dismiss of Joe E. Kelleam, J. R. Southard, Jr., and Nell Southard, and Special Appearance and Plea to the Jurisdiction of E. A. Kelleam, and the court having duly considered said motions,

IT IS ORDERED that said motions, and each thereof, be severally overruled, to which defendants severally except and exceptions are allowed.

It is further ordered that said defendants file answer within twenty days.

F. E. KENNAMER
JUDGE

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

Court adjourned to January 24, 1939

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

TUESDAY, JANUARY 24, 1939

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

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

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 24th day of January, A. D. 1939, it being made satisfactorily to appear that Charles A. Koethe, Robert J. Stanton and Philip R. Wimbish are 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. (F.E.K. J).

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

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

MAY MAIN, Plaintiff,)
v)
TULSA CITY LINES, INCORPORATED,) No. 2729 Law
a Corporation, and DOYLE LAYTON,)
Defendants.)

O R D E R

For good cause shown the defendant is granted ten (10) days additional time within which to prepare and file record on appeal in the United States Circuit Court of the 10th District.

Dated this 24th day of January, 1939.

F. E. KENNAMER
JUDGE

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

Court adjourned to January 25, 1939.

REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA WEDNESDAY, JANUARY 25, 1939

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

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

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

MISCELLANEOUS - ORDER FOR PETIT JURY.

On this 25th day of January, A. D. 1939, it is ordered by the Court that there be publicly drawn by the Marshal for the Northern District of Oklahoma, or one of his deputies, in the presence of the Clerk, or one of his deputies, in accordance with the law and the rules of this Court, the names of Forty-five (45) persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Regular January 1939 Term of this Court to be held at Tulsa, Oklahoma.

IT IS FURTHER ORDERED by the Court that a Writ of Venire Facias be issued out of this Court, in due form as provided by law, commanding the said Marshal to summon said Petit Jurors, drawn as aforesaid, to be and appear before said Court, to be held at Tulsa, Oklahoma, in the Northern District of Oklahoma, on Monday, the 6th day of February, 1938, at 9:00 o'clock A.M.,

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, JANUARY 25, 1939

then and there to serve as Petit Jurors of the United States in and for said District at the Regular January 1939 Term of said Court.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE.

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

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

MADELAINA R. DRUMMOND, Plaintiff)
VS) No. 48 - Civil
ADDIE G. DRUMMOND and A. A.)
(JACK) DRUMMOND, Defendants.)

ON THIS, the 25th day of January, 1939, leave having been first had and obtained it is ordered that the plaintiff may file an amended answer to the motions to dismiss filed herein by the Defendants.

F. E. KENNAMER
JUDGE of said Court.

ENDORSED: Filed Jan 25 1939
E. P. Warfield, Clerk
U. S. District Court B

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

Rex Watkinson, Receiver, Plaintiff,)
vs.) No. 883 - Equity
Southwest Bank Shares Corporation, a)
Delaware Corporation, Defendant.)

ORDER SUBSTITUTING PARTY PLAINTIFF

It appearing that this suit was originally filed by J. H. McBirney, plaintiff, in his capacity as receiver of the Exchange National Company; that later Rex Watkinson was appointed receiver of Exchange National Company and that T. P. Farmer has succeeded said Rex Watkinson as such receiver, it is therefore by the court ordered, considered and adjudged that said T. P. Farmer, Receiver of Exchange National Company be and he is hereby substituted as plaintiff in this cause for J. H. McBirney, Receiver, and Rex Watkinson, Receiver.

Dated at Tulsa, Oklahoma, this 25th day of January, 1939.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Jan 25 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

WEDNESDAY, JANUARY 25, 1939

5. That said receiver make return to this court of his disbursements hereunder and of all his acts and doings in connection with said receivership and that same shall be heard on the 9th day of February, 1939. Said date shall be specified in the notice to creditors herein required and said notice shall specify that upon said hearing final allowance of fees will be made to said receiver, his attorney and this chief clerk.

Said report shall be a final report and upon the hearing of the same, if no objection is made administration fees and costs will be allowed and said receiver discharged and his bond exonerated.

Dated At Tulsa, Oklahoma, this 25th day of January, 1939.

F. E. KENAMER
United States District Judge

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

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

J. H. TEATS, Plaintiff,
-vs- No. 1179 In Equity
FORAKER TOWNSITE GAS COMPANY, a corporation, and C. H. Coddling, Defendants.

FINAL ORDER

THIS MATTER comes on for hearing on this 20th day of January, 1939 by agreement between the parties hereto, before the undersigned United States District Judge, for final disposition and for purpose of hearing the Receiver's final account.

Plaintiff and defendant being present by and through their attorneys of record and the Receiver, William M. Taylor, being present in person, the following proceedings were had:

Upon statement from Counsel for Plaintiff and defendant relative to the issues in this cause and the court being fully advised therein finds, without passing upon the merits, that this cause should be dismissed without prejudice.

The acts of the receiver herein having been reviewed and his reports having been examined, the court finds that said acts and reports should be approved and that the receiver and his bondsmen should be discharged from further liability herein.

The Court further finds that the balance of money on hand with the receiver in the sum of \$229.74 should be disbursed by said receiver as follows:

- \$50.00 as attorney fee to R. B. McDermott, attorney for Plaintiff
- \$50.00 as attorney fee to Sands & Campbell, attorneys for defendant.
- \$89.44 to William M. Taylor as final receiver's fee.
\$16.50 U. S. District Court Clerk as costs herein.
\$ 8.80 to U. S. Marshal as costs herein.
\$15.00 to John O'Brien, accountant for expenses herein.

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

REGULAR JANUARY 1939 term

TULSA, OKLAHOMA

WEDNESDAY, JANUARY 25, 1939

IT IS, THEREFORE, THE ORDER AND JUDGMENT of this court that the receiver disburse the balance of money in his hands, (\$229.74) as follows:

- \$50.00 as attorney fee to R. B. McDermott, attorney for plaintiff
- \$50.00 as attorney fee to Sands & Campbell, attorneys for defendants
- \$89.44 to William M. Taylor, as final receiver's fee.
- \$16.50 U. S. District Court Clerk as costs herein.
- \$8.80 to U. S. Marshal as costs herein.
- \$15.00 to John O'Brien, accountant for expenses herein.

