

LUCY NAIL, ET AL, Plaintiff,)
-vs-) No. 1100 - Equity ✓
AMERICAN NATIONAL BANK OF BRISTOW,)
OKLAHOMA, ET AL, Defendants.)

Now on this 15th day of May, A. D. 1939, it is ordered by the Court that the Clerk file and spread the Mandate of Record in the above 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)

(GREETING:

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

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Lucy Nail et al., plaintiffs, and The American National Bank of Bristow, Oklahoma, a corporation, et al., defendants, No. 1100, Equity, the decree of the said district court in said cause, entered on December 17, 1937, was in the following words, viz:

* * * * *

"And now, on this the 23rd day of November, 1937, said cause came on for decision and the court thereupon holds and decrees: * * * * *

"III. That the cross petition of Edmond Burgess be and the same is hereby dismissed for want of equity, and that he have and recover nothing as against the defendants.

"IV. That defendants go hence without day. It is further ordered and decreed that the defendants have and recover their costs as against the plaintiff and the cross petitioner, Edmond Burgess, and it is further ordered and decreed that the defendants do not recover costs as against the United States of America."

* * * * *

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 Edmond Burgess, agreeably to the act of Congress in such case made and provided, fully and at large appears

AND WHEREAS, at the January Term, in the year 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 Lucy Nail et al., appellees, have and recover of and from Edmond Burgess, appellant, their costs herein.

- - March 23, 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 12th day of May, in the year of our Lord one thousand nine hundred and thirty-nine.

COSTS OF	Appellees:
Clerk,	\$ Paid by appellant.
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 May 15, 1939
H. P. Warfield, Clerk
U. S. District Court ME

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 Lucy Nail et al., plaintiffs, and The American National Bank of Bristow, Oklahoma, a corporation, et al., defendants, No. 1100, Equity, the decree of the said district court in said cause, entered on December 18, 1937, was in the following words, vis:

* * * * *

"And now, on this the 23rd day of November, 1937, said cause came on for decision and the court thereupon holds and decrees:

"I. It is ordered and decreed that the petition of the plaintiffs, Lucy Nail, Fency Rogers and Sonora Bruner, be, and the same is hereby dismissed for want of equity, and that they take and recover nothing by reason of their petition against the defendant herein. * * * * *

"IV. That defendants go hence without day. It is further ordered and decreed that the defendants have and recover their costs as against the plaintiffs and the cross petitioner, Edmond Burgess, and it is further ordered and decreed that the defendants do not recover costs as against the United States of America." * * * * *

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 Lucy Nail, Fency Rogers and Sonora Bruner, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

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

On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said district court in this cause be and the same is hereby affirmed; and that American National Bank of Bristow, Oklahoma, et al., appellees, have and recover of and from Lucy Nail et al., appellants, their costs herein.

- - March 23, 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 12th day of May, in the year of our Lord one thousand nine hundred and thirty-nine.

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

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

 Court adjourned to May 16, 1939

On this 16th day of May, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer and Hon. Alfred P. Murrah, Judges, present and presiding.

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

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

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

W. L. JONES,	Plaintiff,)
vs.)
		) No. 78 Civil
GORDON INTERSTATE TRANSPORTATION COMPANY,)
and A. O. & T., INC, a corporation,	Defendants.)

JOURNAL ENTRY OF JUDGMENT

On this 15th day of May, 1939, came plaintiff in person and by his attorneys, Kenneth Nance and Woodard & Westhafer, and also came the defendants by their attorneys, Hudson & Hudson, and this cause came on for trial in its regular order before a jury of twelve good men, who

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

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being duly empaneled and sworn well and truly to try the issues joined between plaintiff and defendant, and a true verdict render according to the evidence; and having heard the evidence the charges of the Court and the argument of counsel upon their oaths find the issues for the plaintiff, and fixes his recovery at \$2500.00.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED by the Court that the said plaintiff have and recover from the said defendants the sum of \$2500.00 together with costs of this action, taxed at \$ _____, for which let execution issue.

F. E. KENNAMER
Judge of the Federal District Court.

Journal Entry C.K.'d, and service is hereby acknowledged of copy of the same.

R. D. HUDSON
Attorneys for Defendants.

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

Court adjourned to May 17, 1939

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, MAY 17, 1939

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

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

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

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

GAR WOOD INDUSTRIES, INC., Plaintiff)
vs.) Civil No. 71
BRADEN WINCH COMPANY, et al, Defendants.)

O R D E R

The motion for a protective order under Rule 30 and to quash subpoena under Rule 45, this day filed, is heard by agreement of counsel; and

IT IS ORDERED AND ADJUDGED as follows:

- (1) That in the taking of depositions, for which an order authorizing a subpoena duces tecum has heretofore been issued, the witnesses will not be required to furnish specifications of the kind and character of the material used in winches manufactured or sold by them, and, instead of furnishing complete detailed drawings of such winches, which may disclose irrelevant

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

B. B. Blair, et al,	Plaintiffs,)	
)	
vs.		)	NO. 1270 Equity.
)	
Atlas Supply Company, et al.,	Defendants.)	

JOURNAL ENTRY

On this 25th day of April, 1939, this cause came on to be heard, there appearing for their respective clients, Garrett Logan, Bradford J. Williams, First and Dewberry, Joe N. Shidler, Hawley C. Kerr, Johnson and Jones, Herbert L. Arthurs, Wm. C. Liedtke, Cheatham and Smith, W. D. Woolley, Floyd L. Rheam, and G. B. Coryell, and the cause proceeds to trial.

Whereupon defendant s The Community State Bank of Bristow, Frierson and Kirehner separately object to the jurisdiction of the Court over the subject matter and the parties, which objections the Court doth overrule, to which each of said defendants excepts and exceptions are allowed.

Whereupon the plaintiffs introduced their evidence, and the Court being fully advised,

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

1. That each of the following named defendants forthwith deposit in the registry of this Court the amounts severally due by it upon the purchase letters, agreements and contracts executed and delivered by it to the plaintiffs, or one of them, as set out in plaintiff's bill of complaint and the answers and cross complaints of said defendants, viz:

Mid- Continent Petroleum Corporation,	\$3,000.00
Gulf Oil Corporation,	2,500.00
Skelly Oil Company,	3,200.00
Galves Oil Corporation	2,500.00

and that as each of said defendants makes such deposit it shall be discharged of and from all liability and to the other parties herein on said purchase letters, agreements and contracts,

2. That this order and the deposit to be made by Skelly Oil Company as aforesaid shall be without prejudice to the claim of Skelly Oil Company to a prior right in the moneys so paid by it, by way of set-off or otherwise, as set up in its answer and cross-complaint herein.

3. That the defendants A. M. Frierson, R. R. Kirchner, and The Community State Bank of Bristow, Oklahoma, be and they are hereby restrained and enjoined from proceeding further, by garnishment or otherwise, against any of the plaintiffs herein, or Mid- Continent Petroleum Corporation, Gulf Oil Corporation, Skelly Oil Company, and Galves Oil Corporation in the following suits in the Superior Court of Creek County, Oklahoma, Bristow, Division;

- (a) Case No. 2844, A. M. Frierson v. R. R. Grandin, et al
- (b) Case No. 2845, R.R. Kirchner v. R. R. Grandin, et al
- (d) Case No. 2846, The Community State Bank of Bristow, Oklahoma v. R. R. Grandin, et al
- (d) Case No. 2855, The Community State Bank of Bristow, Oklahoma v. R. R. Grandin, et al

and that any right or priorities which may have been obtained by the plaintiffs in said actions by

the bringing of said actions or the service of garnishment summonses (which question the Court does not now determine) shall be preserved to said plaintiffs and transferred to the moneys deposited in this Court under this order.

4. Each and every defendant herein is enjoined and restrained from bringing any prosecuting any suit, action or proceeding, or in any wise attempting to enforce, except in this Court in this cause, any assignment by R. R. Grandin of any rights under the contract of July 17, 1936 between R. R. Grandin and plaintiffs herein, or any funds due thereunder or the purchase letters and agreements hereinbefore mentioned.

5. That this cause be and hereby is continued to May 17, 1939, at Tulsa, for further hearing.

To all of which The Community State Bank of Bristow, A. M. Frierson and R. R. Kirchner. except and object, and their exceptions are allowed.

ALFRED P. MURRAH
DISTRICT JUDGE.

O.K. WILLIAM C. LIEDTKE
Atty for Gulf Oil Corporation.
GARRETT LOGAN, for Plaintiffs
O.K. FIST & DEWBERRY
O.K. as to form JOHNSON & JONES
O.K. as to form CHEATHAM & SMITH
O.K. as to form BRADFORD J. WILLIAMS
O.K. as to form JOE N. SHIDLER
O.K. HAWLEY C. KERR, Atty for Skelly Oil Co.
O.K. FLOYD L. RHEAM

OK W. D. WOOLLEY
Atty for Pearce, Porter & Martin, a partnership

State of Okla) ss:
Tulsa Co.)
I swear that I delivered copies of this decree to every attorney whose name is signed hereto this May 17, 1939.

GARRETT LOGAN

Subscribed and sworn to before me this May 17, 1939
H. P. WARFIELD, CLERK
By Elmer W. Adams Deputy

(SEAL)

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

Court adjourned to May 18, 1939

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

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

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

VERDICT

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

IRA N. CARTER,	Plaintiff,)
)
vs.		) Case No. 80 Civil.
)
TRI-STATE MOTOR TRANSPORT, INC.,)
A Corporation,	Defendant.)

We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths find for the plaintiff, and assess his damages at \$2000.00 DOLLARS.

OSCAR RUSH
Foreman

ENDORSED: Filed In Open Court
May 18 1939
H. P. Warfield, Clerk
U. S. District Court E

VERDICT

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

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

We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths, find for the plaintiff, and assess her damages at \$3,000.00 DOLLARS.

OSCAR RUSH,
Foreman

ENDORSED: Filed In Open Court
May 18 1939
H. P. Warfield, Clerk
U. S. District Court

VERDICT

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

Z. ZELMA REYNOLDS, formerly Z. ZELMA	Plaintiff,)
DeLACRETAZ,)
vs.		) Case No. 82 - Civil.
)
TRI-STATE MOTOR TRANSPORT, INC.,)
a Corporation,	Defendant.)

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

find for the defendant.

ENDORSED: Filed In Open Court OSCAR RUSH
May 18 1939 Foreman
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to May 19, 1939

On this 19th day of May, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer and Hon. Alfred P. Murrah, Judges, present and presiding.

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

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

MISCELLANEOUS - ADMISSION TO BAR.

On on this 19th day of May, A. D. 1939, it being satisfactorily made to appear that Carl Ravis is qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court. (F.E:K.J).

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

ORDER TO MARSHAL TO OPEN AND ADJOURN COURT

The First Monday in June, 1939, being the Regular Statutory day for the opening of the Regular Term of said Court at Bartlesville, Oklahoma, and the Court find that there is insufficient business to cause said term to be held at Bartlesville.

IT IS ORDERED that the United States Marshal in and for the Northern District of Oklahoma, be, and he is hereby directed to open the Regular June 1939 Term at Bartlesville, Oklahoma, on Monday, the 5th day of June, A. D. 1939, by proclamation in the manner and form provided by law, and that said Marshal adjourn said Court subject to call.

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

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Jun 5 1939
H. P. Warfield, Clerk
U. S. District Court

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

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

ORDER EXTENDING TIME TO DOCKET APPEAL

NOW, on this 18 day of May, 1939, this matter coming on to be heard before the Court, and it appearing that the respondents and claimants, Evelyn Seber, Jimmie Poweshiek, and Juanita McClish (Deere) have taken an appeal from the order and judgment in this cause entered on the 30th day of January, 1939; and it further appearing, on good cause shown, that additional time should be granted said parties for preparing, sealing and settling the record, and for filing the record on appeal and docketing the action, and docketing said appeal in the Circuit Court of Appeals for the Tenth Circuit.

IT IS THEREFORE ORDERED AND ADJUDGED that the claimants and respondents, Evelyn Seber, Jimmie Poweshiek, and Eldee Starr, guardian of Juanita McClish (Deere), be, and they are hereby granted 30 days additional time from the 29th day of May, 1939, in which to prepare, seal and settle the record, and to file the record on appeal and docket the action on appeal in the Circuit Court of Appeals for the Tenth Circuit.

F. E. KENNAMER
 JUDGE

ENDORSED: Filed May 19 1939
 H. P. Warfield, Clerk
 U. S. District Court AC

VERDICT

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

Clara S. Riley, Executrix of the estate of Edward J. Riley, deceased,	Plaintiff,))
vs.		)	) Case No. 85 Civil
Southwestern Greyhound Lines, Inc., a Corporation,	Defendant.))

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

ENDORSED: Filed In Open Court May 19 1939 H. P. Warfield JAS. M. ADKISON, Foreman
 Clerk. U. S. District Court.

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

FRIDAY, MAY 19, 1939

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

City of Sapulpa, Oklahoma, a Municipal Corporation, ex rel Charles E. Fincke and Percy O. Bangert, operating under the firm name of Fincke, Bangert & Company,

Plaintiffs,

CIVIL ACTION NO. 125

vs

Bertha Catherine Finch, et al,

Defendants.

O R D E R

For good cause shown the defendants, Thos. S. Harris, Grace M. Harris, and the Trustees, of the Immanuel Missionary Baptist Church, are given 15 days additional time in which to answer.

ALFRED P. MURRAH

Judge

ENDORSED: Filed May 19 1939
H. P. Warfield, Clerk
U. S. District Court AC

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

DELORES COATES,

Plaintiff,

vs.

NO. 144 - Civil

MIDSTATES OIL CORPORATION, a Corporation, and TURMAN OIL COMPANY, a Corporation, and ELMER RAPE,

Defendants.

JOURNAL ENTRY

This cause came on to be heard this 19 day of May, 1939, pursuant to regular assignment for trial, the said plaintiff being present by her attorneys, Hamilton and Glendinning, and the said defendants by their attorneys, Pierce and Rucker, by Truman B. Rucker; and both parties announcing ready for trial and a jury being waived in open court, the court proceeded to hear the evidence of witnesses and argument of counsel. And the court, being fully advised, on consideration finds that the plaintiff has sustained the allegations of her petition and is entitled to judgment accordingly.

It is therefore ordered, adjudged and decreed by the court that the said plaintiff, Delores Coates, have and recover of the said defendants, Midstates Oil Corporation, a Corporation, and Turman Oil Company, a Corporation, and Elmer Rape, the sum of Five Hundred and No/100 Dollars, (\$500.00), and for the costs of this action.

OK S. J. GLENDINNING, Attorneys for Plaintiff
OK TRUMAN B. RUCKER, Attorneys for Defendants

F. E. KENNAMER

JUDGE

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

MISCELLANEOUS - ORDER DISCHARGING PETIT JURY.

On this 19th day of May, A. D. 1939, it is ordered by the Court that all Petit Jurors be, and they are, hereby discharged, subject to call, for this Special March 1939 Term of Court, at Tulsa, Oklahoma.

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

On this 19th day of May, A. D. 1939, it is ordered by the Court that the Marshal of this District pay the Petit Jurors and Witnesses for this Special March 1939 Term of Court, their mileage and attendance as shown by the record of attendance.

Court adjourned to May 20, 1939

SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA SATURDAY, MAY 20, 1939

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

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

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

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

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

ORDER AUTHORIZING TRUSTEE TO SELL
REAL ESTATE

On this 19th day of May, 1939, upon the application of J. H. Mc Birney, Successor Trustee, for authority to sell real estate; and it appearing to the court that among the assets coming into the possession of said trustee is

Lot Four (4), Block Five (5), in Reservoir Hill Addition
to the City of Tulsa, Tulsa County, Oklahoma,

being otherwise described as 2512 North Boston Street in the City of Tulsa, Oklahoma; that said real estate is improved by a dwelling house of brick veneer construction, containing five rooms,

together with a one car garage of frame construction; that said real estate was acquired by said trustee by purchase at Sheriff's sale in cause No. 60271, wherein J. H. McBirney, Successor Trustee, was plaintiff, and O. C. Smith and Sarah E. Smith and Exchange Mortgage & Investment Company were defendants, said trustee having bid therefor the sum of Three Thousand Dollars (\$3,000.00), which sum was credited upon the judgment rendered in said cause.

The court further finds that a note executed by O. C. Smith and Sarah E. Smith as makers, for the principal sum of Five Thousand Seven Hundred Dollars (\$5,700.00), upon which there was due the principal sum of Five Thousand One Hundred Seventy Six & 96/100 Dollars (\$5,176.96), secured by mortgage upon the above described real estate, came into the possession of said trustee as assets of said trust, and because of his inability to collect said note, said trustee instituted said cause No. 60271 and obtained judgment therein on the 7th day of August, 1937, against O. C. Smith and Sarah E. Smith, for the principal sum of Five Thousand One Hundred Seventy Six & 96/100 Dollars (\$5,176.96), together with interest in the sum of Two Thousand One Hundred Eight & 70/100 Dollars (\$2,108.70) to date of judgment plus five hundred Seventy Dollars (\$570.00) as attorney's fee, which said judgment is entitled to credit in the amount of Four Hundred Forty Two & 81/100 Dollars (\$442.81), being the net amount of rents received from said property.

The court further finds that since the acquisition of said real estate by said trustee, he has received the net amount of Two Hundred Ten & 68/100 Dollars (\$210.68) as rentals from said real estate.

The court further finds that the said trustee has an offer from Lyle Breeding and Lorraine Breeding, his wife, for the purchase of said real estate for the cash consideration of Three Thousand Two Hundred Fifty Dollars (\$3,250.00), and that the approximately value of said real estate is the amount bid therefor.

The court further finds that the sale of said real estate was arranged by the North Syde Real Estate Co., real estate brokers, who are entitled to a real estate brokerage commission in the amount of five per cent (5%) of said sum bid, as compensation for their services.

The court further finds that the Advisory Committee appointed and designated by this court, has been duly notified of said offer of sale of said real estate above described, and have considered the said offer and have approved the same, and have recommended that said real estate be sold for said consideration.

The court further finds that the trustee has recommended the sale of said real estate; that said trust estate is in liquidation and that it is for the best interest of said trust estate to sell said real estate for said consideration, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to sell to Lyle Breeding and Lorraine Breeding, his wife,

Lot Four (4) in Block Five (5), in Reservoir Hill Addition to the City of Tulsa, Tulsa County, Oklahoma,

for the cash consideration of Three Thousand Two Hundred Fifty Dollars (\$3,250.00).

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to pay to North Syde Real Estate Co., a real estate brokerage commission of five per cent (5%) upon the amount of said sale, to-wit, Three Thousand Two Hundred Fifty Dollars (\$3,250.00), as compensation for their services in arranging the sale of said real estate.

IT IS FURTHER ORDERED that the sale of

Lot Four (4) in Block Five (5), in Reservoir Hill Addition to the City of Tulsa, Tulsa County, Oklahoma,

by J. H. McBirney, Successor Trustee, to Lyle Breeding and Lorraine Breeding, his wife, be and the same is hereby ratified, confirmed and approved.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to execute and deliver a Trustee's special warranty deed, transferring and conveying

Lot Four (4) in Block Five (5), in Reservoir Hill Addition to the City of Tulsa, Tulsa County, Oklahoma,

to Lyle Breeding and Lorraine Breeding, upon their payment to him of said sum of Three Thousand Two Hundred Fifty Dollars (\$3,250.00).

F. E. KENNAMER
DISTRICT JUDGE

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

Court adjourned to May 22, 1939

On this 22nd day of May, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, out of District.

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

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

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

Lizzie Brink, nee Gibbs, now Frank, et al,)
Plaintiffs,)
vs.)
A. G. Sutton, et al,) Defendants.) No. 92 CIVIL
United States of America,) Intervener.)