It is the further order and judgment of this court that the receiver, William M. Taylor and his bondsmen, Commercial Casualty Insurance Company be and they are each hereby discharged from further liability herein.

It is the further order and judgment of this court that the plaintiff's cause of action herein be and the same is hereby dismissed without prejudice and the receiver is ordered to pay the costs as hereinabove specified.

F. E. KENNAMER
U. S. DISTRICT JUDGE

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

Court adjourned to January 27, 1939

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

FRIDAY, JANUARY 27, 1939

On this 27th day of January, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.		) No. 1262 Equity
)
S. A. (STANLEY) LAY,	Defendant.)

ORDER OF DISMISSAL

NOW, on this 27th day of January, 1939, this matter coming on before the court, and it appearing to the court that the defendant has moved from the premises involved in this cause and the court costs have been paid and that said cause should be dismissed;

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 30, 1939

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

AND IT IS SO ORDERED.

F. E. KENNAMER
U. S. DISTRICT JUDGE

Service of copy acknowledged

OK WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney

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

Court adjourned to January 30, 1939

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 30, 1939

On this 30th day of January, A. D. 1939, the District Court of the United States
for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pur-
suant 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 30th day of January, A. D. 1939, it being made satisfactorily to
appear that John H. Halley and Hardin Ballard 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 WITHIN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA

G. C. ROUGHTON,	Plaintiff,)	
)	
vs.)	
		)	No. 2.
UTILITIES PRODUCTION CORPORATION, a corporation,)	
and UTILITIES OIL PRODUCTION CORPORATION, a)	
corporation,	Defendants.)	

O R D E R

On application of the defendants, leave is hereby given and granted for the defendants to take the testimony of G. C. Roughton by deposition upon oral examination, in accordance with Rule 26 of the Federal Rules of Civil Procedure.

Dated this 30 day of January, 1939.

F. E. KENNAMER
JUDGE

ENDORSED: Filed In Open Court
Jan 30 1939
H. P. Warfield, Clerk
U. S. District Court H

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

G. C. ROUGHTON,	Plaintiff,)	
)	
vs.)	
		)	No. 3
UTILITIES PRODUCTION CORPORATION, a corporation,)	
and UTILITIES PRODUCTION CORPORATION a corporation,)	
	Defendants.)	

O R D E R

On application of the defendants, leave is hereby given and granted for the defendants to take the testimony of G. C. Roughton by deposition upon oral examination, in accordance with Rule 26 of the Federal Rules of Civil Procedure.

Dated this 30 day of January, 1939.

F. E. KENNAMER
JUDGE

ENDORSED: Filed In Open Court
Jan 30 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 MONDAY, JANUARY 30, 1939

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

G. C. ROUGHTON, Plaintiff,)
vs.) No. 4
UTILITIES PRODUCTION CORPORATION, a corporation,)
and UTILITIES OIL PRODUCTION CORPORATION, a)
corporation, Defendants.)

O R D E R

On application of the defendants, leave is hereby given and granted for the defendants to take the testimony of G. C. Roughton by deposition upon oral examination, in accordance with Rule 26 of the Federal Rules of Civil Procedure.

Dated this 30 day of January, 1939.

ENDORSED: Filed In Open Court
Jan 30 1939
H. P. Warfield, Clerk
U. S. District Court H

F. E. KENNAMER
JUDGE

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

G. C. ROUGHTON, Plaintiff,)
vs.) No. 8
UTILITIES PRODUCTION CORPORATION, a corporation,)
and UTILITIES OIL PRODUCTION CORPORATION, a)
corporation, Defendants.)

O R D E R

On application of the defendants, leave is hereby given and granted for the defendants to take the testimony of G. C. Roughton by deposition upon oral examination, in accordance with Rule 26 of the Federal Rules of Civil Procedure.

Dated this 30 day of January, 1939.

ENDORSED: Filed In Open Court
Jan 30 1939
H. P. Warfield, Clerk
U. S. District Court H

F. E. KENNAMER
JUDGE

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

G. C. ROUGHTON,	Plaintiff,)	
)	
vs.)	
		)	No. 9
UTILITIES PRODUCTION CORPORATION, a corporation,)	
and UTILITIES OIL PRODUCTION CORPORATION,)	
a corporation,	Defendants.)	

O R D E R

On application of the defendants, leave is hereby given and granted for the defendants to take the testimony of G. C. Roughton by deposition upon oral examination, in accordance with Rule 26 of the Federal Rules of Civil Procedure.

Dated this 30 day of January, 1939.

F. E. KENNAMER
JUDGE

ENDORSED: Filed In Open Court
Jan 30 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. 12 CIVIL
)	
Board of County Commissioners of Tulsa)	
County, Oklahoma,	Defendant.)	

JOURNAL ENTRY OF JUDGMENT

Now on this 30th day of January, 1939, the above entitled cause having come on for hearing before the Court, pursuant to regular assignment, on January 25, 1939, plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and the defendant, Board of County Commissioners of Tulsa County, Oklahoma, appearing by John F. Conway, Assistant County Attorney of Tulsa County, Oklahoma; and plaintiff having introduced its testimony and rested; and the defendant having introduced its testimony and rested; the Court finds that Walter F. Smith is a Cherokee Indian of 1/8 degree Indian blood, appearing opposite Roll No. 637, and was allotted as his homestead the West Half of the Southwest Quarter of the Northeast Quarter of Section Twenty-eight, Township Twenty-one North, Range Fourteen East, Tulsa County, Oklahoma. That while the above described land was held in the name of Walter F. Smith the County Assessor of Tulsa County, Oklahoma, unlawfully placed said land upon the tax rolls of said county for the years 1909, 1910, and 1911, and assessed taxes against said land in the sum of \$22.88. That said taxes were collected by the County Treasurer of Tulsa County, Oklahoma, and paid by the said Walter F. Smith under protest.

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 30, 1939

The Court further finds that said land was not subject to taxation during the years 1909, 1910 and 1911, the years for which said taxes were assessed and collected.

The Court further finds that Alice Smith, nee Flournoy, is a Cherokee Indian of 1/16 degree of blood, appearing opposite Roll No. 31860. That she was allotted as her homestead allotment the South Half of the Southwest Quarter of the Southwest Quarter of Section Twenty-eight, Township Twenty-one North, Range Fourteen East, Tulsa County, Oklahoma. That during the years 1909, 1910 and 1911, and while title to the above described land was in said allottee, the County Assessor of Tulsa County, Oklahoma, assessed said land for taxes in the sum of \$22.88, and the County Treasurer of Tulsa County, Oklahoma, collected said taxes, which were paid under protest.