O R D E R

Now on this 19th day of May, 1939, this matter coming on before the Court on the motion of the intervener, United States of America, for an order authorizing said intervener to amend its intervening complaint filed herein on March 16, 1939, and it appearing to the Court, for good cause shown; that said motion should be allowed;

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, MAY 23, 1939

IT IS THEREFORE THE ORDER of the Court that the intervener, United States of America, be, and hereby is granted leave to amend its intervening complaint filed herein on March 16, 1939.

ALFRED P. MURRAH
JUDGE

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

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

ENDORSED: Filed May 22 1939
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to May 23, 1939

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, MAY 23, 1939

On this 23rd day of May, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, out of District.

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

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

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

Hugh Hendrickson, Plaintiff,)
vs.) No. 128 - Civil
Oklahoma Power and Water Company, a)
corporation, Defendant.)

O R D E R

For good cause shown,

IT IS ORDERED that the defendant is hereby granted permission to file its answer to the petition in the above case as of this date and out of time.

SERVICE OF COPY ACKNOWLEDGED
E. J. DOERNER By Harold C. Stuart

F. E. KENNAMER
J U D G E

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

Court adjourned to May 25, 1939

~~DE THIS~~ 25~~TH~~ day of May, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, out of District.

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

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

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

T. P. FISHER, and ALICE BELL FISHER, a
minor, by and through her father and
next friend, T. P. FISHER, Plaintiffs,
vs.
TURMAN OIL COMPANY, a corporation, and
MIDSTATES OIL CORPORATION, a Corporation,
Defendants.) NO. 96

JOURNAL ENTRY

This cause came on to be heard this 25th day of May, 1939, pursuant to regular assignment for trial, the said plaintiffs being present by their attorneys, Hamilton and Glendinnin and the said defendants by their attorneys, C. E. Cooper and Truman B. Rucker; and both parties announcing ready for trial and a jury being waived in open court, the court proceeded to hear the evidence of witnesses and argument of counsel. And the court being fully advised, on consideration finds the plaintiffs have sustained the allegations of their petition and is entitled to judgment accordingly.

It is therefore, ordered, adjudged and decreed by the court that the said Plaintiffs, T. P. Fisher, and Alice Bell Fisher, a minor, by and through her father and next friend, T. P. Fisher, have and recover of the said defendants, Midstates Oil Corporation, a Corporation, and Turman Oil Company, a corporation, the sum of Seven-thousand One Hundred Twenty-eight and 75/100 (\$7,128.75) Dollars and for the costs of this action.

F. E. KENNAMER

OK B. A. HAMILTON
Attorneys for Plaintiff

OK TRUMAN B. RUCKER
Attorneys for Defendants

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

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

WILLIE EARNHART, Plaintiff,)
)
vs)
) NO. 87
MIDSTATES OIL CORPORATION, a Corporation,)
and TURMAN OIL COMPANY, a Corporation,)
Defendants.)

JOURNAL ENTRY

This cause came on to be heard this 25th day of May, 1939, pursuant to regular assignment for trial, the said plaintiff being present by his attorneys, Hamilton and Glendinning, and the said defendants by their attorneys, Pierce and Rucker, by Truman B. Rucker; and both parties announcing ready for trial and a jury being waived in open court, the court proceeded to hear the evidence of witnesses and argument of counsel. And the Court being fully advised, on consideration finds that the plaintiff has sustained the allegations of his petition and is entitled to judgment accordingly.

It is therefore, ordered, adjudged and decreed by the court that the said plaintiff Willie Earnhart, have and recover of the said defendants, Midstates Oil Corporation, a corporation, and Turman Oil Company, a Corporation, the sum of Two-Thousand One-hundred Twenty-eight & 75/100 (\$2128.75) and the costs of this action.

OK B. A. HAMILTON F. E. KENNAMER
Attorneys for Plaintiff JUDGE

OK TRUMAN B. RUCKER
Attorneys for Defendants

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

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

EARL D. ALFORD, ADMINISTRATOR of the estate)
of Mamie M. Wiedman, deceased plaintiff,)
vs.) No. 2502 Law
DAVE McCONNELL and MARYLAND CASUALTY)
COMPANY, a corporation, Defendant.)

ORDER EXTENDING TIME FOR APPEAL

Now on this 25th day of May, 1939, it was called to the Court's attention that it was necessary to extend the time for filing the record on appeal and docketing this action and that the time for filing and docketing this action has not expired and for good cause shown,

IT IS ORDERED, CONSIDERED, AND ADJUDGED that the appellant's time for filing the record on appeal and docketing the action be and it is hereby extended to ninety (90) days from

the date of the first notice of appeal herein, to wit, the 27th day of April, 1939, to and including July 26, 1939.

F. E. KENNAMER
JUDGE

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

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

EARL D. ALFORD, Administrator of the estate of Fredrick W. Weidman, deceased, Plaintiff,)
vs.) 2503 Law
DAVE McCONNELL AND MARYLAND CASUALTY COMPANY, a corporation, Defendants.)

ORDER EXTENDING TIME FOR APPEAL

Now on this 25th day of May, 1939, it was called to the Court's attention that it was necessary to extend the time for filing the record on appeal and docketing this action and that the time for filing and docketing this action has not expired and for good cause shown,

IT IS ORDERED, CONSIDERED, AND ADJUDGED that the appellant's time for filing the record on appeal and docketing the action be and it is hereby extended to Ninety (90) days from the date of the first notice of appeal herein, to wit, the 27th day of April, 1939, to and including July 26, 1939.

F. E. KENNAMER

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

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

Cities Service Gas Company, a corporation, Plaintiff,)
vs.) No. 2675 Law
Kelly-Dempsey & Company, Inc., Defendant.)

JOURNAL ENTRY

Now on this 5th day of October, 1938, the same being one of the regular days of a regular term of this court, and this cause being regularly assigned for trial came on to be heard. The Plaintiff appeared in court by its attorneys, R. O. Mason, Frank Bacon and R. E. Cullison, and the defendant appeared in court by its attorney, H. G. McKeever, of the firm of McKeever, Stewart

& McKeeyer, and A. C. Saunders. Both sides announced ready for trial and being a law case it was agreed the cause be heard by the court without the intervention of a jury, and a jury was waived by attorneys for both plaintiff and defendant.

WHEREUPON both the plaintiff and defendant announced ready for trial and the same was tried and submitted to the court upon an agreed statement of facts, the opening statements of counsel and the pleadings in the case.

WHEREUPON the court, after hearing the evidence and argument of counsel, requested each of the parties to file their respective briefs herein and said briefs were thereafter filed and submitted to the court, and after having taken said cause under advisement and considered the same, the said court on the 17th day of May, 1939 handed down and filed herein its opinion in writing and found upon the issues in favor of the defendant and against the plaintiff.

AND NOW on this 16 day of May, 1939, the court having convened in regular order and the same being a day of the regular term of said court,

IT IS CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff herein take nothing against the defendant by reason of its petition herein filed and that the defendant have judgment for the costs of this action against the plaintiff taxed in the sum of \$ _____, for which let execution issue, to which decree and judgment of the court the plaintiff excepts and exception is allowed.

F. E. KENNAMER
JUDGE

O.K. R. E. CULLISON
Attorney for Plaintiff.

o.k. E. S. McKEEVER
A. C. SAUNDERS
Attorneys for Defendant

ENDORSED: Filed May 25 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.) No. 877 Equity
EXCHANGE NATIONAL COMPANY, a corporation, et al, Defendants.)

ORDER AUTHORIZING TRUSTEE TO SETTLE AND ADJUST INDEBTEDNESS

On this 25th day of May, 1939, there came on for hearing the application of J. H. McBirney, Successor Trustee, for authority to settle and adjust the indebtedness of E. P. Harwell, upon certain notes executed by him, secured by real estate mortgages covering the real estate hereinafter described, which notes and mortgages are now owned and held by the

said J. H. McBirney, Successor Trustee; and it appearing to the court that J. H. McBirney, Successor Trustee, is the owner and holder of the following notes, for the following principal sums due, as well as interest to June 1, 1939, secured by the real estate set opposite each particular loan, to-wit:

- Loan No. 7949-11; Principal \$2,500.00, Interest \$816.67, Total \$3,316.67; secured by mortgage on Lot 19, Block 4, University Park Addition to the City of Tulsa; otherwise described as 16 South College in the City of Tulsa, Oklahoma,
- Loan No. 7463-M: Principal \$2,750.00, Interest \$880.00, Total \$3,630.00; secured by mortgage on Lot 5, Block 6, University Park Addition to the City of Tulsa, otherwise described as 2920 East 1st Street in the City of Tulsa, Oklahoma,
- Loan No. 7979-10: Principal \$3,000.00, Interest \$988.00, Total \$3,988.00; secured by mortgage on Lot 11, Block 12, University Park Addition to the City of Tulsa, otherwise described as 228 South Montclair in the City of Tulsa, Oklahoma,
- Loan No. 7953-11: Principal \$2,750.00, Interest \$898.33, Total \$3,648.33; secured by mortgage on Lot 13, Block 14, University Park Addition to the City of Tulsa, otherwise described as 3119 East 3rd Street in the City of Tulsa, Oklahoma,
- Loan No. 7975-3: Principal \$2,250.00, Interest \$675.00, Total \$2,925.00; secured by mortgage on Lot 13, Block 16, University Park Addition to the City of Tulsa, otherwise described as 3219 East 4th Street in the City of Tulsa, Oklahoma,
- Loan No. 7965-M: Principal \$2,474.16, Interest \$746.05, Total \$3,210.21; secured by mortgage on Lot 5, Block 17, University Park Addition to the City of Tulsa, otherwise described as 3220 East 4th Street in the City of Tulsa, Oklahoma,
- Loan No. 7969-3: Principal \$2,500.00, Interest \$741.70, Total \$3,241.70; secured by mortgage on Lot 7, Block 17, University Park Addition to the City of Tulsa, otherwise described as 3228 East 4th Street in the City of Tulsa, Oklahoma; and,
- Loan No. 5624-M: Principal \$2,474.16, Interest \$721.62, Total \$3,195.78; secured by mortgage on Lot 10, Block 17, University Park Addition to the City of Tulsa, otherwise described as 3140 East 4th Street in the City of Tulsa, Oklahoma,

that the principal due upon said loans is \$20,698.32, and the total interest due upon said notes to June 1, 1939, is \$6,457.37; that the grand total, principal and interest due upon said loans, is \$27,155.69.

The court further finds that the said Trustee has had the real estate securing said loans appraised and that the total appraisal upon said properties is \$23,650.00.

The court further finds that E. P. Harwell, the maker of said notes, and the obligor thereon has offered to pay \$22,500.00 in cash, in full and complete settlement of said loans.

The court further finds that notice of said offer of settlement has been given to the Advisory Committee appointed and designated by this court, upon whom notice shall be given of all transactions affecting said trust and its assets, and that said Advisory Committee has

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

SPECIAL MARCH 1939 term

TULSA, OKLAHOMA

THURSDAY, MAY 25, 1939

considered the same and has approved said offer and has recommended that said trustee accept the sum and settle said indebtedness for said cash consideration.

The court further finds that said trust estate is in liquidation; that the sum offered in settlement of said loans is approximately the appraised value of said real estate and properties, and that it is for the best interest of said trust estate and its beneficiaries to settle said indebtedness for said consideration, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized and directed to accept the sum of \$22,500.00 from E. P. Harwell, in full and complete payment, settlement and satisfaction of the following numbered loans, for the principal sums set opposite each of them, to-wit:

<u>Loan No.</u>	<u>Principal Amount</u>
7949-11	\$2,500.00
7463-M	2,750.00
7979-10	3,000.00
7953-11	2,750.00
7975-3	2,250.00
7965-M	2,474.16
7969-3	2,500.00
5694-M	2,474.16

and that said payment of \$22,500.00 to J. H. McBirney, Successor Trustee, by E. P. Harwell, shall constitute full and complete payment of all sums due upon said notes, including both principal and interest.

IT IS FURTHER ORDERED that upon receipt of said \$22,500.00 by J. H. McBirney, Successor Trustee, he cancel and surrender notes evidencing said loans, and set out in the preceding paragraph, and that he execute and deliver releases of said real estate mortgages covering the following described real estate, situate in University Park Addition to the City of Tulsa, Tulsa County, Oklahoma., to-wit:

Lot 19, Block 4, University Park Addition, otherwise described as 16 So. College;

Lot 5, Block 6, University Park Addition, otherwise described as 2920 East 1st;

Lot 11, Block 12, University Park Addition, otherwise described as 228 So. Montclair,

Lot 13, Block 14, University Park Addition, otherwise described as 3119 E. 3rd Street,

Lot 13, Block 16, University Park Addition, otherwise described as 3219 E. 4th Street,

Lot 5, Block 17, University Park Addition, otherwise described as 3220 E. 4th Street,

Lot 7, Block 17, University Park Addition, otherwise described as 3228 E. 4th Street,

Lot 10, Block 18, University Park Addition, otherwise described as 3140 E. 4th Street,

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA THURSDAY, MAY 25, 1939

The court further finds that the offer for the purchase of said real estate is reasonable and represents the approximate value of said real estate; that said trust estate is in liquidation; that the said Trustee has not had a higher or better offer for said real estate and that it is for the best interest of said trust estate and its beneficiaries to sell said real estate for said consideration, and for other good cause,

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

Lot One (1), Block Two (2) in Reservoir View Addition to the City of Tulsa, Tulsa County, Oklahoma,

to Carl W. Wiedemann, for the sum of Four Thousand Two Hundred Fifty Dollars (\$4,250.00) , in cash.

IT IS FURTHER ORDERED that upon payment by Carl W. Wiedemann to J. H. McBirney, Successor Trustee, of the sum of Four Thousand Two Hundred Fifty Dollars (\$4,250.00) that the said J. H. McBirney, execute and deliver his Trustee's special warranty deed, conveying said real estate to Carl W. Wiedemann, or his nominee.

IT IS FURTHER ORDERED that the sale of said real estate above described by J. H. McBirney, Successor Trustee, to Carl W. Wiedemann, be and the same is hereby ratified and approved.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

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

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

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

ORDER AUTHORIZING SUCCESSOR TRUSTEE TO PAY LIQUIDATING DIVIDEND OF EIGHT PER CENT (8%) TO THE HOLDERS AND OWNERS OF GUARANTEED FIRST LIEN PARTICIPATION CERTIFICATES

On this 25th day of May, 1939, upon the application of J. H. McBirney, Successor Trustee of all of the notes, bonds, mortgages, liens, obligations and property held as security for the payment of first lien participation certificates issued by the Exchange National Company under a trust agreement of July 19, 1928, between said Exchange National Company and the Exchange National Bank of Tulsa, Oklahoma, for authority to pay an eight per cent (8%) liquidating dividend to the holders and owners of guaranteed first lien participation certificates, and it appearing that the said trustee has the approximate sum of Two Hundred Ninety Six Thousand Eight Hundred Fifty Seven & 07/100 Dollars (\$296,857.07 in cash, and that most of said sum is available for the payment of a liquidating dividend; and it further appearing that the holders of said guaranteed first lien participation certificates have heretofore received sixty-three per cent (63%) liquidating dividends, and that an additional dividend should be paid them, and that said liquidating dividend should be paid to the holders of said certificates in proportion

to the amounts of said certificates and the unpaid interest to May 1, 1933, upon said certificates as heretofore provided in orders entered herein for the payment of liquidating dividends; and it further appearing that the said Trustee has a sufficient amount of cash in order to pay said dividend, and that said dividend should be immediately paid; and it further appearing that the members of the Advisory Committee have been notified of said application and action of said Trustee in the payment of said dividend, and that the payment of said dividend has the approval of the Advisory Committee appointed to counsel and advise with said Trustee, and upon the said Trustee's application, recommendation and request, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized and empowered to pay an eight per cent (8%) liquidating dividend to the owners and holders of the guaranteed first lien participation certificates, said eight per cent (8%) liquidating dividend to be eight per cent (8%) of the principal or face amount of said certificates, plus eight per cent (8%) of the unpaid interest to May 1, 1933, upon said certificates.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, incur the incidental expense necessary for the payment of said eight per cent (8%) liquidating dividend, and that said Trustee require the delivery of said certificates before making payment, in order that said payment may be entered thereon.

IT IS FURTHER ORDERED that said Trustee forthwith disburse said liquidating dividend, as hereinabove ordered.

F. E. KENNAMER
United States District Judge

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

Court adjourned to May 26, 1939

SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA FRIDAY, MAY 26, 1939

On this 26th day of May, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

Zerline Hunt, Plaintiff,)
vs.) No. 2625 Law
SISTERS OF SORROWFUL MOTHER, a corporation,)
Defendant.)

D E C R E E

This cause coming on for trial on this the 27th day of April, 1939, being one of the regular court days of the special March term of this court and having been regularly continued to this day from the 24th day of April, 1939, on which latter day the same was regularly set for trial, and plaintiff being represented by her counsel, Q. M. Dickason, and the defendant being represented by its counsel, T. Austin Gavin, and both sides having announced ready for trial and opening statements having been made by counsel for plaintiff and defendant and the witnesses having been duly sworn in open court to tell the truth and nothing but the truth, thereupon plaintiff introduced her testimony and rested and at the conclusion thereof the defendant demurred to the evidence of plaintiff and moved for judgment against the plaintiff and in favor of the defendant, which said demurrer and motion were by the Court overruled, to which action of the Court in overruling said demurrer and said motion, said defendant excepted and said exceptions were allowed, thereupon defendant presented its evidence and rested, and at the conclusion thereof the Court found the issues generally against the plaintiff and for the defendant and directed that judgment be entered against said plaintiff dismissing her petition and in favor of the defendant with all costs herein expended.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED, AND DECREED that the petition of plaintiff for the recovery of a money judgment against the defendant be and the same is hereby denied and said petition is accordingly hereby and herewith dismissed.

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE of the Court that judgment be and the same is hereby entered in favor of the defendant, and including its costs expended for which latter let execution issue.

F. E. KENNAMER
United States District Judge

Oked as to form:
Q. M. DICKASON
Attorney for Plaintiff,

SERVICE OF COPY ACKNOWLEDGED.
T. AUSTIN GAVIN
Attorney for Defendant

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

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

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

ORDER AUTHORIZING EXECUTION OF QUIT CLAIM DEED

THIS CAUSE COMING on to be heard on this the 26th day of May, 1939, on the verified application of T. P. Farmer, for an order authorizing him to make, execute and deliver a quit claim deed to Donnohue Loan and Investment Company of Sedalia, Missouri, upon the payment to him of the sum of \$300.00, being the cash consideration for the following described premises, to-wit:

Lots 24, 25, 26, 27 and 28 all in See's Subdivision of parts of the Southwest Quarter of the Northeast Quarter and Northwest Quarter of the Southeast Quarter of Section 5, Township 45, Range 21, an addition to the City of Sedalia, Missouri,

said purchaser having agreed to accept a quit claim deed covering said premises and not requiring the furnishing of an abstract, or the payment of the taxes, and the court having read said application and being fully advised in the premises, and finding that it has jurisdiction to entertain the same and enter an order thereon, finds that said application should be sustained.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT, that said application be and it is hereby sustained, and

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT, that T. P. Farmer, as receiver for Exchange National Company, be and he is hereby directed, authorized and empowered to make, execute and deliver to Donnohue Loan and Investment Company a quit claim deed covering the above described premises upon the payment to him of the sum of \$300.00, and the said T. P. Farmer, as receiver for Exchange National Company, be and he is hereby directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER
United States District Judge

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

Court adjourned to May 29, 1939

SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA MONDAY, MAY 29, 1939

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

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

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

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

United States of America, Plaintiff,)
)
vs.) No. 61 CIVIL
)
Marion H. Pease, S. S. Kennedy and)
Minnie A. Pease, Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 29th day of May, 1939, this cause coming on before the Honorable F. E. Kennamer, Judge presiding, and plaintiff appearing by Whit Y. Mausy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and it being shown to the Court that the defendants, Marion H. Pease, S. S. Kennedy and Minnie A. Pease, have each been regularly served with summons in this cause more than 20 days prior to this date, and that neither of said defendants has answered or otherwise pleaded herein; and it further appearing to the Court that the plaintiff, United States of America, has filed in this cause a request for default judgment, and an affidavit, as to the amount due, and that the defendants, and each of them, are in default;

IT IS THEREFORE ORDERED AND ADJUDGED that the plaintiff, the United States of America, in its own behalf, and in behalf of the heirs of Bird Tuman, deceased Osage Allottee No. 206, have and recover judgment against the defendants, Marion H. Pease, S. S. Kennedy and Minnie A. Pease, and each of them, in the sum of \$420.00, with interest on the sum of \$170.00 at the rate of 6% per annum from July 1, 1937, until paid, and interest on the sum of \$250.00 at the rate of 6% per annum from November 1, 1937, until paid, and for all costs of this action, for which let execution issue.

F. E. KENNAMER
JUDGE

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

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

CLARA S. RILEY, Executrix of the Estate of)
Edward J. Riley, deceased, Plaintiff,)
)
vs.) No. 85 Civil
)
SOUTHWESTERN GREYHOUND LINES, INC.,)
a corporation, Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this the 17th day of May, 1939, this matter comes on regularly for trial. The plaintiff, Clara S. Riley, executrix of the estate of Edward J. Riley, deceased, appeared in person and by her counsel, the Hon. B. A. Hamilton, and the defendant, Southwestern Greyhound Lines, Inc., appeared through its counsel, R. D. Hudson and W. E. Hudson. And both sides having announced ready, the Court proceeded to the trial of said cause.

Both sides having introduced evidence, and both the plaintiff and the defendant having presented arguments to the jury, the court submitted said case to the jury for its consideration, and after due deliberation upon the issues of fact submitted to the jury, the jury in open court returned its verdict in favor of the defendant.

Upon the consideration of the verdict, the court finds that judgment should be entered upon in favor of the defendant and for its costs herein expended.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff take nothing and that the defendant have judgment herein, and that the defendant further have judgment for its costs herein expended. All of which the plaintiff duly excepts.

F. E. KENNAMER
U. S. District Judge

OK: and service of copy of journal entry of judgment is hereby acknowledged.

B. A. HAMILTON for Plaintiff
HUDSON & HUDSON, Counsel

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

Court adjourned to May 31, 1939

SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA MONDAY, MAY 31, 1939

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

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

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

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

United States of America, Plaintiff,)
vs.) No. 1155 Equity
S. S. Kennedy and Amy Kennedy, Defendants.)

ORDER APPOINTING RECEIVER

Now on this 31st day of May, 1939, this matter coming on before the Court on the application of the plaintiff herein, filed in this cause on May 26, 1939, for the appointment of a Receiver, and it being shown to the Court that notice has been served on the defendants of this hearing on the application of the plaintiff for the appointment of such Receiver, and it being further shown to the Court that the facts set out in the bill of complaint are sufficient for the

appointment of a Receiver in this cause of action;

IT IS THEREFORE THE ORDER of the Court that O. A. Farrell, being a fit person, is hereby appointed Receiver in this cause, to take charge of, manage, control and collect the rents and profits from the following described property, to-wit:

All of Lots Three and Four; East Half of Southwest Quarter of Section Seven; Northeast Quarter and East Half of Northwest Quarter of Section Eighteen, all in Township Twenty-six, Range Ten. And all that part of the Northeast Quarter of Section Twelve lying south of the Pawhuska-Bartlesville Highway; the North Half of the Southeast Quarter of Section Twelve less 7.79 acres for right-of-way of Pawhuska-Bartlesville Highway; All of the Northwest Quarter of Section Twelve except the right-of-way of the Osage County and Santa Fe Railroad, containing 20.75 acres; all of the East Half of the Northeast Quarter of Section Twenty-three except .24 acres for right-of-way of the Pawhuska-Bartlesville Highway; all that part of the Southwest Quarter of Section Twenty-three lying east of the Pawhuska-Bartlesville Highway; all of the South Half of the Northwest Quarter of Section Twenty-four; all that part of the North Half of the Northwest Quarter of Section Twenty-six lying east of the right-of-way of the Osage County and Santa Fe Railroad and lying South and east of the Pawhuska-Bartlesville Highway, all in Township Twenty-six North, Range Nine East, of Osage County, Oklahoma,

and said Receiver is specifically directed to collect the rents due on said property, and to make return of all proceeds coming into his hands as such Receiver, and as a result of this order, or as the Court may hereafter direct.

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
Assistant United States Attorney

ENDORSED: Filed May 31 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.)
George B. Cox, Cox Machinery Company, a) No. 1279 Equity
Corporation, First National Bank of)
Miami, Oklahoma, a Corporation, Landis)
Steel Construction Company, a Corporation,)
Defendants.)

O R D E R

Now on this 31st day of May, 1939, on application of the plaintiff, United States of America, and for good cause shown, the Court finds that the time for preparing, serving, filing and lodging of the record in the Circuit Court of Appeals for the Tenth Circuit should be extended to July 19, 1939.

IT IS THEREFORE THE ORDER of the Court that the time for preparing, serving, filing and lodging of the record in this cause in the Circuit Court of Appeals for the Tenth Circuit, be, and it is hereby extended to July 19, 1939.

AND IT IS SO ORDERED.

F. E. KENNAMER
JUDGE

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

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

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

Court adjourned to June 1, 1939

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

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

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

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

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

J U D G M E N T

Now on this 1st day of June, 1939, it appears to the Court that in accordance with the Judgment entered herein on the 10th day of April, 1939, there has been deposited by the petitioner herein the sum of One Thousand, Four Hundred Fifty-Nine and 60/100 Dollars (\$1,459.60) representing the fair cash market value, as determined by the Report of Commissioners filed herein and adjudged to be final as to each and every tract of land involved in this proceeding, except as to Tract No. 71, said tracts being more particularly described hereinafter.

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

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, described as 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, Oklahoma, containing 10 acres, 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 Thirtytwo (32), Township Twenty-One (21) North, Range Twenty-three (23) East of the Indian Meridian, Delaware County, Oklahoma, containing 10 acres, 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 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. 84, being the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the West Half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty (20), Township Twenty-one (21) North, Range Twenty-three (23) East of the Indian Meridian, Delaware County, Oklahoma, containing 60 acres, more or less;

did on the depositing of said sum of One Thousand, Four Hundred Fifty-Nine and 60/100 Dollars (\$1,459.60) with the registry of this Court, vest in the United States of America, and the United States of America is hereby adjudged to have acquired said estate in said real estate exclusive of any and all other claims made or that might be made thereto.

F. E. KENNAMER
J U D G E

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

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

UNITED STATES OF AMERICA,

Petitioner,

vs.

119.62 acres of land, more or less, in Delaware County, Oklahoma; L. Keith Smith, Assignee for the Benefit of Creditors and Charles Price,

Defendants.

No. 98 - Civil

JUDGMENT ON THE DECLARATION OF TAKING

This day comes the plaintiff, the United States of America, by Whit Y. Mauzy, United States Attorney in and for the Northern District of Oklahoma, and Curtis P. Harris,

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

THURSDAY, JUNE 1, 1939

Special Attorney, Department of Justice, and moves this Court to enter a Judgment vesting title in fee simple, subject to and exempting all existing public roads, public utility easements and rights-of-way, in the United States of America in and to the property described in the Declaration of Taking and in the Petition for Condemnation.

Thereupon, the Court proceeded to hear and pass upon said Motion, Petition for Condemnation, and Declaration of Taking, and finds that:

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

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

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

(4) A proper description of the lands sought to be taken, sufficient for the identification thereof, is set out in said Declaration of Taking;

(5) A statement of the estate or interest in said lands taken for said public use is set out therein;

(6) A plat showing the lands taken is attached thereto;

(7) A statement is contained therein of the sum of money estimated by the acquiring authority to be just compensation for the lands taken in the amount of Four Hundred Eighty and no/100 Dollars (\$480.00), and said sum was deposited in the Registry of this Court to the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

(8) A statement is contained in said Declaration of Taking that the estimated amount of compensation for the taking of said property in the opinion of Henry A. Wallace, Secretary of Agriculture, will probably be within any limits prescribed by Congress on the price to be paid therefor.

And the Court having fully considered the Petition for Condemnation, the Declaration of Taking, 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. 7065 dated June 7, 1935, Executive Order No. 7530 dated December 31, 1936, Executive Order No. 7557 dated February 19, 1937, the Act of August 1, 1888 (25 Stat. 357), as amended, the Act of February 26, 1931, (46 Stat. 1421), the Weeks Law (36 Stat. 961), and the Clarke-McNary Act (43 Stat. 653), and all other statutes in such cases made and provided, and all other Executive Orders and other delegations of authority made pursuant to these statutes, is of the opinion that the United States of America was and is entitled to take said property and have the title thereto vested in it.

IT IS, THEREFORE, CONSIDERED BY THE COURT, AND IT IS THE ORDER, JUDGMENT AND DECREE OF THE COURT that the title in fee simple to the following described lands was vested in the United States of America upon the filing of said Declaration of Taking and the deposit in the Registry of this Court, hereinabove recited, of the said sum of Four Hundred Eighty and no-100 Dollars (\$480.00), and said lands are deemed to have been condemned and taken for the use of the United States of America, and the right for just compensation for the same hereby vested in the per-

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

THURSDAY, JUNE 1, 1939

sons entitled thereto, the amount of said compensation to be ascertained and awarded in this proceeding and established by Judgment herein pursuant to law,

The lands are described as follows:

Tract no. 9, being and comprising that certain tract, parcel or lot of land in Delaware County, State of Oklahoma, bounded and described as follows:

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

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any and all persons now in possession or claiming possession of said real estate shall deliver exclusive possession of the same to the United States of America on or before the 10th day of June, 1939.

This cause is held open for the entering of such other and further orders, judgments and decrees as may be necessary.

Entered this 1st day of June, 1939.

F. E. KENNAMER
JUDGE

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

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

GLENN BYNUM,)
Plaintiff,)
)
VS.)
) NO. 146 Civil
)
JAMES M. KURN, JOHN G. LONSDALE, Trustees)
of St. Louis-Sand Francisco Railway)
Company, a corporation, et al,)
Defendants.)

ORDER SUSTAINING MOTION TO REMAND

This matter coming on for hearing on this 1st day of June, A. D. 1939, upon the motion of the plaintiff, GLENN BYNUM, to remand the above entitled and numbered cause to the District Court of Creek County, Oklahoma, from which it was removed to this Court, and it appearing to the Court that this cause was improperly removed from the District Court of Creek County, Oklahoma, and that the motion of the plaintiff to remand same to said District Court of Creek County, Oklahoma, should be in all things sustained; and it appearing that this Court has no jurisdiction of this cause

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that this cause be remanded to the District Court of Creek County, Oklahoma from which it came, and it is further ordered, adjudged and decreed by the Court that the plaintiff have and recover of the defendants his costs incurred in this Court, for which let execution issue.

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

F. E. KENNAMER
UNITED STATES JUDGE

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

----- Court adjourned to June 2, 1939

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

SPECIALMARCH 1939 TERM

FRIDAY, JUNE 2, 1939

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

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

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

MISCELLANEOUS - ADMISSION TO BAR.

On this 2nd day of June, A. D. 1939, it being made satisfactorily to appear that William L. Peterson, is duly qualified for admission to the Bar of this Court, the oath is administered and said Attorney is declared admitted to the Bar of the Court.

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

J. Q. PRATHER, Administrator of the estate)
of ALVA W. VILES, deceased, Plaintiff,)
vs.) No. 113 Civil
THE DEWEY T. ROSS ENGINEERING CORPORATION,)
Defendant.)

O R D E R

Now on this 2nd day of June, 1939, this matter comes on to be heard upon the motion to dismiss of the defendant, and also upon its motion to strike and to make more definite and certain. The plaintiff appeared by his counsel, E. H. Beauchamp of Grove, Oklahoma, and the defendant appeared by its counsel, Hudson & Hudson of Tulsa, Oklahoma.

And the court being fully advised in the premises, finds that defendant's motion to dismiss should be overruled. And the court further finds that defendant's motion to strike and to make more definite and certain be overruled except as to the first paragraph, which is hereby sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this court that defendant's motion to dismiss be, and the same is hereby overruled. To which ruling of the court the defendant excepted.

IT IS FURTHER ORDERED that the first paragraph of defendant's motion to make more definite and certain and to strike be, and the same is sustained, and that the remainder of said motion be, and the same is hereby overruled. To which ruling of the court in overruling said motion to strike and to make more definite and certain, the defendant excepts.

The plaintiff was allowed to amend his complaint insofar by the striking of paragraph 3 on page 2, and the defendant is hereby given 15 days from this date within which to answer.

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

OK and receipt of copy of order is hereby acknowledged
E. H. BEAUCHAMP
Attorney for Plaintiff.

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

United States of America, Plaintiff,)
vs.) No. 1280 Equity
L. C. Shimonek, et al, Defendants.)

ORDER TO PAY INSURANCE CLAIM.

Now on this 22nd day of June, 1939, this matter coming on before the Court on the application of O. A. Farrell, Receiver herein, for an order of Court authorizing him to pay an insurance claim in the sum of \$89.10 on the building located on the land involved in the above entitled cause and it being shown to the Court that said insurance is necessary for the protection of said property, and that said claim should be allowed out of money that has been collected by said Receiver, said Receiver to make a proper return of payment of said bill;

IT IS BY THE COURT ORDERED that O. A. Farrell, Receiver in this cause be, and he is hereby authorized to pay to C.F. Lake the sum of \$89.10 covering the insurance premium on said property, from any fund said Receiver may have in his hands, collected from the property involved herein, and to make due report thereof.

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 Jun 2 1939
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to June 5, 1939

On this 5th day of June, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

BEN JOHNSON V. CLEMIE JOHNSON, Plaintiffs,)
vs.) No. 2648 Law
CONTINENTAL OIL COMPANY, a corporation,)
Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this the 5th day of June, 1939, this cause comes on for hearing; the plaintiffs appeared in person and by their counsel, F. P. Sizer, and W. B. Myres, and the defendant appeared by its counsel, Hudson & Hudson. Both parties having announced ready for trial, and having waived a jury, the court proceeded to the trial of said cause on its merits.

The plaintiffs then introduced their evidence and rested. And the court being fully advised in the premises, upon consideration thereof, finds:

1. That James Johnson, the plaintiffs' decedent, died on the 23rd day of August, 1936; that the said James Johnson was at the time of his death 10 years of age, and left surviving him as his sole and only heirs at law and next of kin, the following:

Ben Johnson, father,
Clemie Johnson, mother.

That the said James Johnson died intestate and that no personal representative has been appointed to his estate.

2. That the said James Johnson, on the 23rd day of August, 1936, fell from the top of a structure belonging to the defendant herein, to the ground below, and that as a result of said fall and impact the said James Johnson was killed instantly and therefore suffered no conscious pain between the time of the impact and his immediate death.

3. That the plaintiffs, Ben Johnson and Clemie Johnson, are entitled to recover from and from the defendant, Continental Oil Company, a corporation, on their cause of action herein for wrongful death, the sum of Thirty-five Hundred (\$3500.00) Dollars, and the costs of this action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, by the court that the plaintiffs, Ben Johnson and Clemie Johnson, have and recover from the defendant, Continental Oil Company, a corporation, the sum of Thirty-five hundred (\$3500.00) Dollars, with interest thereon at the rate of 6% per annum from date until paid, together with the cost of this action.

IT IS FURTHER ORDERED that the clerk file and enter any satisfaction of judgment herein tendered for filing by plaintiffs or defendant, showing the payment of Thirty-five Hundred (\$3500.00) Dollars, and interest, as aforesaid, after the costs of this action have been paid.

F. E. KENNAMER

Approved and copy of journal entry of judgment acknowledged; United States District Judge.
SIZER & MYRES C. E. REED, Attorneys for Plaintiffs.

R. D. HUDSON W. E. HUDSON, Attorneys for Defendant.

ENDORSED: Filed Jun 5 1939

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

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

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

ORDER AUTHORIZING TRUSTEE TO SETTLE AND ADJUST INDEBTEDNESS

On this 5th day of June, 1939, upon the application of J. H. McBirney, Successor Trustee, for authority to settle, adjust and compromise the indebtedness of R. B. Martin and Helen Cartter Martin; and it appearing that among the assets coming into the hands of said trustee was a note dated February 2, 1929, executed by R. B. Martin and Helen Cartter Martin for the principal sum of Two Thousand Dollars (\$2,000.00) upon which the principal sum of One Thousand Six Hundred Eighty Five & 06/100 Dollars (\$1,685.06), together with interest from February 1, 1932, is due, said note being secured by a first real estate mortgage covering:

South Half (S $\frac{1}{2}$) of Lot Five (5) in Block Eighteen (18); Martin Second Addition to the City of Tulsa, Tulsa County, Oklahoma;

note dated February 23, 1929, executed by R. B. Martin and Helen Cartter Martin for the principal sum of Two Thousand Dollars (\$2,000.00), upon which the principal sum of One Thousand Seven Hundred Twenty Three & 04/100 Dollars (\$1,723.04), together with interest from May 1, 1932, is due, which said note is secured by a first real estate mortgage covering:

Lot Five (5), Block Nine (9), Martin Addition to the City of Tulsa, Tulsa County, Oklahoma;

and note dated December 11, 1929, executed by R. B. Martin and Helen Cartter Martin, for the principal sum of One Thousand Eight Hundred Dollars (\$1,800.00), upon which the principal sum of One Thousand Six Hundred Forty Two & 44/100 Dollars (\$1,642.22), together with interest from May 1, 1932, is due, which said note is secured by a first real estate mortgage covering:

Lot Two (2), Block Twenty Five (25), Martin Second Addition to the City of Tulsa, Tulsa County, Oklahoma;

and it further appearing that said real estate are improved by one store frame houses, having cement block foundations, and that said improvements are in need of painting and re-decorating; and it further appearing that said real estate has been appraised by the said Trustee; and the total appraisals for said real estate has been fixed at Five Thousand Three Hundred Fifty Dollars (\$5,350.00); that said property is difficult to sell and in the event the same can be sold, sales involving small down payments and deferred payments extending over a long period of time, are required and that said trust estate is in liquidation, and sales involving payments over a long period of years are impractical.

The court further finds that the owners of said real estate have endeavored to sell the same, but without success, and that the Trustee has undertaken to obtain offers for the sale of said real estate, for submission to the owners thereof, but that said efforts have been unsuccessful.

The court further finds that L. J. Martin has offered to pay J. H. Mc Birney, Successor Trustee, the sum of Four Thousand Five Hundred Dollars (\$4,500.00), payable Three Thousand Five Hundred Dollars (\$3,500.00) in cash and Five Hundred Dollars (\$500.00) on or before six (6) months from date, and Five Hundred Dollars (\$500.00) on or before one year from date in full and complete settlement, payment and satisfaction of said note indebtedness of R. B. Martin and Helen Cartter Martin.

The court further finds that the total principal due under the said three loans is Five Thousand Fifty Dollars & 54/100 Dollars (\$5,050.54), and further finds that the Trustee has received the total sum of Seven Hundred Seventy Seven & 24/100 Dollars (\$777.24) from rentals from said property, as well as from payments made by the debtors.

The court further finds that the Advisory Committee, appointed by this court, has been duly notified of said offer of compromise and has considered the same and approved said offer of settlement, and has recommended that said Trustee settle said note indebtedness for said consideration.