The Court further finds that said land was not subject to taxation for the years 1909, 1910 and 1911.

The Court further finds that Bonnie Kathleen Smith is a Cherokee Indian of 3/32 degree of Indian Blood, and that she was allotted as her homestead allotment the North Half of the Northeast Quarter of the Southwest Quarter of Section Twenty-eight, Township Twenty-one North, Range Fourteen East, Tulsa County, Oklahoma. That while the title to said land was in the original allottee, and for the years 1909, 1910 and 1911 the County Assessor of Tulsa County, Oklahoma, placed said land upon the tax rolls and assessed taxes against the same for said years in the sum of \$22.84. That the County Treasurer of Tulsa County, Oklahoma, collected said taxes, which were paid by said allottee under protest.

The Court further finds that said land was not subject to taxation for the years 1909, 1910 and 1911.

The Court further finds that Thelma Florence Smith is a Cherokee Indian of 3/32 degree of Indian blood, and was allotted as her homestead allotment the South Half of the Northeast Quarter of the Southwest Quarter of Section Twenty-eight, Township Twenty-one North, Range Fourteen East, Tulsa County, Oklahoma. That while the above described land was held by the original allottee, and for the years 1909, 1910 and 1911, the County Assessor of Tulsa County, Oklahoma, placed said land upon the tax rolls, and the County Treasurer of Tulsa County, Oklahoma, collected said taxes hereon for said years in the sum of \$22.90, which said taxes were paid by said allottee under protest.

The Court further finds that said land was not subject to taxation for the years 1909, 1910 and 1911.

The Court further finds that Homer L. Smith is a Cherokee Indian of 1/8 degree Indian blood, appearing opposite Roll No. 639. That he was allotted as his homestead allotment the North Half of the Southwest Quarter of the Southwest Quarter of Section Twenty-eight, Township Twenty-one North, Range Fourteen East, Tulsa County, Oklahoma. That during the years 1909, 1910, and 1911, and while the above described land was held by the original allottee the County Assessor of Tulsa County, Oklahoma, placed said land upon the tax rolls, and the County Treasurer of Tulsa County, Oklahoma, collected taxes on said land for said years in the sum of \$22.90, which taxes were paid by said allottee under protest.

The Court further finds that said land was not subject to taxation for the years 1909, 1910 and 1911.

IT IS THEREFORE THE JUDGMENT of the Court that plaintiff, United States of America, in its own behalf, and in behalf of Walter F. Smith, Alice Smith, nee Flournoy, Bonnie Kathleen Smith, Thelma Florence Smith and Homer L. Smith, have and recover judgment against the defendant, Board of County Commissioners of Tulsa County, Oklahoma, in the sum of \$282.65, with interest thereon at the rate of 6% per annum from October 11, 1938, and for the costs of this

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA MONDAY, JANUARY 30, 1939

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

F. H. JACKSON, Plaintiff,)
-vs-) No. 41 Civil
THE NATIONAL CASH REGISTER COMPANY,)
a corporation, Defendant.)

JOURNAL ENTRY

On this 30th day of January, 1939, this matter coming on for hearing and consideration upon the defendant's motion to strike and to make more definite and certain, the defendant appearing by his attorney, Lawrence Mills, and the plaintiff appearing by Bailey E. Bell, his attorney, by Robert B. Thomas, and after hearing argument of counsel, and being well advised in the premises the court finds that said motion should be sustained.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the court that defendant's motion to strike and to make more definite and certain be, and is hereby sustained, to which order the plaintiff asks and is given an exception.

IT IS FURTHER ORDERED that the plaintiff have ten days from this date within which time to amend his petition or file an amended petition in conformity with this order, and the defendant is hereby given ten days thereafter in which to plead, or twenty days thereafter in which to answer.

O.K. AS TO FORM
BAILEY E. BELL
Attorney for Plaintiff
MILLS & COHEN
Attorney for Defendant.
F. E. KENAMER
JUDGE

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

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

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

O R D E R

On application of the defendants, leave is hereby given and granted for the defendants to take the testimony of G. C. Roughton by deposition upon oral examination, in

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 30, 1939

UTILITIES PRODUCTION CORP. A CORP.,	Plaintiff,)
)
-vs-		) No. 560 - Criminal.
)
CARTER OIL CO. A CORP.,	Defendant.)

Now on this 30th day of January, A. D. 1939, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(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 Utilities Production Corporation, a corporation, plaintiff, and The Carter Oil Company, a corporation, defendant, No. 560, Equity, the decree of the said district court in said cause, entered on February 4, 1938, was in the following words, viz:

The Court having heard heretofore argument upon the exceptions of the defendant to the report of the Special Master and to his findings of fact and conclusions of law, and having taken the said matter under advisement, is of the opinion that the exceptions of The Carter Oil Company should be overruled and disallowed, and that the findings of fact, conclusions of law and the report of the Special Master should be confirmed and a decree entered herein in accordance with said findings of fact, conclusions of law, and recommendations of the Special Master; to which action The Carter Oil Company excepted and excepts and asks that its exceptions be allowed and noted of record, which is accordingly done.

It is therefore by the court considered, ordered, adjudged and decreed that the exceptions of The Carter Oil Company, and each and every of its exceptions, be and they are hereby overruled and disallowed; to which action The Carter Oil Company excepted and excepts and asked that its exceptions be allowed and noted of record, which is accordingly done.

It is further ordered that the report of the Special Master, his findings of fact, his conclusions of law, and recommendations for a decree be and they are hereby in all things approved. To which action of the court the defendant, The Carter Oil Company, excepted and excepts, and asked that its exceptions be allowed and noted of record, which is accordingly done.

The Court finds from the report of the Special Master that there is due from the defendant to the plaintiff the sum of Twenty Thousand Eight Hundred Thirty-six and 77/100 (\$20,836.77) Dollars for drilling gas used by the defendant and gas disposed of by the defendant from October, 1928, to March, 1934; that the plaintiff is entitled to interest thereon at six per cent (6%) per annum from thirty days after the expiration of the month in which the gas was so used or disposed of by the defendant; that the said interest as of the date of this order and decree amounts to the sum of Ten Thousand Five Hundred Fourteen and 96/100 (\$10,514.96) Dollars; to which action The Carter Oil Company excepted and excepts and asks that its exceptions be allowed and noted of record, which is accordingly done.