The court further finds that the Trustee has not been able to obtain an offer for sale of said real estate for a sum in cash equal to the amount offered in settlement; that said trust estate is in liquidation and that the acceptance of said offer will benefit the said trust estate and its beneficiaries, and for other good cause,

IT IS ORDERED that J. H. Mc Birney, Successor Trustee; be and he is hereby authorized to settle and adjust the indebtedness of R. B. Martin and Helen Cartter Martin, upon the following notes, to-wit:

Note dated February 2, 1929, executed by R. B. Martin and Helen Cartter Martin, for the principal sum of Two Thousand Dollars (\$2,000.00), payable to Exchange National Company, on which the principal sum of One Thousand Six Hundred Eighty Five & 06/100 Dollars (\$1,685.06) and interest from February 1, 1932, is due;

Note dated February 23, 1929, executed by R. B. Martin and Helen Cartter Martin, for the principal sum of Two Thousand Dollars (\$2,000.00), payable to Exchange National Company, on which the principal sum of One Thousand Seven Hundred Twenty-Three & 04/100 Dollars (\$1,723.04) and interest from May 1, 1932, is due;

Note dated December 11, 1929, executed by R. B. Martin and Helen Cartter Martin, for the principal sum of One Thousand Eight Hundred Dollars (\$1,800.00), payable to the Exchange National Company, on which the principal sum of One Thousand Six Hundred Forty Two & 44/100 Dollars (\$1,642.44) and interest from May 1, 1932, is due,

for the total sum of Four Thousand Five Hundred Dollars (\$4,500.00), payable by L. J. Martin, as follows: Three Thousand Five Hundred Dollars (\$3,500.00) in cash, Five Hundred Dollars (\$500.00) on or before six (6) months from date, and Five Hundred Dollars (\$500.00) on or before one year from date, said notes each evidencing an indebtedness of Five Hundred Dollars (\$500.00) to be executed by L. J. Martin and George F. Martin, and to bear interest at the rate of six per cent (6%) per annum.

IT IS FURTHER ORDERED that upon payment by L. J. Martin of Three Thousand Five Hundred Dollars (\$3,500.00) and execution and delivery of two promissory notes, each for the principal sum of Five Hundred Dollars (\$500.00), bearing interest at the rate of six per cent (6%) per annum, one payable on or before six (6) months from date and the other payable on or before twelve (12) months from date, executed by L. J. Martin and George F. Martin, to J. H. Mc Birney, Successor Trustee, that said J. H. Mc Birney, Successor Trustee, be and he is authorized to cancel and surrender the notes referred to and described in the preceding paragraph of this said order, and to release the real estate mortgages dated February 2, 1929, executed by R. B. Martin and Helen

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA MONDAY, JUNE 5, 1939

Cartter Martin, recorded in Book 812, at page 534, in the office of the County Clerk of Tulsa County, Oklahoma, covering:

South Half (S $\frac{1}{2}$) of Lot Five (5), Block Eighteen (18), Martin Second Addition to the City of Tulsa, Tulsa County, Oklahoma;

real estate mortgage dated February 23, 1929, executed by R. B. Martin and Helen Cartter Martin, recorded in Book 817, at page 529, in the office of the County Clerk of Tulsa County, Oklahoma, covering:

Lot Five (5) in Block Nine (9) Martin Addition to the City of Tulsa, Tulsa County, Oklahoma;

and real estate mortgage dated December 11, 1929, executed by R. B. Martin and Helen Cartter Martin, recorded in Book 887, at page 443, in the office of the County Clerk of Tulsa County, Oklahoma, covering:

Lot Two (2) in Block Twenty Five (25), Martin Second Addition to the City of Tulsa, Tulsa County, Oklahoma,

as well as to surrender any and all other documents held by said Trustee in connection with said loans.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Jun 5 1939.
H. P. Warfield, Clerk
U. S. District Court B

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

General American Life Insurance Company,
a corporation, Plaintiff,

vs.

Sapulpa Lodge No. 1118, Benevolent and Protective Order of Elks, and E. M. McMachel, H. E. Bennett, and H. H. Boulton, as members of the Board of Trustees of Sapulpa Lodge No. 1118, Benevolent and Protective Order of Elks, Defendants.

No. 1204 Equity

O R D E R

Now on this 5th day of June, 1939, the above matter came on for hearing upon the application of D. H. McMasters to be discharged and it appearing that he has performed no duties and should be discharged.

IT IS ORDERED, ADJUDGED AND DECREED that D. H. McMasters be and he is hereby discharged as receiver as heretofore appointed herein; and as he has handled no moneys he is discharged from any and all liability herein as such receiver; and he as principal and his surety on

his bond as such receiver are hereby discharged from any and all liability thereunder; and that the receiver receive no compensation.

F. E. KENNAMER
 Judge

ENDORSED: Filed Jun 5 1939
 H. P. Warfield, Clerk
 U. S. District Court H

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

Beulah M. Gambill, and Beulah M. Administratrix of the Estate of Fred D. McHaffie, deceased,	Plaintiffs,	) No. 1213 Equity
vs)	
United States of America,	Defendant	
Lucielle Anna McHaffie Scott,	Intervenor.)

JOURNAL ENTRY OF JUDGMENT

On this 29th day of May, 1939, this cause came on for trial in its regular order and pursuant to order of May 8, 1939, setting said cause for trial this date, of which setting the attorneys of record have been duly notified. The plaintiff Beulah M. Gambill was present in person and was represented by her attorney, Hugh Webster. The United States of America appeared by its attorneys, Whit Y. Mausy, United States Attorney for the Northern District of Oklahoma, Chester A. Brewer, Assistant United States Attorney for said district, and Daniel Dillon, Attorney Department of Justice. The intervenor, Lucielle Anna McHaffie Scott, appeared not, either in person or by attorney. Said cause having been duly called for trial, the parties announced ready for trial.

Thereupon the said plaintiff, with the permission of the Court and upon stipulation of counsel, submitted said cause on the evidence heretofore offered and introduced herein on the 24th day of January, 1938, and upon the record there made, and thereupon the defendant, United States of America, moved the dismissal of plaintiffs action on the ground that said action was barred by the statute of limitations as provided for in Section 19 of the World War Veterans' Act, as amended, which said motion is by the Court over-ruled and exceptions allowed.

Thereupon said plaintiff moved for judgment on the mandate of the Circuit Court of Appeals filed herein and that judgment be entered thereon in favor of said plaintiff for the full amount of the War Risk Insurance here involved, all installments thereof having matured and now being due and owing, upon the ground that it appears from the opinion of the Circuit Court of Appeals made a part of said mandate, that said court has passed on every essential issue in this action and that nothing remains to be determined in order to render final judgment and that the defendant and intervenor have been foreclosed of any defense as against plaintiffs cause of action. And said motion for judgment is by the Court sustained and exceptions allowed.

The Court finds the issues in this case in favor of the plaintiff, Beulah M. Gambill, and against the defendant United States of America, and the intervenor, Lucille Anna McHaffie Scott.

The Court finds:

1. That plaintiff Beulah M. Gambill is a resident of the judicial district.

2. That Fred D. McHaffie, deceased and insured, enlisted in the United States Army August 5, 1918, and while in the active service died on September 22, 1919; that as of the effective date of August 5, 1918, he applied for and was granted by this defendant \$10,000.00 of war risk insurance, designating as beneficiary under the policy, his wife Lucielle McHaffie; that as of the effective date of July 17, 1919, he changed the beneficiary of said war risk insurance to his sister, Beulah M. Gambill, plaintiff herein, and that the said Lucielle McHaffie, now Lucielle McHaffie Scott, intervenor herein, then ceased on said date to be a beneficiary thereof; that Fred D. McHaffie was totally and permanently disabled under the terms of his said war risk insurance contract in the amount of \$10,000.00 as of February 8, 1919, as likewise held by the Veterans' Administration; that the United States Government paid the administratrix of the estate of Fred D. McHaffie, deceased, \$460.00 accrued benefits under said war risk insurance contract, representing eight monthly installments of \$57.50 each and has paid the plaintiff Beulah M. Gambill 232 monthly installments of \$28.75 each, and all installments having now matured, there is due and owing the plaintiff, Beulah M. Gambill, the balance of said payments, beginning February 8, 1919, to be computed by the Veterans' Administration.

3. That due and proper claim for said insurance benefits under the said war risk insurance policy of Fred D. McHaffie, deceased, was filed as by law required and within the time provided, that this Court has jurisdiction to hear, try and determine said cause.

WHEREFORE, it is the judgment and decree of the Court that Beulah M. Gambill, plaintiff herein, have and recover from the United States of America the defendant herein, the payments on said war risk insurance policy beginning February 8, 1919, said amount to be computed by the Veterans' Administration.

The Court further adjudges that the intervenor, Lucielle Anna McHaffie Scott, have nothing by her petition filed herein; that the co-plaintiff, Beulah M. Gambill, Administratrix of the estate of Fred D. McHaffie, deceased, have nothing by her cross petition filed herein.

The Court further adjudges that the plaintiff, Beulah M. Gambill, was represented by Hugh Webster of Tulsa, Oklahoma, and that 10% of the total amount recovered herein, is a reasonable fee for his services, to all of which findings of fact and law, defendant excepts and exceptions are allowed.

F. E. KENNAMER
J U D G E

OK as so form. Service of Copy acknowledged.
HUGH WEBSTER, Attorney for Plaintiff

WHIT Y. MAUZY, United States Attorney

CHESTER A. BREWER, Assistant United States Attorney

DANIEL DILLON, Attorney Department of Justice
ATTORNEYS FOR DEFENDANT

E. D. BREWER, Attorney for Intervenor.

ENDORSED: Filed Jun 5 1939
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to June 6, 1939

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, JUNE 6, 1939

On this 6th day of June, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

Cora C. Lawrence,	Plaintiff,)	
)	
vs.		)	No. 142 Civil
)	
Southwestern Bell Telephone Company,	Defendant.)	
a corporation,)	

JOURNAL ENTRY

Now on this 2nd day of June, 1939, there coming on to be heard the defendant's motions to strike, for more definite statement and to dismiss the plaintiff's petition herein, and the plaintiff appearing by her attorney, Bailey E. Bell, and the defendant appearing by its attorney John H. Cantrell, argument is heard upon said motions and each of them.

Upon consideration of the motions and each of them, IT IS ORDERED that the first paragraph of defendant's motion to strike be and the same is hereby sustained and the matter referred to and quoted therein, is hereby stricken from plaintiff's petition, to which plaintiff excepts.

IT IS FURTHER ORDERED that paragraph two of the defendant's motion to strike and Sections (a), (b), (c) and (d) of defendant's motion for a more definite statement be and the same are each severally overruled, to the action of the court in each instance, the defendant excepts.

IT IS FURTHER ORDERED that the defendant's motion to dismiss be and the same is overruled with leave to renew same in defendant's answer. To this action of the court, the defendant excepts.

Defendant is granted 20 days from this date in which to answer plaintiff's petition

F. E. KENNAMER
United State District Judge

O.K. & SERVICE OF COPY ACKNOWLEDGED:
JOHN W. WHIPPLE and
BAILEY E. BELL by Bailey E. Bell
Attorneys for Plaintiff

JOHN H. CANTRELL
Attorney for Defendant

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

Court adjourned to June 7, 1939

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA WEDNESDAY, JUNE 7, 1939

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

M. M. Ewing, Deputy Clerk, U. S. District Court.
Whit Y. Mauzy, United States Attorney.
John P. Logan, United States Marshal.

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

MISCELLANEOUS - ORDER FOR ADDITIONAL PETIT JURORS.

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

ORDER FOR ADDITIONAL PETIT JURORS

On this 7th day of June, 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 Twenty-four (24) persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Special March 1939 Term of this Court to be held at Tulsa, Oklahoma.

IT IS FURTHER ORDERED by the Court that a Writ of Venire Facias be issued out of this Court, in due form as provided by law, commanding the said Marshal to summon said Petit Jurors, drawn as aforesaid, to be and appear before said Court, to be held at Tulsa, Oklahoma, in the Northern District of Oklahoma, on Monday, the 12th day of June, A. D. 1939, at 9:00 o'clock A.M., then and there to serve as Petit Jurors of the United States in and for said District at the Special March 1939 Term of said Court.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

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

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

UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 2571 LAW
OKLAHOMA PIPE LINE COMPANY, a corporation,)
Defendant.)

ORDER OVERRULING MOTION TO DISMISS

On consideration of defendant's motion to dismiss,

IT IS HEREBY ORDERED that motion to dismiss of Oklahoma Pipe Line Company be, and the same is hereby overruled, to which action of the Court defendant excepted, and exceptions are allowed. Defendant is granted twenty (20) days from this date in which to answer.

Dated this 7th day of June, 1939.

ENDORSED: Filed Jun 27 1939
H. P. Warfield, Clerk, U. S. District Court
F. E. KENNAMER
United States District Judge
Court adjourned to June 8, 1939

Court convened pursuant to adjournment, Thursday, June 8, 1939.

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

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

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

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

O R D E R

On this 8th day of June, 1939, upon the application of J. H. Mc Birney, Successor Trustee, for directions with respect to the release of mortgage dated April 4, 1930, executed by E. M. Oliver, joined by his wife, and Earl Davis, covering a part of Lot 5, Section 3, Township 19 North, Range 12 East, Tulsa County, Oklahoma, being more particularly described hereinafter; and it appearing that the principal sum of said note was four thousand two hundred fifty dollars (\$4,250.00), but that the sum has been paid except the sum of Seventy Five Dollars (\$75.00) which is past due and unpaid; and that the court further finds that the abstract of title covering the property above described, which was delivered to the Exchange National Company at the time of the making the said loan, had been lost or withdrawn from said Exchange National Company prior to J. H. Mc Birney, Successor Trustee, succeeding to said trust; and it further appearing that the said E. M. Oliver and Earl Davis refused to pay said sum of Seventy Five Dollars (\$75.00) until the said abstract was delivered to them; and it further appearing that the abstract was never in the possession of J. H. Mc Birney, Successor Trustee; and it further appearing that some questions have arisen with respect to the liability of the said E. M. Oliver and Earl Davis by reason of the Statute of Limitations; and it further appearing that because of the questions and matters in dispute, the said controversy should be compromised and adjusted, and that a fair and reasonable adjustment of said controversy is the remission of one-half of said sum of Seventy Five Dollars (\$75.00) by the said Trustee and the payment by said E. M. Oliver and Earl Davis of one-half of said sum, and for other good cause,

IT IS HEREBY ORDERED that J. H. Mc Birney, Successor Trustee, be and he is authorized and empowered to release mortgage dated April 4, 1930, executed by E. M. Oliver and wife, and Earl Davis, as mortgagors, to Exchange National Company, as mortgagee, for the principal sum of Four Thousand Two Hundred Fifty Dollars (\$4,250.00), recorded in Book 908, at page 55, in the office of the County Clerk of Tulsa County, Oklahoma, covering the following described real estate, to-wit:

A part of Lot 5, Section 3, Township 19 North, Range 12 East, of the Indian Base and Meridian, described as follows, to-wit:

Beginning at the meander corner of the left bank of the Arkansas River where the Section line between the Sections 3 and 4 intersects the meander line; thence North on and along said Section line between Sections 3 and 4 a distance of 567.7 feet; thence North 79° 10' East on and along the South line of the paved highway a distance of 268 feet; to the point of beginning; thence South parallel to the Section line between Sections 3 and 4 a distance of 224.5 feet; thence Southwesterly on and along the right-of-way line of the Sand Springs railroad a distance of 100 feet; thence North parallel to the Section line to the South line of the Highway 216.03 feet; thence on and along

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

THURSDAY, JUNE 8, 1939

the South line of the highway to the point of beginning. Also an easement on a right angle triangle, one leg of which is a line extending along the West line of the property conveyed from the highway line 10 feet; thence West to the highway; thence Northwest to the point of beginning,

upon payment by said E. M. Oliver and Earl Davis of the sum of Thirty Seven & 50/100 Dollars (\$37.50) in addition to the sums heretofore paid by the makers of said note secured by said mortgage, in satisfaction of said indebtedness.

IT IS FURTHER ORDERED that upon payment of said sum of Thirty Seven & 50/100 Dollars (\$37.50) by said E. M. Oliver and Earl Davis, that J. H. Mc Birney, Successor Trustee, execute and deliver a release of said mortgage, and that he surrender and cancel the said note evidencing said indebtedness.

F. E. KENNAMER
United States District Judge

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

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

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

O R D E R

It appearing to the Court that the Receivers of the Gilmort Oil Company in the above cause filed an application for permission to pay the sum of \$200.00 being the quarterly rental on the following described property, located in Osage County, Oklahoma:

- Northwest Quarter, Sec. 28, T. 20 N., R. 11 E.,
- Southwest Quarter, Sec. 28, T. 20 N., R. 11 E.,
- Northeast Quarter, Sec. 29, T. 20 N., R. 11 E.,
- Southeast Quarter, Sec. 29, T. 20 N., R. 11 E.,
- Southwest Quarter, Sec. 29, T. 20 N., R. 11 E.,

this quarterly rental being due May 4th, 1939 and paying the rental to August 4th, 1939.

IT IS HEREBY ORDERED that the Receivers of the Gilmort Oil Company pay to the Osage Tribe of Indians the sum of \$40.00 for the quarterly rental on each of the above described leases, making a total payment of \$200.00.

Dated at Tulsa, Oklahoma this 8 day of June, 1939.

F. E. KENNAMER
DISTRICT JUDGE

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

THURSDAY, JUNE 8, 1939

MISCELLANEOUS - ADMISSION TO BAR.

On this 8th day of June, A. D. 1939, it being made satisfactorily to appear that H. Tom Kight is duly qualified for admission to the Bar of the Court, the oath prescribed by law is duly administered and said attorney is declared admitted to the Bar of the Court.

Court adjourned to June 12, 1939

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, JUNE 12, 1939

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

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

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

MISCELLANEOUS - ORDER EMPANELEING ADDITIONAL PETIT JURORS.

On this 12th day of June, A. D. 1939, comes the Marshal and makes return on the Venire heretofore issued out of this court for Petit Jurors for this Special March 1939 Term of Court at Tulsa, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

Tom Cloyd	E. J. Newblock
Thomas Gentry	L. W. Cogswell
Fred J. Hayes	J. E. Dalious
Josh Hendrix	Alva Joy
J. W. King	A. W. Lucas
A. C. Roomsburg	Orval Kimmer
Chas. D. Lash	Hohn C. Gray
Roy Lafferty	W. A. Taylor
Roger Jamison	Earl Ford
A. F. Brooks	J. C. Whiteside
W. M. Shackelford	C. A. Rhodes
I. L. Proudlove	J. N. Patterson

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

A. C. Roomsburg	A. W. Lucas
John C. Gray	Earl Ford

are excused from service as Jurors for the term.

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

Chas. D. Lash	Roy Lafferty
W. M. Shackelford	I. L. Proudlove
E. J. Newblock	J. E. Dalious
Alva Joy	J. C. Whiteside

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

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, JUNE 12, 1939

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

ENDORSED: Filed In Open Court
May 12, 1939
H. P. Warfield, Clerk
U. S. District Court

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

UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 99 Civil
TULSA MILK PRODUCERS, INC., ET AL, Defendants.)

O R D E R

Now on this 12th day of June, 1939, this matter coming on upon the application of Frank H. Letson, Receiver herein, for authority to renew two insurance policies in the total sum of \$15,000.00, covering the property involved in this litigation and decree by the court on April 24, 1939, to be sold and the proceeds applied to the indebtedness and such judgment in favor of plaintiff, and it appearing that such renewal of said insurance policies is essential to the protection of such property in the interest of plaintiff herein, and the court being fully advised in the premises finds that such application should be granted.

IT IS, THEREFORE, ORDERED AND ADJUDGED that Frank H. Letson, Receiver herein, be and he is hereby authorized to renew the two insurance policies in the total sum of \$15,000.00 covering the property involved in this litigation, and thereafter file his report in connection therewith.