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 30, 1939

It is therefore by the court considered, ordered, adjudged and decreed that the plaintiff have judgment against and recover of the defendant the sum of Thirty-one Thousand Three Hundred Fifty-one and 73/100 (\$31,351.73) Dollars, and that said judgment bear interest at the rate of six per cent (6%) per annum from the date of this order and decree; to which action of the court in rendering judgment the defendant, The Carter Oil Company, excepted and excepts, and asked that its exceptions be allowed and noted of record, which is accordingly done.

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

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

On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said district court in this cause be and the same is hereby affirmed; and that Utilities Production Corporation, appellee, have and recover of and from The Carter Oil Company, appellant, its costs herein.

- - January 10, 1939.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 27th day of January, in the year of our Lord one thousand nine hundred and thirty-nine.

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

ENDORSED: Filed Jan 30 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,	Plaintiff,)
)
vs.)
)
EXCHANGE NATIONAL COMPANY, a corporation, et al,	Defendants.)
)

No. 877 Equity

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 20th day of January, 1939, upon the application of J. H. McBirney, Successor Trustee, for authority to sell said real estate; and it appearing that among the assets coming into the hands of J. H. McBirney, as Successor Trustee to the Exchange National Bank of Tulsa,

Oklahoma, Trustee, was a certain real estate mortgage note, dated May 9, 1930, executed by Roy Radschweit and Lillie Radschweit, for the principal sum of Four Thousand Dollars (\$4,000.00) upon which there was due the sum of Three Thousand Four Hundred Seventy One & 84/100 Dollars (\$3,471.84); that said note was secured by a real estate mortgage covering the land hereinafter described; that said trustee instituted cause No. 64563 in the District Court of Tulsa County, Oklahoma for the recovery of judgment upon said note and for the foreclosure of said real estate mortgage; that judgment was entered therein, and the said real estate hereinafter described, covered by said mortgage, was sold by the Sheriff of Tulsa County, Oklahoma, pursuant to appropriate proceedings therefor, and said real estate was purchased by said trustee, and the sum bid credited upon said judgment entered in said cause; that on the 18th day of June, 1938, the Sheriff of Tulsa County, Oklahoma, executed and delivered his deed, transferring and conveying the said real estate hereinafter described to J. H. McBirney, Successor Trustee, who is the present owner thereof; and it further appearing that the said Trustee has an offer from Else Emma Auguste Hartmann for the purchase of said real estate, for the sum of Three Thousand Eight Hundred Eighty Five Dollars (\$3,885.00), payable Two Thousand Dollars (\$2,000.00) in cash and One Thousand Eight Hundred Eighty Five Dollars (\$1,885.00) at Forty Dollars (\$40.00) per month, said payment to include interest at the rate of six per cent (6%) per annum, but all of said unpaid balance to be due and payable within three years from date; and it further appearing that said real estate, to-wit:

Lot Nineteen (19) in Block Six (6) in Reservoir Hill Addition
to the City of Tulsa, Tulsa County, Oklahoma,

is improved with a one-story brick dwelling, containing five rooms, breakfast room, bath, having a single roof, hardwood floors, concrete foundation, and basement, as well as a brick garage; and it further appearing that said house is in need of repairs and approximately one Hundred Fifteen Dollars (\$115.00) will be required to repair said house, but that the said Trustee is selling the same in its present condition, without making any repairs thereto and without any obligation to make said repairs; and it further appearing that there is due upon said note, including the expenses of foreclosure action, the principal sum of Three Thousand Five Hundred Eighty One & 64/100 Dollars (\$3,581.64), plus interest, but that the said Trustee has obtained the net sum of One Thousand Four Hundred Forty One Dollars (\$1,441.00) from the rental of said property, and the court further finds that the said real estate has been appraised for the sum of Four Thousand Dollars (\$4,000.00), subject to the necessary repairs being made thereto; and it further appearing that the offer of Else Emma Auguste Hartmann is the best and highest offer said Trustee has obtained for said real estate and improvements, and that said offer has been submitted to the members of the Advisory Committee, appointed and designated, upon whom notice of such offers shall be given, and the members of said Advisory Committee have approved the acceptance of the offer for the purchase of said real estate and improvements, and have recommended that the said trustee accept said offer and sell said real estate for said consideration and upon said terms; and it further appearing that no real estate brokerage commission will be paid in said transaction; that the said price offered for said property is reasonable; that the said trust estate is in liquidation, and that it is to the best interest of said trust estate to sell said real estate and improvements for said consideration and upon said terms, and for other good cause,

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

Lot Nineteen (19) in Block Six (6) in Reservoir Hill Addition to the
City of Tulsa, Tulsa County, Oklahoma,

to Else Emma Auguste Hartmann, for the sum of Three Thousand Eight Hundred Eighty Five Dollars (\$3,885.00) payable two Thousand Dollars (\$2,000.00) in cash, and the balance of One Thousand Eight Hundred Eighty Five Dollars (\$1,885.00) payable at Forty Dollars (\$40.00) per month, said payments to include interest on the unpaid balance at the rate of six per cent (6%) per annum, but all of said unpaid balance to become due and payable within three years after date.

IT IS FURTHER ORDERED that the unpaid valance be evidenced by satisfactory promissory note, secured by first and prior real estate mortgage covering said real estate and improvements, and that upon the delivery by Else Emma Auguste Hartmann to J. H. McBirney, Successor Trustee, of the note for the principal sum of One Thousand Eight Hundred Eighty Five Dollars (\$1,885.00) payable as above directed, and first and prior real estate mortgage covering the real estate above described to secure the same, and payment to said J. H. Mc Birney, of the sum of Two Thousand Dollars (\$2,000.00) in cash, that he execute and deliver his special Trustee's Deed, conveying and transferring title to the above described property to Else Emma Auguste Hartmann.

IT IS FURTHER ORDERED that the sale by J. H. McBirney, Successor Trustee, of the real estate described herein, to Else Emma Auguste Hartmann, for the consideration provided herein, be and the same is hereby confirmed and approved.

F. E. KENNAMER
United States District Judge.

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

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

DEAN M. STACY, Complainant,)
vs.) In Equity No. 1072
The Galt-Brown Company, a corporation, Defendant.)

O R D E R

Now on this 30th day of January, 1939, there came on for hearing the application of Roscoe E. Harper for permission to withdraw as attorney for defendant and for allowance of attorney fees.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Roscoe E. Harper be and he is hereby permitted to withdraw as attorney for defendant The Galt- Brown Company; And that his request for attorney fees be referred to the court of primary jurisdiction in the primary receivership case, the court of the United States for the Western District of Oklahoma, this being the ancillary receivership proceeding.

F. E. KENNAMER
JUDGE.

ENDORSED: Filed In Open Court
Jan 30 1938
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to January 31, 1939

On this 31st day of January, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

Present: 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

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

JOURNAL ENTRY OF JUDGMENT

Now on this 31st day of January, 1939, this cause came on to be heard in open court, before Honorable F. E. Kennamer, 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 Attorney for said district, claimant, L. L. Barry, appearing by her attorney, Frank Hickman, and it being shown to the Court that said 1937 Plymouth Sedan Automobile, Motor No. P4-306626, was lawfully seized from claimant, W. E. (Ed) Pennington, while being used by him for the transportation, deposit and concealment of intoxicating liquors, as alleged herein, and that said claimant has been regularly served with notice of libel proceedings instituted upon such seizure, and it further appearing that said claimant has failed to answer or otherwise plead herein, he is by the Court declared to be in default, and the Court finds that libelant is entitled to judgment against him as demanded in this action; and the Court having heard the evidence of libelant, and the evidence offered by the claimant, L. L. Barry, 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 on said automobile which the said W. E. (Ed) Pennington may have thereto.

The Court further finds that the claimant, L. L. Barry, has a valid and existing lien in the approximate sum of \$440.00 against said automobile, and that said lien holder is not in any way at fault in connection with the issues presented, and is entitled to a return of said automobile upon the payment of all storage charges, publication fees and such filing fee as attached to instruments filed by said claimant.

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 said W. E. (Ed) Pennington, the owner thereof.

IT IS THE FURTHER ORDER AND DECREE of the Court that the lien claim of the said L. L. Barry 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 L. L. Barry, upon her payment of all storage charges, publication fees and such fees as are charged against the filing of proceedings by her as an incident to the aforesaid seizure of said

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

TUESDAY, JANUARY 31, 1939

The Court further finds that the following described land was allotted to Maud McKinley, restricted Usage Allottee No. 83;

East Half of the Southwest Quarter; West Half of the Southeast Quarter of Section Nineteen (19), Township Twenty-three (23) North, Range Six (6) East, Usage County, Oklahoma.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the defendant, J. H. McBroom, be, and he hereby is permanently restrained and enjoined from interfering with the possession, management and control of the

East Half of the Southwest Quarter; West Half of the Southeast Quarter of Section Nineteen (19), Township Twenty-three (23) North, Range Six (6) East, Usage County, Oklahoma.

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

ENDORSED: Filed Jan 31 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. 57 Civil
J. H. McBroom, Defendant.)

APPLICATION FOR DEFAULT JUDGMENT

Comes now the plaintiff, United States of America, by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and shows to the Court that heretofore, and on December 23, 1933, complaint was filed in this case by the United States of America in behalf of Maud McKinley,

restricted Osage Allottee No. 83, seeking to enjoin and restrain the defendant, J. H. McBroom, from interfering with the possession, management and control of the following described land, to-wit:

East Half of the Southwest Quarter; West Half of the Southeast Quarter of Section Nineteen (19), Township Twenty-three (23) North, Range Six (6) East, Osage County, Oklahoma.

That on December 30, 1938, a notice was served, advising said defendant that said application for a temporary injunction was set for hearing on January 3, 1939, at 9 O'clock A.M. That said notice was served upon the defendant, J. H. McBroom, personally, as shown by the return thereof, and that said defendant failed to appear pursuant to said notice, and has failed to answer or otherwise plead in this case, and that more than 20 days have expired since the service of said notice, copy of the complaint and summons upon said defendant.

WHEREFORE, plaintiff makes application to the Court for a default judgment in this case, permanently restraining and enjoining the defendant, J. H. McBroom, from interfering with the possession and control of the following described land, to-wit:

East Half of the Southwest Quarter; West Half of the Southeast Quarter of Section Nineteen (19), Township Twenty-three (23) North, Range Six (6) East, Osage County, Oklahoma,

and for the costs of this action.

WHIT Y. MAUZY
Whit Y. Mauzy
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney
ATTORNEYS FOR PLAINTIFF

IT IS THE ORDER OF THE COURT that said application be granted, and default judgment entered as applied for.

F. E. KENNAMER
JUDGE

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

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

ENDORSED: Filed Jan 31 1939
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to February 2, 1939

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

REGULAR JANUARY 1939 TERM

THURSDAY, FEBRUARY 2, 1939

On this 2nd 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:

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

REMBERT GILMAN SMITH, Plaintiff,)
vs.) CIVIL NO. 65
GEORGE L. WATKINS, as United States Postmaster, Defendant.)

O R D E R

This matter coming on for hearing this 9th day of January, 1939, upon the application of the plaintiff for a temporary restraining order and upon the motion to dismiss of the defendant, George L. Watkins, as United States Postmaster at Tulsa, Oklahoma and the plaintiff appearing in person and with his attorney, Remington Rogers, and the defendant appearing in his official capacity being represented by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma and Chester A. Brewer, Assistant United States Attorney for said district and the court being fully advised in the premises and after argument of counsel finds that the Postmaster General of the United States and the defendant, George L. Watkins, as United States Postmaster at Tulsa, Oklahoma, by virtue of the Acts of Congress, have discretion as to the acceptance and delivery of mail and that upon the pleadings and statements made in open court by the parties to said action and their counsel, the court finds that the Postmaster of Tulsa, Oklahoma, refused to accept into the United States mail the package described in plaintiff's complaint; that said package was wrapped, addressed and proper postage placed thereon in full compliance with all Acts of Congress relative thereto but that acceptance of same into the United States mails and the delivery of same to the addressee was declined by said Postmaster at Tulsa, Oklahoma; that at the time of such rejection, regular mail was being accepted and delivered to the Mid-Continent Petroleum Corporation of West Tulsa, Oklahoma; that said package was not accepted by said Postmaster at Tulsa, Oklahoma because it was unusual mailable matter and the court further finds that neither the Postmaster General nor the Postmaster of Tulsa, Oklahoma, have acted arbitrarily and that from the allegations contained in plaintiff's complaint and from said statements, there is an absolute want of equity and that the court should not interfere with the acts of the Postmaster General nor the Postmaster.