F. E. KENNAMER
JUDGE

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

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

UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 99 CIVIL
TULSA MILK PRODUCERS, Incorporated, ET AL, Defendants.)

NUNC PRO TUNC ORDER

Now on this 12th day of June, 1939, it appearing to the court that there has been inadvertently omitted from the Journal Entry of Judgment rendered hereon on April 24, 1939, the following property, to-wit:

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, JUNE 12, 1939

All of Lots Two (2) and Three (3), in Block Eighteen (18) Burgess Hill Addition to the City of Tulsa, according to the recorded plat thereof, all in Tulsa County, State of Oklahoma,

wherein said journal entry recites the judgment in favor of plaintiff, declaring the mortgage lien covering the property therein, as a first and prior lien and barring the defendants, Tulsa Milk Producers, Incorporated, Fred Fink and R. D. Smittle, its Receiver, and A. B. Hastings, Doing business as the Twentieth Century Manufacturing Company, and all persons claiming under them, from asserting any right, title or interest in and to the property described therein, the aforesaid property being inadvertently omitted therefrom, and it further appearing to the court that said journal entry of judgment thus rendered herein, should be corrected to speak the truth,

IT IS, THEREFORE, ORDERED AND ADJUDGED BY THE COURT that said journal entry of judgment rendered herein on April 24, 1939, be and the same is hereby corrected so as to include the following property, to-wit:

All of Lots Two (2) and Three (3), in Block Eighteen (18), Burgess Hill Addition to the City of Tulsa, according to the recorded plat thereof, all in Tulsa County, State of Oklahoma.

F. E. KENNAMER
JUDGE

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

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

O. C. HULL, Plaintiff,)
vs.) No. 155 Civil
DEWEY CLARK, Defendant.)

O R D E R

On application of the defendant in open Court and for good cause shown the time within which defendant is required to answer is enlarged ten (10) days and the defendant is hereby granted to and including June 22nd, within which to file answer and cross petition.

D one in open court this 12th day of June, 1939.

F. E. KENNAMER
JUDGE

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

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

Clyde Alexander, Plaintiff,)
vs) Civil No. 159.
Phillips Petroleum Company, a corporation,)
and Reda Pump Company, a corporation,)
Defendants.)

O R D E R

For good cause shown, and on application of the defendant Reda Pump Company, said defendant is hereby granted until June 23rd, 1939, in which to plead herein.

Dated June 12, 1939.

F. E. KENNAMER
JUDGE

O.K. LASHLEY & RAMBO
Attorneys for Plaintiff

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

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

S. N. Van Wert, Plaintiff,)
vs.) Civil No. 160
Phillips Petroleum Company, a corporation,)
and Reda Pump Company, a corporation,)
Defendants.)

O R D E R

For good cause shown, and on oral application of the defendant Reda Pump Company, said defendant is hereby granted until June 23rd, 1939, in which to plead herein.

Dated June 12, 1939.

F. E. KENNAMER
JUDGE

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

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

F. C. Connelly, Plaintiff,)
vs.) No. 1885 - Law
Roadway Express, Inc., Defendant.)

ORDER DISCHARGING GARNISHEE

Now on this 12th day of June, 1939, this matter coming on for hearing upon the Release of Garnishment filed herein by the plaintiff on the 7th day of June, 1939;

And it appearing to the Court that by the said Release the plaintiff withdraws his election to take issue upon the answer filed herein by United States Fidelity and Guaranty Company, as garnishee, on the 21st day of May, 1935, against said garnishee may be discharged, and the garnishee released from further liability thereunder;

And the Court being fully advised in the premises, IT IS ORDERED that the writ of garnishment issued in this cause on May 18th, 1935, against United States Fidelity and Guaranty Company, be, and the same is hereby, discharged; and the said United States Fidelity and Guaranty Company, garnishee, is released and discharged from any liability thereunder.

F. E. KENNAMER
JUDGE

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

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

George Spencer, Plaintiff,)
vs.) No. 2628 - Law
Missouri, Kansas & Texas Railroad Company, a corporation, Defendant.)

JOURNAL ENTRY

Now on this 12th day of June, 1939, the same being one of the judicial days of the Special March, 1939 Term of this court, sitting at Tulsa, Oklahoma, come the parties to the above entitled and numbered cause by their counsel, and file and present stipulation for dismissal of this case, with prejudice, at costs of the defendant, a settlement having been effected, and the court having seen the same, and being fully advised in the premises, finds that the case should be dismissed accordingly.

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

O.K. TILMAN and TILMAN
Attorneys for Plaintiff

F. E. KENNAMER
Judge

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

SPECIAL MARCH 1939 TERM

MONDAY, JUNE 12, 1939

By Fred Tillman

HAMILTON & KANE

M. D. GREEN

JOHN E. M. TAYLOR

C. S. WALKER - LLOYD W. JONES

Attorneys for Defendant.

SERVICE OF COPY ACKNOWLEDGED
LLOYD W. JONES

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

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

Sinclair Prairie Oil Company,
a corporation,

Plaintiff,)

vs.)

No. 2652 Law)

Missouri-Kansas-Texas Railroad
Company, a corporation,

Defendant.)

JOURNAL ENTRY

The parties hereto having heretofore waived trial by jury and submitted this cause to the Court upon agreed statement of facts and written briefs, the Court being well and fully advised in the premises;

Now on this 12th day of June, 1939, it is by the Court considered, ordered and adjudged that the plaintiff, Sinclair Prairie Oil Company, do have and recover of and from defendant, Missouri-Kansas-Texas Railroad Company, the sum of \$466.82, with interest thereon at the rate of six per cent (6%) per annum from the 13th day of December 1928 to date, in the sum of \$294.00, together with the costs of this action.

F. E. KENNAMER
Judge

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

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

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

JOURNAL ENTRY OVERRULING MOTION TO STRIKE CROSS-PETITION

Now on this the 2nd day of June, 1939, this cause comes on for hearing on motion of the defendants, E. A. Kelleam, Mrs. Nell Southard, J. R. Southard, Jr., and Joe E. Kelleam, they appearing separately and praying that the Court hold, adjudged and decide that it is without jurisdiction over the subject matter or parties involved in said denominated cross-petition and suggesting that the same be stricken for want of jurisdiction in the Court and said plaintiff appearing by W. E. Green, its attorney, said movants by Glenn O. Young, their attorney, and said co-defendants, by Hebe Finch, their attorney, thereupon the Court orders that the said motion to strike for want of jurisdiction be overruled and directs that said moving defendants answer herein within ten days from this date to which said defendants except and exceptions are by the Court allowed.

F. E. KENNAMER
JUDGE

OK HEBER FINCH
GLENN O. YOUNG, Atty.

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

Court adjourned to June 13, 1939

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

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

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

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

A. B. YOUNGS, Plaintiff,)
vs) No. 108 Civil
ROBERT W. SPEER and W. B.)
SPEER, Defendants.)

LEAVE AND PERMISSION TO TAKE DEPOSITIONS

Upon application of the defendants herein, leave is hereby given said defendants to take the deposition of sundry witnesses in the City of Los Angeles, California, on June 19, 1939, upon oral examination, to be used as evidence on the trial of the above entitled cause.

Dated this the 13th day of June, 1939.

F. E. KENNAMER
U. S. District Judge

Service of the above and foregoing leave and permission to take depositions was made upon counsel for plaintiff, Seaton & Simms, by mailing a copy, postage prepaid, to Seaton & Simms, 215 Central Bank Bldg., Tulsa, Oklahoma.

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

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

VERDICT

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

UNITED STATES, Plaintiff,)
vs.) Case No. 2634 Law
JAMES A. GREEN and GEORGIA GREEN, Defendants.)

We, the jury in the above-entitled cause, duly impaneled and sworn, upon our oath find for the plaintiff, and that it is entitled to the immediate possession of the following described property:

- 1 black horse mule, 8 years old, 15.3 hds, weight 1100 lbs.
- 1 black Jersey cow, 8 years old, weight 500 lbs.
- 1 Cultivator
- 1 set harness
- 1 walking plow
- 1 two section harrow.

endorsed: Filed In Open Court
May 13 1939
H. P. Warfield, Clerk
U. S. District Court EA

R. E. JOHNSON
Foreman.

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

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

ORDER AUTHORIZING EXECUTION OF RELEASE OF MORTGAGE

This cause coming on to be heard on this the 13th day of June, 1939, on the verified application of T. P. Farmer, Receiver for The Exchange National Company, for an order authorizing him to make, execute and deliver a release of mortgage to Maggie Borden for the following described premises, to-wit:

East Fifty (50) Acres of the North Half (N $\frac{1}{2}$) of the Northeast Half (NE $\frac{1}{4}$) of Section 25, Township 10 North, Range 2 East, I. M., Pottawatomie County, Oklahoma

said mortgage being in his opinion null and void, unenforcible and without value and a cloud upon the title of said property, and the Court having read said application and being fully advised in the premises, and finding, that it has jurisdiction to entertain the same and enter an order thereon, finds that said application should be sustained.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT, that said application be and it is hereby sustained, and

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT' that T. P. Farmer, as receiver for Exchange National Company, be and he is hereby directed, authorized and empowered to make, execute and deliver to Maggie Borden of Pottawatomie County, Oklahoma, a release of the mortgage dated September 8th, 1920, executed by J. M. Borden to the Exchange Trust Company covering the above described premises, and that said T. P. Farmer, as Receiver for the Exchange National Company, be and he is hereby directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER
United States District Judge

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

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

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

ORDER AUTHORIZING EXECUTION OF QUIT CLAIM DEED

This cause coming on to be heard on this the 13th day of June, 1939, on the verified application of T. P. Farmer, Receiver for The Exchange National Company, for an order authorizing

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

SPECIAL MARCH 1939 TERM

TUESDAY, JUNE 13, 1939

him to make, execute and deliver a quit claim deed to J. H. Mc Birney, Trustee, Equity No. 877, waiving the forfeiture clause in the deed restriction for

Lot 1, Block 2, Reservoir View Addition, being a Subdivision of all of Block 3, of Acre Gardens Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

said forfeiture clause being in his opinion without value and a cloud upon the title of said property, and the court having read said application and being fully advised in the premises, and finding that it has jurisdiction to entertain the same and enter an order thereon, finds that said application should be sustained.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that said application be and it is hereby sustained, and,

IT IS THE FURTHER, ORDER, JUDGMENT AND DECREE OF THE COURT, that T. P. Farmer, as Receiver for Exchange National Company and Successor to the rights of the Exchange Mortgage and Investment Company, be and he is hereby directed, authorized and empowered to make, execute and deliver to J. H. McBirney, Trustee, a quit claim deed waiving the forfeiture clause in the deed restriction for

Lot 1, Block 2, Reservoir View Addition, being a Subdivision of all of Block 3, of Acre Gardens Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

and that the said T. P. Farmer, as Receiver for the Exchange National Company and the Exchange Mortgage and Investment Company, be and he is hereby directed authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER

United States District Judge

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

Court adjourned to June 14, 1939

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, JUNE 14, 1939

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

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

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

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

UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 13 Civil.
490,995 acres of land, more or less,)
in Delaware County, State of Oklahoma,)
LUCY PROCTOR, et al, Defendants.)

J U D G M E N T

NOW, on this 14th day of June, 1939, there comes on for hearing, pursuant to assignment, the demand for jury trial filed in the above entitled matter by Stephen Stilley. The petitioner appears by Curtis P. Harris, Special Attorney, Department of Justice, and Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma and the respondents appear by Harve N. Langley and Arthur B. Honnold. No other respondents make any appearance herein but wholly make default in the premises. Both parties as appearing, announced ready for trial. The respondents assumed the burden in the case and proceeded to offer evidence as to the value of the real estate involved in this proceeding. Whereupon, counsel for the petitioner moved the court for judgment on the pleadings and in support thereof, introduced evidence and rested. The respondents offered no evidence as regard to the motion for judgment on the pleadings.

The court finds that heretofore, a former owner of the real estate involved in this proceedings, to-wit, Tom Bly, executed an option contract to the United States for the sale of the sixty-one (61) acres of land involved in this proceeding and designated as tract No. 71. In said option contract, the consideration was fixed at the rate of \$10.00 per acre.

The court further finds that in pursuance of said contract, said Tom Bly and his wife, R. V. Bly, executed a warranty deed to the United States of America for the total consideration of Six Hundred Ten Dollars (\$610.00), but that the Government, petitioner herein, paid no consideration for said deed because of defects in the title and instituted this condemnation proceeding in order to acquire a clear title to said real estate.

The court further finds that Stephen Stilley, subsequent to the recording of the Government's warranty deed from Tom Bly, obtained a quit claim deed from the said Tom Bly to the real estate involved in this proceeding and designated as tract No. 71, but that in taking the said quit claim deed, the said Stephen Stilley had actual knowledge and knew of the Government's option contract and warranty deed.

The court further finds that these condemnation proceedings have been regularly conducted and in accordance to law in every way.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the total consideration, being the fair, cash market value of the real estate involved in this petition and designated as tract No. 71, is fixed at the total amount of Seven Hundred Forty-one Dollars and Twenty Cents (\$741.20), the court having heard evidence and determined said value, and that upon depositing the said amount of Seven Hundred Forty-one Dollars and Twenty-Cents (\$741.20) with the Clerk of this court, there will vest in the United States of America title in fee simple in and to the said lands hereinafter described subject to and excepting therefrom all existing public roads, public utility easements and rights of way.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon depositing said amount with the register of this court, said land hereinafter described will have been deemed to have been condemned and taken for the uses and purposes of the United States of America and the right to the said just compensation of Seven Hundred Forty-one Dollars and Twenty Cents (\$741.20) will vest in the persons lawfully entitled thereto.

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, JUNE 14, 1939

The correct legal description of said land is as follows, to-wit:

Tract No. 71, being the West Half of Lot Four (4) and One (1) acre in the Southwest Quarter of the Southwest Quarter and Lot Three (3) (also described as One (1) acre in the Southwest Corner of Lot Three (3), Section Thirty-one (31), Township Twenty-one (21) North, Range Twenty-three (23) East, and the Southeast Quarter of the Southeast Quarter of Section Thirty-six (36), township Twenty-one (21) North, Range Twenty-two (22) East of the Indian Meridian, Delaware County, State of Oklahoma, containing Sixty and Nine Hundred Ninety-five Thousandths (60.995) acres of land, more or less.

IT IS SPECIFICALLY THE ORDER OF THIS COURT that no rights in and to the above described land shall vest in the United States of America until the said full amount of Seven Hundred Forty-one Dollars and Twenty Cents (\$741.20) is deposited with the clerk of this court for the use and benefit of the rightful claimants thereto and it is ordered that said Seven Hundred Forty-one Dollars and Twenty Cents (\$741.20) shall be paid into the register of this court within Sixty (60) days from the date hereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all of the respondents named in this proceeding except Stephen Stilley and the County Treasurer of Delaware County Oklahoma are hereby adjudged to be in default and this judgment is final and conclusive as to any other respondents and the said Stephen Stilley will, upon the deposit of the consideration as hereinbefore recited to the clerk of the court, be entitled to the full amount thereof, excepting therefrom, however, the payment of such taxes as shall be due and exigible and the further payment of the witness fees and costs incurred by the said Stephen Stilley.

This cause is held open for the purpose of entering such further orders, judgments and decrees as may be necessary in the premises, to all of which the respondent, Stephen Stilley, excepts and objects, which exceptions and objections are allowed.

ENTERED this 14th day of June, 1939.

F. E. KENNAMER
United States District Judge.

OK CURTIS P. HARRIS
Attorney for Petitioner

ARTHUR B. HORNOLD
HARVE N. LANGLEY
Attorney for Respondent.

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

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

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

O R D E R

- (4) A proper description of the lands sought to be taken, sufficient for the identification thereof, is set out in the said Declaration of Taking;
- (5) A statement of the estate or interest in said lands taken for said public use is set out therein;
- (6) A plat showing the lands taken is attached thereto;
- (7) A statement is contained therein of the sum of money estimated by the acquiring agency to be just compensation for the lands taken in the amount of Two Hundred Eighty and no/100 Dollars (\$280.00), and said sum was deposited in the Registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;
- (8) A statement is contained in said Declaration of Taking that the estimated amount of compensation for the taking of said property in the opinion of Henry A. Wallace, Secretary of Agriculture, will probably be within any limits prescribed by Congress on the price to be paid therefor.

And the Court having fully considered the Petition for Condemnation, the Declaration of Taking, 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, the Act of August 1, 1888 (25 Stat. 357), as amended, the Act of February 26, 1931, (46 Stat. 1421), the Weeks law (36 Stat. 961), and the Clarke-McNary Act (43 Stat. 653), and all other statutes in such cases made and provided, and all other Executive Orders and other delegations of authority made pursuant to these statutes, is of the opinion that the United States of America was and is entitled to take said property and have the title thereto vested in it.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the title in fee simple to the following described lands was vested in the United States of America upon the filing of said Declaration of Taking and the deposit in the Registry of this Court, hereinabove recited, of the said sum of Two Hundred Eighty and no/100 Dollars (\$280.00), and said lands are deemed to have been condemned and taken for the use of the United States of America, and the right for just compensation for the same hereby vested in the persons entitled thereto, the amount of said compensation to be ascertained and awarded in this proceeding and established by Judgment herein pursuant to law.

The lands are described as follows:

Tract No. 88a, the South Half ($S\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$), and the Northeast Quarter ($NE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section 22, Township 21 North, Range 22 East, of the Indian Meridian, containing 30 acres, more or less, situate in Delaware County, State of Oklahoma;

Tract No. 88b, The North Half ($N\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$), and the Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) 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, containing 30 acres, more or less, situate in Delaware County, State of Oklahoma;

Tract No. 88c, The Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Twenty-four (24), Township Twenty-One (21), North, Range Twenty-two (22) East of the Indian Meridian, containing 10 acres, more or less, situate in Delaware County, State of Oklahoma;

Tract No. 88i, the Northwest Quarter ($NW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Twenty-three (23), Township Twenty-one (21), North, Range Twenty-three (23) East of the Indian Meridian, containing 10 acres, more or less, situate in Delaware County, State of Oklahoma;

Tract No. 88m, the Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) and the East Half ($E\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Twenty-three (23), Township Twenty-one (21) North, Range Twenty-three (23), East of the Indian Meridian, containing 60 acres, more or less, situate in Delaware County, State of Oklahoma;

IT IS FURTHER ORDERED adjudged and decreed that any and all persons now in possession or claiming possession of said real estate shall deliver exclusive possession of the same to the United States of America on or before the 16th day of June, 1939.

This cause is held open for the entering of such other and further orders, judgments and decrees as may be necessary.

Entered this 14th day of June, 1939.

F. E. KENNAMER
J U D G E

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

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

UNITED STATES OF AMERICA,	Libelant,)	
)	
vs)	
		)	CIVIL FILE NO. 167
ONE 1935 MODEL DeLUXE FORD COUPE AUTOMOBILE,)	
MOTOR NO. 18-4,829,555; O. L. SWAFFORD, and)	
WADE HUNTER,	Claimants.)	

ORDER FOR MONITION

Now on this 14th day of June, 1939, it appearing to the court that the said 1935 MODEL DeLUXE FORD COUPE AUTOMOBILE, MOTOR NO. 18-4,829,555, with approximately Nine Hundred Eighty-eight (988) pints and Twelve One-fifths (12 fifths) gallons of intoxicating liquor containing more than four per centum (4%) of alcohol by volume, was seized at and near the bridge on State Highway No. 25, about four miles west of Grove, in Delaware County, State, of Oklahoma, Northern

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, JUNE 14, 1939

Judicial District of Oklahoma and within the jurisdiction of this court, on May 17, 1939, by John W. Sawyer, an Investigator of the Alcohol Tax Unit, Bureau of Internal Revenue of the United States, by virtue of authority of his said office, and in accordance with the provisions of law in such case made and provided, while said automobile was being used by O. L. Swafford for transportation of such intoxicating liquors from Sulphur Springs, in the State of Arkansas, into and to the aforesaid described point of seizure; it further appearing that thereupon said property was appraised at more than Five Hundred Dollars (\$500.00), whereupon plaintiff has instituted libel action herein and requests issuance of monition notifying claimants O. L. Swafford and Wade Hunter of this proceeding, unless notice thereof be waived.