IT IS, THEREFORE, ORDERED that the complaint of the plaintiff be and the same hereby is dismissed at the cost of said complainant, to which action of the court plaintiff excepts, which exception is duly allowed.

AND IT IS SO ORDERED.

Service of copy acknowledged. O.K.

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

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

REMLINGTON ROGERS
Remington Rogers, Attorney for Plaintiff.

F. E. KENNAMER
U. S. District Judge

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

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

Security Benefit Association, a corporation,	Plaintiff,)	
		)	No. 445 - E
vs)	
Town of Slick, et al.,	Defendants.)	

O R D E R

Now on this, the 2nd day of February, 1939, this matter comes on for hearing on the application of American National Bank of Bristow, Oklahoma, receiver herein, and the Board of Trustees of the Town of Slick, Oklahoma, for an order of this Court authorizing and directing the said Board of Trustees of the Town of Slick, Oklahoma, for and in behalf of said Town of Slick, Oklahoma, and American National Bank of Bristow, Oklahoma, receiver herein to accept proposal of Earl W. Baker & Company for furnishing of certain material and equipment consisting of

One steel tank - 6' in diameter - 8' in height - made of 1/2" steel sheets, complete with cover;

One 17 HP 260 RPM Focs kerosene Engine #22677 with lubricator, clutch, and fuel tank installed on foundations furnished by us including foundation bolts and all necessary pipe to make installation complete in every detail;

Nine hundred (900) feet of used one-inch pipe;

in exchange for certain articles consisting of

7 - 4" Darling Fire Hydrants;

now constituting a part of the water works system of the Town of Slick, Oklahoma, with the terms and conditions, duties and obligations all as provided for in proposal and contract, copy of which is attached to the application filed herein, and to which reference is hereby made, and the Court, being duly advised, finds that said proposal and contract, and the application of said receiver and the Board of Trustees of the Town of Slick, Oklahoma, has the approval of C. Edgar Honnold, representative of the owners of the water works bonds of Slick, Oklahoma, and the Court being further advised, finds that it is to the benefit of the Town of Slick, Oklahoma, and of this receivership, that said proposal and contract made by Earl W. Baker and Company should be accepted and said contract entered into for the securing of said material and equipment.

It is, therefore, ordered, adjudged and decreed by the Court that the application heretofore set out be, and the same is hereby granted and approved, and the said American National Bank of Bristow, Oklahoma, receiver herein, and the Board of Trustees of the Town of Slick, Oklahoma, acting for and in behalf of said Town of Slick, Oklahoma, be, and they are hereby authorized and directed to accept said proposal and contract so made by Earl W. Baker & Company, and to execute said proposal and contract.

F. E. KENNAMER
JUDGE

SERVICE OF COPY ACKNOWLEDGED HEREOF this 2nd day of February, 1939

VALJEAN BIDDISON, Atty for various Bondholders.

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

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
TULSA, OKLAHOMA
REGULAR JANUARY 1939 TERM
THURSDAY, FEBRUARY 2, 1939

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

UTILITIES OIL PRODUCTION CORPORATION,
a Corporation, Plaintiff,
Vs. No. 560 Equity
THE CARTER OIL COMPANY, a
Corporation, Defendant.

O R D E R

It appearing to the Court that Honorable Preston C. West, the Master heretofore appointed, has received full compensation from the respective parties to this litigation, the application for the allowance of fees to said Master is hereby dismissed. This dismissal being upon the request of said Master.

DATED January 26, 1939.

F. E. KENNAMER
JUDGE

COPY REC'D
E. J. LUNDY, Atty for Pltff.
C.K. PRESTON C. WEST, Spcl Master.

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

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

WARREN H. DAVIS and OTTO SIEG, Plaintiffs,
-vs- No. 1228 EQUITY
H. F. Wilcox, Oil & Gas Company, a
Delaware Corporation, et al, Defendants.

O R D E R

Upon motion of defendant H. F. Wilcox Oil & Gas Company, and for good cause shown, it is hereby ordered by the Court that the order heretofore made on thefourteenth day of January, 1939, granting the defendants thirty (30) days thereafter in which to answer, be and the same is hereby vacated, and it is hereby ordered by the Court that the defendants be and they are hereby granted permission to file motions to dismiss on or before the 6 day of February, 1939

Dated this 2 day of February, 1939.

ALFRED P. MURRAH
DISTRICT JUDGE

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

On this 6th 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 - ORDER EMPANELING PETIT JURY.

On this 6th day of February, A. D. 1939, comes the Marshal and makes return on the Venire heretofore issued out of this court for Petit Jurors for this Regular January 1939 Term of Court, at Tulsa, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

W. A. Plemons	Chas. Hoffman
John L. Jones	Howard Mather
H. L. Puryear	R. L. Donelson
J. A. Panter	E. L. Coleman
Clifton Fox	H. T. Page
G. C. Thomas	B. T. Colley
William E. Murphy	W. A. Mincks
J. C. Milliken	Frank Hallford
T. L. Miller	John H. Bankston
Leo Meyer	E. C. Hathaway
C. R. Shanklin	W. H. Laue
Claude Simmons	B. F. Young
Cecil R. Phillips	E. W. Pogue
Lynton Black	F. A. Vowell
J. E. Knight	Fred Clark
J. Ward McCague	D. L. Taylor
J. L. Elledge	C. L. Harnage
Alfred Burden	W. F. Wacker
Ernest Jordan	P. W. Whittaker
R. T. Phillips	J. E. Chism
Holland Christian	Chas. Harned
Harry Peyton	George Bell

Lyman S. Miller

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

T. L. Miller	Alfred Burden
Leo Meyer	R. T. Phillips
C. R. Shanklin	Harry Peyton
H. T. Page	

are excused from service as Jurors for the term.

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

E. L. Coleman

and of those not served

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

REGULAR JANUARY 1939 TERM

MONDAY, FEBRUARY 6, 1939

J. A. Panger
J. E. Knight
Howard Mather
George Bell
B. T. Colley
C. O. Harnage
W. F. Wacker

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

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

ENDORSED: Filed In Open Court
Feb 6 1939
H. P. Warfield, Clerk
U. S. District Court

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

FRANK YOUNG EAGLE, Plaintiff,)
vs.) No. 2468 Law.
UNITED STATES OF AMERICA, Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this 17th day of January, 1939, the above cause came on regularly for hearing, the plaintiff appearing in person and by his attorney, Bailey E. Bell & W. S. Caldwell, and the defendant, the United States of America, appearing by Chester A. Brewer, Assistant United States Attorney, and Daniel Dillon, Attorney, Department of Justice, and upon said cause being called, both parties announced ready for trial, a jury having been waived in writing.

Thereupon, plaintiff introduced its evidence, and at the close of plaintiff's case, defendant made its motion to dismiss for the reason that this action is barred by the statute of limitations as provided for in Section 19 of the World War Veterans' Act as amended. Said motion to dismiss was overruled by the Court, and exception granted the defendant. Thereupon, the defendant introduced certain documentary evidence and renewed its motion to dismiss for the reason that this action is barred by the statute of limitations, which motion to dismiss was sustained by the Court.

IT IS ORDERED, ADJUDGED and DECREED that defendant's motion to dismiss be and the same is hereby sustained and that plaintiff take nothing by his petition.

IT IS THE FURTHER ORDER of the Court that costs of this action be taxed against the plaintiff and judgment for ~~defendant~~ for costs is awarded accordingly.

To these rulings of the Court, plaintiff excepts and exceptions are allowed.

COPY SERVED
OK BAILEY E. BELL, Atty for Plaintiff
CHESTER A. BREWER, Asst. U. S. Atty.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

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

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

Thomas Kapsemalis, Plaintiff,)
vs.) No. 2551 - L.
Irene Taylor, nee Douglas, et al., Defendants.)

JOURNAL ENTRY OVERRULING MOTION FOR JUDGMENT ON THE
PLEADINGS.

Now on this the 30th day of January, 1939, this cause coming on for hearing on motion of the defendants for judgment on the pleadings, whereupon plaintiff appears by R. K. Robertson and Glenn O. Young, his attorneys, and the defendants by A. N. Boatman, T. L. Blakemore, and John L. Maynard, their attorneys, and the court, having heard argument and being well and truly advised in the premises, finds that said motion should be and the same is hereby overruled, to which order defendants except and exceptions are allowed.

OKED as to form:
GLENN O. YOUNG
Attorneys for Plaintiff

F. E. KENNAMER
JUDGE.

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

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

GROVER C. McDOWELL, Plaintiff,)
vs.) No. 2592 Law
UNITED STATES OF AMERICA, Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on the 17th day of January, 1939, this cause came on regularly for hearing, the plaintiff appearing in person and by his attorney, Bailey E. Bell, and the defendant, the United States of America, appearing by Chester A. Brewer, Assistant United States Attorney, and Daniel Dillon, Attorney, Department of Justice, and upon said cause being called, both parties announced ready for trial, a juryhaving been waived in writing.

Thereupon, plaintiff introduced, the evidence and at the close of the plaintiff's case, defendant made its motion to dismiss for the reason that this action is barred by the statute of limitations as provided for in Section 19 of the World War Veterans' Act as amended, and said motion was sustained by the Court, exceptions being allowed plaintiff.

IT IS ORDERED, ADJUDGED and DECREED that defendant's motion to dismiss be and the same is hereby sustained and that plaintiff take nothing by his petition.

IT IS THE FURTHER ORDER of the Court that the costs of this action be taxed against

the plaintiff and judgment for defendant for costs is awarded accordingly.

To these rulings of the Court, plaintiff excepts and exceptions are allowed.

F. E. KENNAMER
 UNITED STATES DISTRICT JUDGE

COPY SERVED
 OK AS TO FORM

BAILEY E. BELL, Atty for Plaintiff

CHESTER A. BREWER, Asst. U. S. Atty.

ENDORSED: Filed Feb 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

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

ORDER OF SALE

A report and application having been made herein by the receiver appointed herein, reporting to the court that all of the assets of the receivership estate have been turned into cash under proper order of this court, except five claims filed by the receiver against the Southern Surety Company of New York in Liquidation, in the State of New York, these claims being numbered according to liquidator's system of numbering, as follows: RP 2737, RP 2738, CO 6108, CO 1610 and CO 1653, and an innumerable number of files, corporate records and books of account which last have very little, if any market value,

And it appearing to the court from information available to the receivership and duly presented to this court, that said assets have very little, if any value, but that it is necessary that the same be disposed of in some fashion, in order that the receivership may be closed and costs be saved, and the court being of the opinion that it would be to the best interest of the estate, and of the various parties interested, to sell the above described assets otherwise than as provided in Sections 847 and 849 of Title 28 of the United States Code, and the court being in all fully advised, finds and is of the opinion that it is to the best interest to sell the above described assets otherwise than as is provided in Sections 847 and 849 of Title 28 of the United States Code, and finds that it would be to the best interests of the receivership, to have the receiver try to find someone who would be willing to purchase the above assets at the best obtainable price, inasmuch as the court is of the opinion that a wide publication of the fact that said assets are for sale would not enable the receiver to obtain any more than a nominal sum therefor,

IT IS THEREFORE ORDERED that the receiver use his best efforts to sell the following described assets in his possession, to-wit: Claims numbered RP 2737, RP 2738, CO-1608, CO-1610 and CO-1653, all against the Southern Surety Company of New York in Liquidation in the State of New York, and an innumerable number of files, corporate records and books of account, to whomever he can find who will pay anything therefor, and to report his said sale to

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

MONDAY, FEBRUARY 6, 1939

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 H. G. Garnett et al., appellees, have and recover of; and from Minnie B. Allen et al., appellants, their costs herein.

— December 27, 1938.

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

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

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

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

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

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

United States of America,	Plaintiff,)
)
vs.		) Civil Action No. 1258 - Equity
)
Alfred A. Drummond, et al,	Defendants.)

O R D E R

Now on this 6th day of February, 1939, on application of the defendant, Oklahoma Tax Commission, it is ordered that said defendant be permitted to file and serve its answer and cross-claim herein within ten days from this date.