IT IS, THEREFORE, ORDERED that monition issue as prayed for in said libel and that same be served upon O. L. Swafford and Wade Hunter, unless notice thereof be waived, and any other person that might claim any interest in said automobile requiring them to appear in said court on or before twenty (20) days after personal service thereof, and to show cause, if any they have; why said automobile and intoxicating liquors should not be forfeited to libelant under provisions of Section 224, Title 27, U. S. Code Annotated, and in accordance with the provisions of the laws relating to seizures, forfeitures and disposition of property and proceeds for violation of the Internal Revenue Laws of the United States.

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

F. E. KENNAMER
Judge

ENDORSED: Filed Jun 14 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. 1215 Equity
Chas. A. Nichols, et al, Defendants.

O R D E R

Now on this 14th day of June, 1939, this matter coming on before the Court on the application of Jno. P. Logan, Receiver herein, for an order of Court authorizing him to pay for patching the roof on the building located on the land involved in the above entitled cause, and it being shown to the Court that such repairs are necessary for the protection of said building, and that the claim for such repairs, in the sum of \$30.00, should be allowed out of money that has been collected by said Receiver, said Receiver to make a proper return of payment of said bill;

IT IS THEREFORE ORDERED that Jno. P. Logan, Receiver in this cause, be, and he hereby is authorized to pay to C. W. Shupe the sum of \$30.00 for patching the roof on said property, from any fund said Receiver may have in his hands, collected from the property involved herein, and to make due report thereof.

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

F. E. KENNAMER
JUDGE

United States Attorney
CHESTER A. BREWER
Assistant United States Attorney

ENDORSED: Filed Jun 14 1939
H. P. Warfield, Clerk
U. S. District Court
Court adjourned to June 15, 1939

On this 15th day of June, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

TOWN OF FAIRFAX, OKLAHOMA, A MUNICIPAL CORPORATION, EX REL. BRANDON BARRINGER, H. N. PERKINS AND WILLIAM W. ALLEN, JR.,	Plaintiffs,	) No. 1205 Equity
vs.)	
IDA M. HUBLER, ET AL,	Defendants.)

ORDER OF DISMISSAL

Now on this 15th day of June, 1939 there appeared before the court the plaintiffs by their attorneys, Shirk, Paul, Earnheart & Shirk, and various defendants as hereinafter mentioned by their attorneys, Hamilton & Kane, it having been shown to the court that a settlement has been entered into by and between the plaintiffs and the defendants hereinafter named and that all provision of said settlement have been complied with. The plaintiffs and the said defendants thereupon moved that the hereinafter mentioned causes of action be dismissed at the costs of the plaintiffs.

The court, having heard the statement of counsel and being fully advised in the premises, finds that said motion should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the hereinafter mentioned causes of action be dismissed with prejudice at the costs of the plaintiffs:

Cause of Action No. 3
Defendants: W. C. Barnes and Helen M. Barnes
Property: Lot 7, Block 12, original town of Fairfax, Oklahoma

Cause of Action No. 4.
Defendants: Mabel H. Spurgin, W. C. Spurgin and Ponca City Building and Loan Company
Property: Lot 8, Block 12, original townsite of Fairfax, Oklahoma

Cause of Action No. 5
Defendants: Oscar E. Swanson and Celestine Swanson
Property: Lots 10 and 11, Block 12, original townsite of Fairfax, Oklahoma

Cause of Action No. 6
Defendant: Helena Comstock
Property: Lot 13 and the North 23.22 feet of Lot 14, Block 12, original townsite of Fairfax, Oklahoma

Cause of Action No. 7
Defendants: Trustees of Gray Horse Lodge, A. F. & A. M. Lodge No. 124, First State Bank, Citizens Trust Company and Fairfax Loan & Trust Company

Property: South 1.78 feet of Lot 14, Lot 15 except a strip 3 feet x 75 feet fronting 3 feet on Main Street, sold to the First State Bank, West 65 feet of Lot 16, being all of said lot except 75 feet sold to First State Bank, all in Block 12, original townsite of Fairfax, Oklahoma

Cause of Action No. 8

Defendant: Baughman Lumber Company

Property: Lots 17, 18, 19, 20 and 21, Block 12, original townsite of Fairfax, Oklahoma

Lots 14, 15, 16, Block 3, Tallchief Addition to Fairfax, Oklahoma

Lots 3 and 4, Block 17, Tallchief Addition to Fairfax, Oklahoma

Cause of Action No. 9

Defendants: Chas. Beree, John Beree, G. W. Beree, also known as Geo. W. Beree and George W. Beree, The Osage Bank of Fairfax, Oklahoma, Sarah Beree, also known as Mrs. Sarah Beree, and First State Bank. This cause of action is dismissed insofar as Lot 16, Block 13, original townsite of Fairfax, Oklahoma, and Lot 20, Block 26, original townsite of Fairfax, Oklahoma, are concerned, and is continued in full force and effect as to the balance of the property in this cause of action.

Cause of Action No. 10

Defendants: C. G. Gardner, Amy Gardner, Arch P. Carroll, Lavelle T. Carroll and Joseph Mason

Property: Lots 10 and 11, Block 13, original townsite, Fairfax, Oklahoma

Cause of Action No. 11

Defendants: Rena A. Girard and Daisy L. Ballard

Property: Lots 12, Block 13, original townsite of Fairfax, Oklahoma

Cause of Action No. 12

Defendant: I. E. Allen

Property: Lot 13, Block 15, original townsite of Fairfax, Oklahoma

Cause of Action No. 13

Defendants: W. G. Lynn, Mabel I. Lynn and Fairfax National Bank

Property: Lots 14 and 15, Block 13, original townsite of Fairfax, Oklahoma

Cause of Action No. 14

Defendant: National Building & Loan Association, a corporation

Property: Lot 17, Block 13, original townsite of Fairfax, Oklahoma

Cause of Action No. 16

Defendants: O. E. Swanson and Mrs. Julia Callahan

Property: Lots 19, 20, 21, Block 13, original townsite of Fairfax, Oklahoma

Cause of Action No. 17

Defendants: Alex Tallchief, W. H. Witchcraft, Maggie M. Witchcraft, J. H. Dull, Lovie M. Dull, Elizabeth Tallchief, Guardian of Francis Tallchief, Alex Tallchief, Jr., Ruth Tallchief and Tom Tallchief, Francis Tallchief Norris, National Building & Loan Association and the Osage Bank

Property: Lots 22, 23, 24, and 25, Block 13, original townsite of Fairfax, Oklahoma.

Cause of Action No. 20

Defendants: Faye Smith, S. S. Mathis, Guardian of Walter King,
a minor, Ward G. Lynn and Mabel I. Lynn

Property: Lots 12, 13 and 14, Block 15, original townsite of
Fairfax, Oklahoma

Cause of Action No. 21

Defendants: Palace Trading Company, a corporation, and Mamie Warrior Bolton,
Osage Allottee No. 122

Property: Lot 3 and the South Half of Lot 12 and Lot 13, Block 16, original
townsite of Fairfax, Oklahoma

Cause of Action No. 22

Defendants: Hunsaker and Company, a corporation, M. J. E. Postle and Aetna
Building and Loan Association, a corporation

Property: Lots 5 and 6, Block 16, original townsite of Fairfax, Oklahoma

Cause of Action No. 23

Defendants: J. B. Wilson, Mary Wilson, H. N. Cook and A. J. Dahrooge

Property: Lots 7 and 8, Block 16, original townsite of Fairfax, Oklahoma

Cause of Action No. 24

Defendants: G. and G. Store Company, a corporation, and Nellie Daniels White

Property: Lot 11 and the North Half of Lot 12, Block 16, original townsite
of Fairfax, Oklahoma

Cause of Action No. 25

Defendants: A. C. Hunsaker, Viola Hunsaker, Carl A. Strom,
Genevieve R. Strom, National Building & Loan Association

Property: West 90 feet of Lot 17 and the East 50 feet of Lot 17,
Block 16, West 90 feet of Lot 18 and the East 50 feet of Lot 18,
Block 16, original townsite of Fairfax, Oklahoma

Cause of Action No. 28

Defendants: Vene D. Fry and Alverta L. Fry

Property: Lots 22, 23, 24, 25, 26, Block 16, original townsite of Fairfax,
Oklahoma

Cause of Action No. 32

Defendants: J. H. Ward, trustee, Chas. A. Foster, First Christian Church
and A. C. Hunsaker, Guardian of Carl Ponca

Property: Lots 22 and 23, Block 25, original townsite of Fairfax, Oklahoma

Cause of Action No. 35

Defendants: Fred C. Hoefer, E. M. Hoefer and May H. Clark

Property: Lots 21, 22, 23, 24, Block 29, original townsite of Fairfax, Oklahoma

Cause of Action No. 44

Defendants: Mary Roan Bunch, Grace Roan Masterson, Fred Roan, now Fred Martin,
Juanite Roan, Chas. H. Roan and Ida M. Hubler

Property: Lots 24, 25 and 26, Block 2, Tallchief Addition to Fairfax, Oklahoma

Cause of Action No. 46

Defendants: Beulah Tinker and G. E. Tinker

Property: Lots 3 and 4, Block 3, Tallchief Addition to Fairfax, Oklahoma

Cause of Action No. 49

Defendants: Carl Strom, Genevieve Strom and Genevieve Smith also known as
Genevieve Smith

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

THURSDAY, JUNE 15, 1939

This cause of action is dismissed insofar as Lots 1, 2, and 3, Block 12, Tallchief Addition to Fairfax, Oklahoma, are concerned, and continued in full force and effect as to Lots 4 and 5 and 12 and 13, Block 12, Tallchief Addition to Fairfax, Oklahoma.

Cause of Action No. 51

Defendants: Faye Smith, George B. Smith, Carl Storm and Genevieve Strom
Property: Lots 10 and 11, Block 12, Tallchief Addition to Fairfax, Oklahoma

Cause of Action No. 52

Defendant: George B. Smith
Property: Lots 14, 15 and 16, Block 12, Tallchief Addition to Fairfax, Oklahoma

Cause of Action No. 54

Defendants: B. S. Whaley and Ora A. Whaley
Property: Lots 15 and 16, Block 16, and Lots 13 and 14, Block 17, Tallchief Addition to Fairfax, Oklahoma

O.K. SHIRK, PAUL, EARNHEART & SHIRK
Attorneys for Plaintiffs

F. E. KENNAMER
JUDGE

O.K. HAMILTON & KANE
Attorneys for Defendants

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

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

The Chautauqua County Machine Shop
Company, a corporation,

Plaintiff,

vs.

No. 1229 - Equity

A. D. Simon, et al.,

Defendants.

Elizabeth Borroum, et al,

Interveners.

D E C R E E

This cause having been heretofore heard by the court upon the issues presented by the respective pleadings filed herein by defendants, A. D. Simon, and Pearl B. Whitescarver, individually and as executrix of the estate of J. S. Whitescarver, deceased, and the interveners, Elizabeth Borroum, and Caney Valley National Bank of Caney, Kansas, and having been submitted to the court upon the evidence introduced and upon written briefs filed herein by said parties in support of their respective contentions, and the court having taken said cause as to said issues under advisement, and after a consideration thereof, and now being well and sufficiently advised, the court this day has made and entered herein its findings of facts on said issues and conclusions of law upon said findings of fact, all as set out in said Findings of Facts and Conclusions of Law herein separately filed and entered; and said Findings of Fact and Conclusions of

Law as so filed and entered herein are made a part of this decree the same as if specifically set out herein; and upon said Findings of Fact and Conclusions of Law and the issues presented by said Respective parties.

It is by the court hereby ordered, adjudged and decreed, as follows:

That defendants, A. D. Simon and Pearl B. Whitescarver are each the owners of an undivided one-half interest in and to the working interest of oil and gas mining leases situate in Osage County, State of Oklahoma, covering the following described lands, to-wit:

Northwest Quarter of Section Thirty-six (36), Township Twenty-nine (29) North, Range Eleven (11) East, and

Northwest Quarter of Section Thirty-one (31), Township Twenty-nine (29) North, Range Twelve (12) East,

together with all the equipment and personal property thereon and used in connection therewith and in the operation thereof, and now in the custody of the receiver of this court as the receivership estate herein.

That the said defendants, A. D. Simon and Pearl B. Whitescarver, and the mining partnership of Simon & Whitescarver, composed of said defendants as partners, are justly indebted to the intervener, Elizabeth Borroum, upon the claim presented by her intervening petition, in the sum of Seven Hundred Twenty-seven and 50/100 Dollars (\$727.50) and said claim of said intervener is hereby allowed against said receivership estate herein in said amount as a claim prior and preferred in rank and order of payment to the judgment hereinafter recited in favor of defendant, Pearl B. Whitescarver upon her mortgage debt and lien, and it is hereby adjudged and decreed that said intervener have and recover said amount against said defendants A. D. Simon and Pearl B. Whitescarver, as individuals, and as partners under the partnership name of Simon & Whitescarver. That the balance of the claim of said intervener is hereby denied and disallowed as a claim against said receivership estate, said partnership and the defendant, Pearl B. Whitescarver.

That the defendant, A. B. Simon, is justly indebted to the intervener, Elizabeth Borroum, for the balance of her said claim, namely, the sum of Seven Hundred Seventy-two and 50/100 Dollars (\$772.50), and it is hereby adjudged and decreed that said intervener have and recover said amount from said defendant, A. D. Simon, and said judgment is hereby declared to be a lien against the distributive share if any there be, of said defendant, A. D. Simon, in the partnership assets of the partnership of Simon & Whitescarver and in the receivership estate, subject, however, to the prior liens of defendant, Pearl B. Whitescarver, and the intervener, Caney Valley National Bank of Caney, Kansas, as hereinafter declared and adjudged.

That the defendant A. D. Simon, is justly indebted to the defendant, Pearl B. Whitescarver, upon the note and mortgage mentioned in her cross-bill and in said Findings of Fact and Conclusions of Law, in the amount of Three Thousand Dollars (\$3000.00), together with interest on said sum from August 8, 1933 at the rate of five per cent per annum, less a credit of Seven Hundred Twenty-seven and 50/100 Dollars (\$727.50), or the total sum of Three Thousand One Hundred Fifty Dollars and 42/100 (\$3150.42), and it is hereby ordered, adjudged and decreed that said defendant Pearl B. Whitescarver, do have and recover said sum from said defendant, A. D. Simon, and the further sum of Three Hundred Dollars (\$300.00), which is hereby allowed by the court to said defendant, Pearl B. Whitescarver, as a reasonable attorney fee for the foreclosure of said mortgage.

That said defendant, Pearl B. Whitescarver, is entitled to a foreclosure of her said mortgage for the purpose of satisfying said indebtedness adjudged above in her favor against the defendant, A. D. Simon.

That said mortgage of the said Pearl B. Whitescarver is a first, valid and subsisting lien against the oil mining leases herein first described, and the property, equipment and

materials thereon situate and used in connection therewith, as more particularly described in said mortgage and said Findings of Fact and Conclusions of Law, and that the rights of defendant, Pearl B. Whitescarver thereunder, are superior to the interest of said defendant, A. D. Simon, therein, and to the claims and judgments herein allowed in favor of the interveners, Elizabeth Borroum and Caney Valley National Bank of Caney, Kansas, or any other person claiming an interest in said oil mining leases and property in said mortgage described.

That unless the defendant, A. D. Simon, shall pay to the defendant, Pearl B. Whitescarver, the full amount of said indebtedness aforesaid on or before July 15, 1939, a decree shall be entered in this cause ordering a sale of said working interest in and to said oil and gas mining leases, and the other property described in said mortgage aforesaid, at a time subsequent to said decree for the purpose of satisfying said indebtedness and judgment hereby rendered in favor of said defendant, Pearl B. Whitescarver.

That the defendant, A. D. Simon is justly indebted to the intervener, Caney Valley National Bank of Caney, Kansas, upon the note and mortgage mentioned in the intervening petition of said intervener and in said Findings of Fact and Conclusions of Law, in the amount of Three Thousand Five Hundred Ninety-seven and 29/100 Dollars (\$3597.29), together with interest on said sum from January 20, 1934 at the rate of ten per cent per annum, or the total sum of Five Thousand Five Hundred Forty and 82/100 Dollars (\$5540.82), and it is hereby ordered, adjudged and decreed that said intervener do have and recover from said defendant A. D. Simon said sum, and the further sum of One Hundred Dollars (\$100.00) as an attorney fee for the foreclosure of said mortgage as fixed and stipulated in said mortgage.

That said intervener, Caney Valley National Bank of Caney, Kansas, is entitled to a foreclosure of its said mortgage for the purpose of satisfying said indebtedness adjudged above in its favor against said defendant, A. D. Simon.

That said mortgage of the said Caney Valley National Bank of Caney, Kansas, is a first, valid and subsisting lien against the oil filed material and property described in its said mortgage, as more particularly described in said mortgage and in said Findings of Fact and Conclusions of Law, and that the rights of said intervener thereunder are superior to the rights and interest of said defendant, A. D. Simon, and to the claims and judgments herein allowed in favor of defendant, Pearl B. Whitescarver, and the intervener, Elizabeth Borroum, or any other person claiming an interest to the said property in said mortgage described.

That unless the defendant, A. D. Simon, shall pay to said intervener, the full amount of said indebtedness aforesaid on or before July 15, 1939, a decree shall be entered in this cause ordering a sale of the property described in said mortgage of said intervener, at a time subsequent to said decree, for the purpose of satisfying said indebtedness and judgment hereby rendered in favor of said intervener, Caney Valley National Bank of Caney, Kansas.

That said intervener, Caney Valley National Bank of Caney, Kansas, take nothing by its claim and action herein against the defendant, Pearl B. Whitescarver, individually, or as executrix of the estate of J. S. Whitescarver, deceased, or the mining partnership of Simon & Whitescarver, and the claim of said intervener as made by its intervening petition against said partnership of Simon & Whitescarver, said defendant, Pearl B. Whitescarver, individually and as executrix of the estate of J. S. Whitescarver, deceased, and against the assets of the receivership estate herein, be and the same is hereby denied and disallowed; provided, however, the judgment herein rendered against defendant, A. D. Simon, in favor of said intervener is hereby declared to be a lien against the distributive share, if any there be, of the defendant, A. D. Simon in the partnership assets of the partnership of Simon & Whitescarver and in the receivership estate subject to the prior liens of defendant, Pearl B. Whitescarver and the intervener, Elizabeth Borroum as hereinbefore declared.

That the claims hereby allowed and the judgments hereby rendered are each and all subject to and inferior in rank and order of payment in so far as the receivership estate is concerned to the claims heretofore allowed and the judgments heretofore entered herein in favor of the plaintiffs, and various claimants and interveners other than those herein mentioned, whether said

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

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previously allowed claims and judgments entered previously have been paid by the receiver, or yet remain to be paid, and are also subject and inferior to all allowances heretofore made or hereafter to be made by the court for administrative expenses of the receivership.

The receiver, Vernon Whiting, is hereby directed to make a final report as receiver herein on or before July 15, 1939.

The court hereby reserves jurisdiction of this cause for the purpose of making any further orders and decrees as may be necessary for carrying out the terms of this decree, and for the administration of the receivership estate.

To the orders and judgments recited in this decree, and to the Findings of Fact and Conclusions of Law made and entered herein, the defendants, A. D. Simon, and Pearl B. Whitescarver individually and as executrix of the estate of J. S. Whitescarver, deceased, and the interveners, Elizabeth Borroum, and Caney Valley National Bank of Caney, Kansas, each severally except, and exceptions are allowed to each of said parties.