OK DICK JONES WENDELL BARNES
Attorneys for Defendants.

F. E. KENNAMER
J U D G E

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

Court adjourned to February 7, 1939

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

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

"O R D E R"

NOW on this the 7th day of February, 1939, this cause comes on for hearing on application of the Receiver, J. M. Scott for authority to collect and receipt for funds accruing to the credit of .2890625 of 8/8ths interest in and to an oil and gas lease covering the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6-18-7 Creek County, Okla., and for an Order directing the Tide Water Associated Oil Co., to pay said funds to said receiver; and it appearing to the Court that the said J. M. Scott Receiver should be authorized to collect and receipt for said funds and that the Tide Water Associated Oil Co. should pay said funds to the Receiver as a part of the assets over which said Receiver was appointed, said estate being those covered in an Order of the Court appointing the Receiver herein.

BE IT THEREFORE ORDERED ADJUDGED AND DECREED by this Court that the said J. M. Scott Receiver in the above captioned cause be authorized and directed to collect and receipt for, from the Tide Water Associated Oil Co. a corporation, all funds accruing on account of oil runs credited to the .2890625 of 8/8ths interest in and to the

SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6-18-7 Creek County, State of Oklahoma,

and that the said Tide Water Associated Oil Co. be and the same is hereby directed to pay the funds accruing from the above interest from and after Oct. 1st, 1937 to J. M. Scott, Receiver in the above entitled cause.

F. E. KENNAMER
J U D G E

RECPT OF COPY ACKNOWLEDGED
W. E. GREEN & J. C. FARMER

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

Court adjourned to February 9, 1939

Court convened pursuant to adjournment, Thursday, February 9, 1939.

Present: Hon. F. E. Kennamer, Judge, U. S. District Court.
H. P. Warfield, Clerk, U. S. District Court.

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

On this 13th 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. 1177 - Eq.
 MID-CONTINENT PETROLEUM CORPORATION,)
 a corporation, Defendants.)

O R D E R

Now, on this 11th day of February, 1939, for good cause shown, it is ordered that the above named defendant be, and it is hereby, given seven (7) days from this date within which to file herein such pleading or pleadings, or motion or motions, or other paper or papers, or objection or objections, as is allowed by the Rules of Civil Procedure for the District Courts of the United States.

F. E. KENNAMER
 United States District Judge

OK SERVICE ACKNOWLEDGED
 A. F. MOSS
 H. R. YOUNG

COPY RECEIVED BY MID-CONTINENT
 J. W. GREVE

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

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

UNITED STATES OF AMERICA, Plaintiff,)
 vs.) No. 1178 - Eq.
 COSDEN PIPE LINE COMPANY,)
 a corporation, Defendant.)

O R D E R

Now, on this 11th day of February, 1939, for good cause shown, it is ordered that the above named defendant be, and it is hereby, given seven (7) days from this date within which to file herein such pleading or pleadings, or motion or motions, or other paper or papers,

or objection or objections, as is allowed by the Rules of Civil Procedure for the District Courts of the United States.

F. E. KENNAMER
United States District Judge

OK SERVICE ACKNOWLEDGED
A. F. MOSS
H. R. YOUNG

COPY RECEIVED BY MID-CONTINENT
J. W. GREVE

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

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

R. E. CAMPBELL, Plaintiff,)
)
vs.)
)
THE BOARD OF EDUCATION OF THE CITY OF)
TULSA, OF THE STATE OF OKLAHOMA, also) In Equity No. 1293
known as INDEPENDENT SCHOOL DISTRICT NO.)
22, TULSA COUNTY, OKLAHOMA; FRANK NEWKIRK,)
as Treasurer of the Board of Education of)
the City of Tulsa of the State of Oklahoma; and)
the EXCISE BOARD OF TULSA COUNTY, and W. N.)
WETZEL, D. H. BOULET, and C. R. GILMORE, as)
members of the Excise Board of Tulsa County,)
Defendants.)

ASSIGNMENT OF JUDGMENT

For a good and valuable consideration, R. E. Campbell hereby assigns to Clara Lackey Bailey an undivided one-eleventh (1/11th) interest in and to the judgment obtained in the above entitled case on October 10, 1938, in the amount of \$3,799.95 together with interest thereon at the rate of 6% per annum from October 10, 1938, until paid. The judgment also granted injunctive relief and like assignment of an undivided interest therein is hereby made. This assignment is made in connection with the assignment and delivery back to Clara Lackey Bailey of Bond No. 17 for \$1,000.00 being one of the bonds and the coupon on which the judgment was obtained.

R. E. CAMPBELL

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES ss:

Before me, the undersigned, a Notary Public in and for said county and state, on this 7 day of January, 1939, personally appeared R. E. Campbell to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

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

1313

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

MONDAY, FEBRUARY 13, 1939

Given under my hand and seal the day and year last written.

HELEN GILBERT
Notary Public (SEAL)

Notary Public in and for the County of Los Angeles,
State of California. My Commission expires Jan. 20, 1943

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

Court adjourned to February 14, 1939

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

TUESDAY, FEBRUARY 14, 1939

On this 14th 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 proclamations having been duly made, the following proceedings were had and entered, to-wit:

EARL D. ALFORD, ADMR. of the estate of)
MAMIE M. WEIDMAN, Deceased, Plaintiff,)
vs.) No. 2502 Law
DAVE McCONNELL, ET AL, Defendants.)

VERDICT

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.

FILED In Open Court
Feb 14 1939
H. P. Warfield, Clerk

CHARLES HARNED
Foreman

VERDICT

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.

FILED In Open Court
Feb 14 1939
H. P. Warfield, Clerk
U. S. District Court

CHARLES HARNED
Foreman

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

EARL D. ALFORD, ADMR. OF THE ESTATE OF)
FREDERICK W. WEIDMAN, deceased, Plaintiff,)
vs.) Case No. 2503 Law
DAVE McCONNELL, ET AL, Defendants.)

VERDICT

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

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

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

EARL D. ALFORD, ADMR. ESTATE OF)
FREDERICK W. WEIDMAN, DEC'D., Plaintiff,)
vs.) Case No. 2503 Law
DAVE McCONNELL, ET AL, Defendants.)

VERDICT

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

CHARLES HARNED
Foreman

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