Done and entered this 15th day of June, 1939.

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

Received copy of decree, this June 15, 1939

EBEN L. TAYLOR
Atty for Pearl B. Whitescarver

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

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

B. B. BLAIR, M. R. BRANN and THE MURPHY)
OIL COMPANY OF PENNSYLVANIA, a corporation,)
Plaintiffs)
vs.) No. 1270 Equity
ATLAS SUPPLY COMPANY, R. R. GRANDIN, et al,)
Defendants.)

JOURNAL ENTRY

On this 17th day of May, 1939, this matter comes on before me, the undersigned, one of the Judges of this Court, in its regular order, and the plaintiffs appear by Garrett Logan, Esquire, of Martin, Ramsey & Logan, and the defendant, R. R. Grandin, appears in person, and the remaining defendants appear by their respective counsel as follows:

- Mid-Continent Petroleum Corporation by J. P. Greve;
- Gulf Oil Corporation by William C. Liedtke;
- Galvez Oil Corporation by Garrett Logan;

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
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- Community State Bank by Herbert L. Arthurs and Johnson & Jones;
- A. M. Frierson by Cheatham & Smith;
- R. R. Kirchner by Cheatham & Smith;
- Morris Plan Company by Joe N. Shidler;
- Fred J. Haynes by Bradford J. Williams;
- Bovaird Supply Company by W. N. Banks;
- Skelly Oil Company by Hawley Kerr;
- Murray Tool & Supply Company by Fist & Dewberry;
- Jesse G. Ball by Floyd L. Rheam;
- J. M. Ramsey by Floyd L. Rheam;
- Fred Ramsey by Floyd L. Rheam;
- Harry Hubbard by Floyd L. Rheam;
- Paul E. Conley by Floyd L. Rheam;
- Jack Trower by Floyd L. Rheam;
- General Machine & Tool Company by Yankey, Osborne & Sears and Verne M. Laing;
- Halliburton Oil Well Cementing Company by Fist & Dewberry;
- Perdue Tank Company by Fist & Dewberry;
- Iverson Tool Company by Fist & Dewberry;
- E. F. Landgraf by fist & Dewberry;
- J. B. Gabbert Oil Company by Fist & Dewberry;
- James G. Crocker by Fist & Dewberry;
- C. E. Yeary by George B. Coryell, Jr.,
- John M. Miller by Floyd L. Rheam;
- Raymond Croft by Floyd L. Rheam;
- Atlas Supply Company by E. A. Jones and P. W. Jones;
- Sunray Oil Corporation by Edward Howell, Paul E. Talliaferro and Forner Hutchinson;
- American National Bank of Bristow, by Fist & Dewberry;
- International Supply Company by Yancey & Spillers;
- Pearce, Porter & Martin by W. D. Woolley; and
- J. W. Clarke and Ted Eyster by Floyd L. Rheam.

All parties announced ready for trial, and all parties in open court stipulated and agreed upon the correctness of all claims, and all claims were allowed as hereinafter provided. All parties further stipulated in open court that all claims of preference and priority of payment were waived; that all claims for interest and attorneys' fees, except as to the plaintiff, were waived; and that all claims were to be paid pro rata from the funds remaining in the hands of the Court Clerk after the payment of expenses as hereinafter provided.

IT IS, THEREFORE, BY THE COURT ORDERED, DECREED AND ADJUDGED:

First: That the following Companies, upon payment of the amounts set opposite their names into the Registry of the Clerk of this Court, be and they are discharged from further liability in this cause:

- (a) Mid-Continent Petroleum Corporation,-----\$3,000.00
- (b) Gulf Oil Corporation----- 2,500.00
- (c) Skelly Oil Company----- 3,200.00
- (d) Galvez Oil Corporation----- 2,500.00

Second: That from the total funds so collected amounting to Eleven Thousand Two Hundred Dollars (\$11,200.00), the Clerk of this Court shall deduct his impounding fee of \$112.00 thereon.

Third: That from the balance of said fund amounting to \$11,088.00, the Clerk shall pay to the Plaintiff, Murphy Oil Company, the sum of \$693.00; and Murphy Oil Company, B. B. Blair and M. R. Brann be and they are discharged from further liability in this cause.

Fourth: That from the balance of said fund amounting to \$10,395.00, the Clerk shall pay the following amounts:

- (a) To Garrett Logan, Esquire, as attorney fees, now allowed by this Court, the sum of \$500.00;
- (b) To Ramsey, Martin & Logan, court costs advanced in this cause, \$358.80;
- (c) To George Lessley, Court Reporter, \$10.00;
- (d) To Pat King, Court Reporter, \$10.00.

Fifth: The balance of said fund amounting to \$9,516.20 shall be disbursed by the Clerk of this Court pro rate among the following claimants whose claims are hereby ordered allowed in the amounts appearing in the first column set opposite their names; the amount of distribution to each creditor appearing in the second column opposite the name of said creditor:

<u>Name</u>	<u>Amt. of claim Allowed;</u>	<u>Amount of Distribution</u>
Community State Bank, Bristow, Okla.	\$3,016.67	\$1,430.11
A. M. Frierson, Bristow, Okla.	2,500.00	1,185.17
R. R. Kirchner, Bristow, Okla.	1,025.00	485.02
Morris Plan Company, Tulsa, Okla.	1,064.00	504.41
Fred J. Haynes, Russell, Kansas	920.00	436.14
Bovaird Supply Company, Tulsa, Okla.	369.69	175.26
Skelly Oil Company, Tulsa, Okla.	1,225.01	580.74
Murray Tool & Supply Company, Tulsa, Okla.	3,004.70	1,424.44
Jesse G. Ball, _____, Kan.	49.00	23.23
J. M. Ramsey, _____, Kan.	40.00	18.96
Fred Ramsey, _____, Kan.	324.72	153.94
Harry Hubbard, _____, Kan.	50.00	23.70
Paul E. Conley, _____, Kan.	339.57	160.98
Jack Trower, _____, Kan.	20.79	9.86
General Machine & Tool Company, Wichita, Kans.	438.82	208.03
Halliburton Oil Well Cementing Company, Duncan, Okla.	900.00	426.66
Perdue Tank Company, McPherson, Kan.	165.00	78.22
Iverson Tool Company, Tulsa, Okla.	100.00	47.41
E. F. Landgraf, Oklahoma City, Okla.	632.08	299.65
J. B. Gabbert Oil Co., Salina, Kan.	100.23	47.52
James G. Crocker, Vian, Okla.	141.57	67.11
C. E. Yeary, Levelland, Texas	736.36	349.09
John M. Miller	41.10	19.48
Raymond Croft	500.00	237.04
Atlas Supply Company Muskogee, Okla.	109.42	51.87
S unray Oil Corporation, Tulsa, Okla.	100.00	47.41
American National Bank of Bristow, Okla.	300.00	142.22
International Supply Company, Tulsa, Okla.	752.96	356.96
Pearce, Porter & Martin, Tulsa, Okla.	379.22	179.78
J. W. Clarke and Ted Byster	727.06	344.68
	<u>\$20,072.97</u>	<u>\$9,515.99</u>

Said distribution amounting to .47407% to each claimant.

IT IS FURTHER ORDERED that the Clerk deliver to the attorneys of record for the respective claimants, the checks issued to said claimants under the above distribution.

NO EXCEPTIONS ALLOWED.

ALFRED P. MURRAH
JUDGE OF THIS COURT

The undersigned, attorneys of record, hereby approve the within and foregoing Journal Entry, and acknowledge service and receipt of a copy, and waive the notice required by Rule 77 (d) of Rules of Federal Procedure:

GARRETT LOGANGarrett Logan, attorney for Plaintiffs and defendant,
Galvez Oil Corporation.J. P. GREVE,J. P. Greve, attorney for Mid-Continent Petroleum
Corporation.William C. Liedtke, attorney for defendant, Gulf Oil
CorporationHERBERT L. ARTHURS & JOHNSON & JONES by L. L. Jones
Herbert L. Arthurs and Johnson & Jones, Attorneys for
defendant, Community State BankCHEATHAM & SMITH By Glenn O. SmithCheatham & Smith, Attorneys for defendants, A. M. Frierson
and R. R. KirchnerJOE N. SHIDLERJoe N. Shidler, Attorney for defendant, Morris Plan
CompanyBRADFORD J. WILLIAMS

Bradford J. Williams, Attorney for defendant, Fred J. Hayn

BRADFORD J. WILLIAMSW. N. Banks, attorney for defendant, Bovaird Supply
Company.HAWLEY C. KERR

Attorney for defendant, Skelly Oil Company

FIST & DEWBERRYFist & Dewberry, attorneys for defendants, Murray
Tool & Supply Company, Halliburton Oil Well Cementing
Company, Perdue Tank Company, Iverson Tool Company,
E. R. Landgraf, J. B. Gabbert Oil Company, James G.
Crocker, and American National Bank of Bristow.FLOYD L. RHEAMFloyd L. Rheam, attorney for defendants, Jesse G. Ball,
J. M. Ramsey, Fred Ramsey, Harry Hubbard, Paul E. Conley,
Jack Trower, John M. Miller, Raymond Croft, and J. W.
Clarke and Ted EysterYANKEE OSBORN & SEARS & VERNE M. LAING, By Henry L. Fist
per letter authorizingYankey, Osborne & Sears, and Verne M. Laing, attorneys
for defendant, General Machine & Tool Company

GEORGE B. CORYELL JR.
 George B. Coryell, Jr., attorney for defend-
 ant, C. E. Yeary.

E. R. JONES & P. W. JONES, By Henry L. Fist
 by letter authority

E. R. Jones and P. W. Jones, attorneys for
 defendant, Atlas Supply Company

EDWARD HOWELL, PAUL E. TALIAFERRO
and FORNEY HUTCHINSON
 Edward Howell, Paul E. Talliaferro and Forne
 Hutchinson, attorneys for defendant, Sunray
 Oil Company

YANCEY & SPILLERS
 Yancey & Spillers, attorneys for defendant
 International Supply Company

W. D. WOOLLEY
 W. D. Woolley, attorney for defendant,
 Pearce, Porter & Martin

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

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

United States of America,	Plaintiff,)
)
vs)
)
Andrew Blackwell Post No. 142,)
American Legion of Hominy,)
Oklahoma, a Corporation, and)
Alfred A. Drummond,	Defendants.)

No. 1286 - Equity.

ORDER APPROVING MARSHAL'S SALE

Now on this 15th day of June, 1939, comes the plaintiff, the United States of America, in its own behalf and in behalf of the heirs of Wiley Whitewing, deceased Osage Allottee No. 686, by its Attorneys, Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and moves the court to confirm a sale of real estate by the United States Marshal for said District under a writ of execution and order of sale issued out of the office of the Clerk of the United States District Court for said District on the 20th day of April, 1939, said sale being of the following described property, to-wit:

Lots Eight (8) and Nine (9), Block Twenty (20), Original Town of Hominy, Osage County, Oklahoma.

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

IT IS, THEREFORE, ORDERED BY THE COURT that said sale and proceedings thereunder and the return thereon, be and the same are hereby approved and confirmed in all things.

IT IS FURTHER ORDERED BY THE COURT that Jno. P. Logan, United States Marshal for the Northern District of Oklahoma, make and execute to the purchaser of said land as shown by the said return, the heirs of Wiley Whitewing, deceased Osage Allottee No. 686, a good and sufficient Marshal's deed for the premises so sold, restrictions against alienation of said land without the approval of the Secretary of the Interior to be retained.

F. E. KENNAMER
JUDGE

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

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 15th day of June, A. D. 1939, it being made satisfactorily to appear that L. C. Swim is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the bar of the Court.

Court adjourned to June 16, 1939

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

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

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

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

ELMER C. CLAPP, Administrator of the Estate of)
Gary Lee Clapp, deceased,) plaintiff,)
vs.) No. 64 Civil
SKELLY OIL COMPANY, a corporation,) Defendant.)

JOURNAL ENTRY OF JUDGMENT

On this, the 15th day of June, 1939, this cause comes on for hearing pursuant to regular setting; plaintiff appeared in person and by his attorneys of record, Robert D. Hudson and R. W. Gibbs, and the defendant appeared by its duly authorized representatives and its attorneys of

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

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FRIDAY, JUNE 16, 1939

now in the possession of the defendant Frank Wooten, and it appearing to the court that the defendant Frank Wooten has said cattle in his possession awaiting the determination of this litigation before offering the same for sale, but that a delay in such sale is detrimental to the sale thereof, and that the owner thereof will suffer irreparable loss unless the Receiver is appointed, and authorized to sell the same immediately, and it further appearing that both parties of this law suit have consented that a Receiver should be appointed and authorized to sell such cattle at the present time, the court finds that a Receiver should be appointed for such purposes.

IT IS THEREFORE, THE ORDER OF THE COURT, that O. A. Farrell be and he is hereby appointed Receiver in this cause to take charge of the above described property and thereupon sell the same at the best price upon the market and impound the proceeds therefrom pending and awaiting further order of this court.

F. E. KENNAMER JUDGE

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

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

ELMER C. CLAPP, Adrx. of estate of Ollie C. Clapp, deceased, Plaintiff, vs SKELLY OIL COMPANY, a corp., Defendant. No. 93 Civil

JOURNAL ENTRY OF JUDGMENT

THIS cause comes on for hearing on this 15th day of June, 1939 pursuant to regular setting. The plaintiff appeared in person and by his attorneys of record H. D. Hudson and R. W. Gibbs and the defendant appeared by it's duly authorized representatives and it's attorneys of record, Green & Farmer, and both sides in open court announced ready for trial. The Court ordered said cause to proceed to trial.

A jury was duly impaneled and sworn to try the issues. The plaintiff introduced his evidence and rested and at the conclusion of plaintiff's evidence the defendant interposed a demurrer which was by the Court overruled and exception saved.

The defendant then introduced evidence the balance of said date and the cause was continued over until the morning of the 16th day of June. Whereupon, in open court, the parties agreed that the jury might be discharged and the Court might consider the evidence offered and render judgment. Whereupon the Court discharges the jury pursuant to said agreement, considers the evidence and statement of counsel and finds for the plaintiff and against the defendant, finding upon the first cause of action for conscious pain and suffering plaintiff is entitled to recover the sum of \$100.00 and upon the second cause of action for wrongful death plaintiff is entitled to recover the sum of \$6900.00.

BE IT THEREFORE, ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover of and from the defendant a judgment upon his First Cause of Action for conscious pain and suffering the sum of \$100.00.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover of

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA FRIDAY, JUNE 16, 1939

BE IT THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and re-
cover of and from the defendant a judgment for the sum of Five Thousand (\$5000.00) Dollars and the
costs of this action.

F. E. KENNAMER
JUDGE

O.K. SERVICE OF COPY ACKNOWLEDGED:
GREEN & FARMER
Attorney for Defendant

ROBT W. GIBBS
Attorneys for Plaintiff

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

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

AMOS YARGEE, Plaintiff,)
vs.) No. 148 CIVIL
ALEX YARGEE, ET AL, Defendants.)

O R D E R

Now on this 16th day of June, 1939, this matter coming on before the Court on the
motion of the United States of America for permission to intervene in the above mentioned case, and it
appearing to the Court that this action involves lands allotted to restricted Creek Indians, and that
the United States of America should be a party to this action;

IT IS THEREFORE THE ORDER of the Court that the United States of America be, and
hereby is granted permission to intervene in this cause of action.

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 Jun 16 1939
H. P. Warfield, Clerk
U. S. District Court B

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

FRIDAY, JUNE 16, 1939

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

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

O R D E R

Now on this 15th day of June, 1939, came on for hearing the application of Wilbur Holleman and L. L. Wiles, the duly qualified and acting Receivers of the Gilmort Oil Company for permission to sign releases and cancel five oil mining leases all located in Osage County, Oklahoma, described as follows:

- Northwest Quarter, Sec. 28, T. 20 N., R. 11 E.,
- Southwest Quarter, Sec. 28, T. 20 N., R. 11 E.,
- Northeast Quarter, Sec. 29, T. 20 N., R. 11 E.,
- Southeast Quarter, Sec. 29, T. 20 N., R. 11 E.,
- Southwest Quarter, Sec. 29, T. 20 N., R. 11 E.,

notice having been given as prescribed by the Court and the Court being fully advised in the premises finds that the above described leases are non-producing oil mining leases and that it would be to the best advantage to abandon, surrender, cancel and release to the owners the above described leases.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Receivers, Wilbur Holleman and L. L. Wiles, execute proper releases to the owners of the land above described.

Dated this 12th day of June, 1939.

F. E. KENNAMER
JUDGE

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

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

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

O R D E R

Now on this 16th day of June, 1939 came on for hearing the application of Harold C. Stuart for a fee for auditing the claims filed with the Receivers, Wilbur Holleman and L. L. Wiles, the duly appointed and acting Receivers of the Gilmort Oil Company, the Court finds that pursuant to an order of this Court directing the Special Master to hir the services of an auditing firm to examine the checks, vouchers, time sheets, journals, ledgers and other books of the Gilmort Oil Company and

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

SPECIAL MARCH 1939 TERM

FRIDAY, JUNE 16, 1939

audit the same, the Special Master did, after consulting with the Receivers of the Gilmort Oil Company appoint Harold C. Stuart, who spent several months examining all the claims and appeared in twenty-four hearings before the Special Master testifying on these claims and it further appearing that it was necessary for Harold C. Stuart to hire the services of an assistant to help him in this connection and it further appearing that certain expenses were incurred,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Receivers, Wilbur Holloman and L. L. Wiles, pay out of the funds of the receivership the sum of TWENTY ONE HUNDRED DOLLARS (\$2100.00) to Harold C. Stuart for the services of himself and his assistant in auditing the claims and testifying regarding them.

Dated this 15th day of June, 1939.

F. E. KENNAMER
JUDGE

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

Court adjourned to June 19, 1939

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, JUNE 19, 1939

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

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

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

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

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

ORDER EXTENDING TIME TO DOCKET APPEAL

NOW, on this 19th day of June, 1939, this matter coming on to be heard before

08

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, JUNE 19, 1939

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SINCLAIR REFINING COMPANY, a corporation,

DEFENDANT.

O. B. E. R.

Motion of defendant, Sinclair Refining Company, a corporation, to dismiss plaintiff's amended complaint is over-ruled, and defendant is allowed Twenty (20) days from this date in which to file answer herein.

DATED June 7th, 1939.

F. E. KENNAMER
JUDGE

O.K. MOSS & YOUNG
SUMMERS HARRY

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

Court adjourned to June 21, 1939

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, JUNE 21, 1939

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

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

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

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

United States of America,

Plaintiff)

-vs-

) No. 50 Civ.

Travelers Mutual Casualty Company, a corporation,

) Defendant.)

ORDER EXTENDING TIME TO PLEAD

Now on this, the 21st day of June, 1939, the above cause coming on for hearing on the application of the defendant for an extension of time to file pleading; and it appearing

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, JUNE 21, 1939

to the court that the defendant does not have sufficient time within which to plead; said time is extended for a period of thirty days from the 31st day of July, 1939.

F. E. KENNAMER
U. S. DISTRICT JUDGE

SERVICE OF COPY ACKNOWLEDGED:
JOE W. HOWARD
Assist U. S. Atty

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

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

MRS. H. M. WILLIAMSON, Plaintiff,)
vs.) No. 91 Civil
SAFeway STORES, INC., a corporation, and Defendants.)
W. H. NICEly,

JOURNAL ENTRY OF JUDGMENT

Now on this 21st day of June, 1939, this cause comes on for hearing upon its merits; the plaintiff appearing in person and by her counsel, B. A. Hamilton and S. J. Clendenning, and the defendant, Safeway Stores, Inc., appeared by its counsel, Hudson & Hudson, and the defendant, W. H. Nicely appeared by his counsel, Paul Arnold.

And both sides having announced ready for trial, and having waived a jury, the court proceeded to the trial of said cause upon its merits. The plaintiff then introduced her evidence and rested. And the court being fully advised in the premises, finds that plaintiff is entitled to judgment of and against the defendants, and each of them, in the sum of Eleven Hundred (\$1100.00) Dollars, and costs, on her cause of action herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff, Mrs. H. M. Williamson, have and recover judgment of and from the Defendants, Safeway Stores, Inc., a corporation, and W. H. Nicely, in the sum of Eleven Hundred (\$1100.00) Dollars, together with the costs of this action, for all of which let execution issue.

F. E. KENNAMER
U. S. District Judge

Service of copy of Journal Entry of Judgment acknowledged:
OK B. A. HAMILTON S. J. CLENNENING
Attorneys for plaintiff

W. E. HUDSON ROBT D. HUDSON
Attorneys for Safeway Stores

PAUL ARNOLD
Attorney for Nicely

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

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, JUNE 21, 1939

VERDICT

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

GLADYS MOORE,)
Plaintiff,)
vs.)
MISSOURI, KANSAS & TEXAS)
RAILROAD, a corporation,)
Defendant.)

Case No. 106 Civil.

We, the jury in the above-entitled cause, duly impaneled and sworn, upon our oaths, find for the plaintiff, and assess her damages at Forty Thousand and no/100 DOLLARS.

C. R. FRIES,

ENDORSED: Filed In Open Court
Jun 21 1939
H. P. Warfield, Clerk
U. S. District Court H

foreman.

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

United States of America,)
Plaintiff,)
vs.)
G. B. York,)
Defendant.)

No. 111 Civil

JOURNAL ENTRY OF JUDGMENT

Now on this 21st day of June, 1939, this matter coming on before the Court on the application of the plaintiff, United States of America, for a default judgment, plaintiff appearing by Whit Y. Maury, 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 defendant, G. B. York, has been duly and regularly served with summons and a copy of the complaint in this case more than 20 days prior to this date and that said defendant has failed to answer, demur or otherwise plead herein, he is by the Court found to be in default.

The Court further finds that the following described land was allotted to Mamie Pitts, deceased Osage Allottee No. 156;

Northeast Quarter of Southwest Quarter and
North Half of Southeast Quarter and Southeast
Quarter of Southeast Quarter of Section Twenty-
one (21), Township Twenty-three (23) North,
Range Six (6) East, Osage County, Oklahoma.

That said land is restricted and under the supervision and control of the Secretary of the Interior of the United States of America, and that said defendant, G. B. York, 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 representative.

IT IS, THEREFORE ORDERED, ADJUDGED AND DECREED that the defendant, G. B. York, be,

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, JUNE 21, 1939

and he hereby is permanently restrained and enjoined from interfering with the possession, management and control of the

Northeast Quarter of Southwest Quarter and
North Half of Southeast Quarter and Southeast
Quarter of Southeast Quarter of Section Twenty-
one (21), Township Twenty-three (23) North, Range
Six (6) East, Osage 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. MAUSY

Whit Y. Mausy, United States Attorney

CHESTER A. BREWER

Chester A. Brewer,
Assistant United States Attorney

ENDORSED: Filed Jun 21 1939
H. F. 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. 112 Civil

Stella Findley,

Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this 21st day of June, 1939, this matter coming on before the Court on the application of the plaintiff, United States of America, for a default judgment, plaintiff appearing by Whit Y. Mausy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and it being shown to the Court that the above named defendant, Stella Findley, has been duly and regularly served with summons in this cause and a copy of the complaint more than 20 days prior to this date, and that said defendant has failed to answer, demur or otherwise plead herein, she is by the Court found to be in default.

The Court further finds that the following described land, located in Osage County, Oklahoma, to-wit:

Lots Nine (9), Ten (10) and Eleven (11), Block Eight (8), Tallchief
Addition to Fairfax, Oklahoma,

is restricted Indian land belonging to Cynthia Daniels, unallotted Osage Indian, and that said land is under the supervision and control of the Secretary of the Interior of the United States of America, and that said defendant, Stella Findley, 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.

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

SPECIAL MARCH 1939 TERM

WEDNESDAY, JUNE 21, 1939

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

Lots nine (9), Ten (10) and Eleven (11), Block Eight (8), Tallchief Addition to Fairfax, Osage 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. MAUSY
Whit Y. Mausy, United States Attorney

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

ENDORSED: Filed Jun 21 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,	} No. 1155 Equity
vs.		
S. S. Kennedy, et al,	Defendants.	

ORDER APPROVING MARSHAL'S SALE

Now on this 21st day of June, 1939, comes the plaintiff, the United States of America, in its own behalf and in behalf of Simon Henderson, Osage Allottee No. 757, by its attorneys, Whit Y. Mausy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and moves the Court to confirm a sale of real estate by the United States Marshal for said district, under a writ of execution and order of sale issued out of the office of the Clerk of the United States District Court for said district, on the 8th day of May, 1939, said sale being of the following described property, to-wit:

All of Lots 3 and 4; East Half of Southwest Quarter of Section 7; Northeast Quarter and East Half of Northwest Quarter of Section 18, all in Township 26, Range 10. And all that part of Northeast Quarter of Section 12 lying south of the Pawhuska-Bartlesville Highway; the North Half of Southeast Quarter of Section 12 less 7.79 acres for right-of-way of Pawhuska-Bartlesville Highway; all of the Northwest Quarter of Section 12 except the right-of-way of the Osage County and Santa Fe Railroad, containing 20.75 acres; all of the East Half of the Northeast Quarter of Section 23, except .24 acres for right-of-way of Pawhuska-Bartles-

ville Highway; all that part of Southwest Quarter of Section 23 lying east of the Pawnee-Bartlesville Highway; all of the South Half of Northwest Quarter of Section 24; all that part of North Half of Northwest Quarter of Section 26 lying east of the right-of-way of the Osage County and Santa Fe Railroad and lying south and east of the Pawnee-Bartlesville Highway, all in Township 26 N., Range 2E, Osage County, Oklahoma.

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

IT IS THEREFORE ORDERED by the Court that Jno. P. Logan, United States Marshal for the Northern District of Oklahoma, make and execute to the purchaser of said land, as shown by said return, Simon Henderson, Osage Allottee No. 757, a good and sufficient Marshal's deed for the premises so sold, restrictions against alienation of said land without the approval of the Secretary of the Interior, to be retained.

F. E. KENNAMER
JUDGE

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

WILLIAM Y. MAURY
W. Y. Maury, United States Attorney.

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

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

MISCELLANEOUS - ORDER DISCHARGING PETIT JURORS.

On this 21st day of June, A. D. 1939, it is ordered by the Court that all Petit Jurors be, and they are, hereby discharged for this Special March 1939 Term of this Court, at Tulsa, Oklahoma.

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

On this 21st day of June, A. D. 1939, it is ordered by the Court that the Marshal of this District pay the Petit Jurors and Witnesses for this Special March 1939 Term of Court, their mileage and per diem as shown by the Record of Attendance.

Court adjourned to June 22, 1939

614

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

SPECIAL MARCH 1939 TERM

THURSDAY, JUNE 22, 1939

On this 22nd day of June, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

JAMES T. SPENCER, Administrator of the Estate of JACKSON BARNETT, Deceased,

Plaintiff;

vs.

GYPSY OIL COMPANY, et al,

Defendants.)

No. 39 Civil

O R D E R

IT IS HEREBY ORDERED that the time in which the defendant, J. A. Gillespie, may plead or answer is extended from the 26th day of June, 1939 to the 10 day of July, 1939.

Dated this 22nd day of June, 1939.

F. E. KENNAMER
U. S. District Judge

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

ENDORSED: Filed Jun 22 1939
H. P. Warfield, Clerk
U. S. District Court

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

Glen E. Leslie, Receiver of The State National Bank, Shawnee, Oklahoma,

Plaintiff,)

-vs-

J. M. Scott,

Defendant.)

No. 72 Civil

ORDER OF DISMISSAL

Now on this 22nd day of June, 1939, the above matter coming on to be heard upon the Stipulation of the parties hereto that this case may be dismissed with prejudice at the costs of the plaintiff, and the Court being fully advised in the premises, finds that the cause of action involved herein has been settled and satisfied as between the parties and that this cause should be dismissed with prejudice at the costs of plaintiff.

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

SPECIAL MARCH 1939 TERM

THURSDAY, JUNE 22, 1939

615

IT IS ORDERED, ADJUDGED AND DECREED BY THE COURT, that this cause be dismissed with prejudice at the costs of plaintiff.

F. E. KENNAMER
Judge, United States District Court.

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

Court adjourned to June 27, 1939.

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, JUNE 27, 1939

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

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

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

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

WILLIAM W. LILLARD,

Plaintiff,)

vs.)

No. 70 Civil Action)

United States of America,

Defendant.)

J U D G M E N T

Now on this 31st day of May, 1939, this cause came on for trial by special assignment before the Honorable F. E. Kennamer, Judge, sitting in the United States District Court for the Northern District of Oklahoma at Tulsa, Oklahoma. Plaintiff appeared in person and was represented by his attorney of record, Benjamin E. Cook. The defendant appeared by Chester A. Brewer, Assistant United States Attorney and Daniel Dillon, Attorney, Department of Justice. A trial by jury was waived by agreement of parties. 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, defendant made its motion for judgment for the reason that plaintiff had failed to establish by substantial evidence that he was permanently and totally disabled on September 1, 1936 as alleged in his petition under the terms of the insurance contracts herein sued upon, which motion was overruled by the Court.

Thereupon defendant introduced its testimony of witnesses sworn and examined by open court and introduced its documentary evidence and rested. At the close of all evidence introduced by both plaintiff and defendant, motions for judgment were made by counsel for respective sides.

The Court, being fully advised, find that William W. Lillard accepted a commission

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, JUNE 27, 1939

on July 31, 1918 in the United States Army as First Lieutenant, Engineers; that he was honorably discharged therefrom on November 21, 1918; that while in service he was granted \$10,000.00 war risk term insurance as of the effective date of August 21, 1918; that effective as of December 1, 1921, \$2,000.00 of said insurance was converted into a Twenty-Payment Life policy, designated hereafter as K-328,436 and \$8,000.00 was continued as a term policy; that effective May 1, 1926, \$8,000.00 term insurance was converted into an ordinary policy and is hereafter designated as K-535,052; that monthly premiums have been paid on both of said converted policies and both policies are now in full force in effect.

The Court further finds that claim for insurance benefits was filed by plaintiff with the Veterans' Administration on July 19, 1936, alleging permanent and total disability under the terms of policies K-328,436 and K-535,052 as of September 1, 1936; that due proof of such disability was made to the Veterans' Administration and it was so stipulated by counsel for respective sides at the time of trial; and that this Court has jurisdiction to hear this cause.

The Court further finds that upon consideration of all the evidence submitted by plaintiff and defendant that the plaintiff has been totally and permanently disabled under the terms of the insurance contracts herein sued upon since September 1, 1936, and that there became due and payable to said plaintiff on and after September 1, 1936, the proceeds of policies K-328,436 in the amount of \$2,000. and policy K-535,052 in the amount of \$8,000.00 as provided by law, less any outstanding indebtedness.

The Court further finds that for the purpose of prosecuting this law suit, the plaintiff employed Benjamin E. Cook, a licensed and practicing attorney in the State of Oklahoma, and that said attorney has prosecuted this action on behalf of plaintiff, for which services he is entitled to an attorney fee of ten per cent of any award made under said insurance contracts.

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 insurance policy K-328,436, in the amount of \$2,000.00 and insurance policy K-535,052 in the amount of \$8,000.00, the proceeds of said policies in monthly installments from September 1, 1936 and to the date of this judgment, the total amount of said monthly installments to be computed by the Veterans's Administration.

IT IS THE FURTHER ORDER AND JUDGMENT of this Court that of the moneys herein awarded to the plaintiff, an attorney fee of ten per cent of the amount of this judgment, and ten per cent of all future payments made by the Veterans' Administration as a result of this judgment, be paid to Benjamin E. Cook, attorney for plaintiff, said amounts to be paid as provided by law.

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

F. E. KENNARD
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM . SERVICE OF COPY ACKNOWLEDGED.
BENJ. E. COOK, Attorney for Plaintiff

CHESTER A. BREWER, Attorney for Defendant

DANIEL DILLON, Atty. Dept. of Justice.

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

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

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

I. E. NELSON, TRUSTEE, Plaintiff,
vs. Defendants. No. 97 Civil
T. L. BLAKEMORE, ET AL,

O R D E R

Upon consideration of the motions of the defendants Everett S. Collins, T. L. Blakemore and Mac Q. Williamson to dismiss this action upon the grounds therein set forth, it is hereby ordered that the said motions, and each of them, be and the same are hereby overruled, and each of the said defendants is allowed his exception to this order.

All defendants are extended and allowed a period of fifteen days from the date of this order within which to prepare and file answer to the complaint in this action.

Dated at Tulsa, Oklahoma this 27th day of June, 1939.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jul 5 1939
H. P. Warfield, Clerk
U. S. District Court AC

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

GLADYS MOORE, Plaintiff,
vs. Defendant. No. 106 - Civil.
Missouri, Kansas & Texas Railroad, a corporation,

JOURNAL ENTRY

Now on this 21st day of June 1939, it is hereby considered, ordered and adjudged by the Court that the plaintiff have judgment against the defendant herein for the sum of Forty Thousand (\$40,000.00) Dollars, in accordance with the verdict of the jury rendered herein on this date, together with her costs, and interest according to law.

F. E. KENNAMER
JUDGE

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

Attorneys for Plaintiff
M. D. GREEN & C. S. WALKER
Attorneys for Defendant.

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

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, JUNE 27, 1939

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

GLADYS MOORE,)
 Plaintiff,)
 vs.)
 Missouri, Kansas & Texas Railroad, a corporation,)
 Defendant.)

No. 106 - Civil

O R D E R

Now on this 27th day of June, 1939, an application of defendant and appellant herein, and for good cause shown, the court in its discretion hereby extends the time for filing the record on appeal and docketing the case herein in the Circuit Court of Appeals for the Tenth Circuit, for a period of fifty days, in addition to the time allowed therefor under Rule 73 (g) of the Rules of Civil Procedure for the District Courts of the United States.

F. E. KENNAMER
 JUDGE

ENDORSED: Filed Jun 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

United States of America,)
 Petitioner,)
 vs.)
 140 acres of land in Delaware County, Oklahoma;)
 George B. Schwab, et al.,)
 Respondents.)

No. 143 - Civil

PUBLICATION ORDER

Now on this 27th day of June, 1939, it appearing from the affidavit of Curtis P. Harris, Special Attorney, Department of Justice, and the application of the United States of America, petitioner herein, that the following defendants:

- W. H. Keig,
- Robert H. Lunday,
- Winona Lunday,
- J. S. Campbell,
- Fidelity Land Credit Company, of Oklahoma City, Oklahoma,
- Dickanson-Reed-Randerson Company, a corporation,
- National Hardwood Company, a corporation,
- Guaranty Trust Company of Detroit, a corporation, Trustee.

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, JUNE 27, 1939

IT IS THEREFORE ORDERED that the petitioner's application for the appointment of commissioners to appraise the land sought to be condemned herein be heard by this Court on the 21st day of August, 1939, at 9:30 o'clock A.M., in the United States Court Room in the Federal Building, Tulsa, Oklahoma, and that there be published in The Grove Sun, a weekly newspaper of general circulation in Delaware County, State of Oklahoma, on the following dates, to-wit: June 29th, 1939; July 8th, 1939; July 13th, 1939; July 20th, 1939; July 27th, 1939; and August 3, 1939, notice directing the aforesaid non-resident respondents to appear before this Court at the time and place aforesaid, and that the notification of said non-resident defendants shall be complete upon the filing of an affidavit by the publisher, managing officer, or printer of said The Grove Sun, that the notice referred to above has been printed and published in said newspaper as hereby directed.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Jun 27 1939
H. F. Warfield, Clerk
U. S. District Court B

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

UNITED STATES OF AMERICA,

Petitioner,)

vs

No. 174, Civil

1299.24 acres of land, more or less, in Delaware County, State of Oklahoma, Annie Steeler,

Respondents.)

O R D E R

Now on this 27th day of June, 1939, it being made to appear to the Court that the petitioner has filed its Petition for Condemnation in the above styled matter, and that it is necessary that Notices be served on various parties claiming an interest in and to said land:

NOW, THEREFORE, IT IS HEREBY ORDERED AND DIRECTED that Notices be prepared and executed by attorneys for petitioner herein, and served upon each of the parties named as respondents herein by the United States Marshals for the Western, Eastern and Northern Districts of Oklahoma.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Jun 27 1939
H. F. Warfield, Clerk
U. S. District Court B

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

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

UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 2876 LAW
THE TEXAS PIPE LINE COMPANY OF OKLAHOMA, Defendant.)

ORDER ALLOWING THE TEXAS PIPE LINE COMPANY OF OKLAHOMA ADDITIONAL TIME IN WHICH TO PLEAD.

For good cause shown The Texas Pipe Line Company of Oklahoma, defendant herein, is hereby granted fifteen (15) days additional time from and after June 27th, 1939, in which to file its answer to the plaintiff's petition herein.

Made and entered this 27th day of June, 1939.

F. E. KENNAMER
DISTRICT JUDGE

O.K. A. F. MOSS
H. R. YOUNG
Attorneys for Plaintiff

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

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

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

ORDER

Pursuant to the written Stipulation and agreement of the parties, it is ordered that the defendant be and it is hereby granted an extension of twenty (20) days within which to file its answer in the above entitled cause.

Dated this 26th day of June, 1939.

F. E. KENNAMER
DISTRICT JUDGE

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

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, JUNE 27, 1939

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

United States of America,	Plaintiff,) No. 1286 Equity
vs.)	
Andrew Blackwell Post No. 142, American Legion of Hominy, Oklahoma,	Defendant.	

ORDER APPROVING RECEIVER'S REPORT AND DISCHARGING RECEIVER

Now on this 27th day of June, 1939, this matter coming on before the Court on the report of O. A. Farrell, Receiver, and it being shown to the Court that the said O. A. Farrell was appointed Receiver of the property involved in this cause, on March 20, 1939, for the purpose of managing said property, collecting the rents and profits and caring for said property; and said Receiver having filed his report, showing that he has collected nothing, and has paid out nothing as such Receiver, the Court finds that said report should in all things be approved and accepted.

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

IT IS THE FURTHER ORDER of the Court that said Receiver, O. A. Farrell, be, and he hereby is discharged as such Receiver.

F. E. KENNAMER

JUDGE

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

WHIT Y. MAUSY
Whit Y. Mausy, United States Attorney

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

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

Court adjourned to June 28, 1939

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, JUNE 28, 1939

On this 28th day of June, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA WEDNESDAY, JUNE 28, 1939

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

Thomas Kapsemalis, Plaintiff,)
Vs.) No. 2551 - Law
Irene Taylor, nee Douglas, Defendant.)

JOURNAL ENTRY OVER-RULING MOTION FOR NEW TRIAL

Now on this the 2nd day of June, 1939, this cause coming on for hearing on Plaintiff's motion for new trial, thereupon said parties appearing as heretofore by their respective attorneys, and the Court having heard and considered said motion finds, that the same should be overruled.

It is therefore the order, judgment and decree of the Court that the Motion of the Plaintiff Thomas Kapsemalis for a New Trial be and the same is hereby over-ruled and judgment finally entered conformable to the findings of facts and conclusions of law heretofore made in this cause, to which Plaintiff in due form objected and excepted and exceptions are by the Court allowed.

F. E. KENNAMER
JUDGE

OK: R. E. ROBERTSON and GLENN O. YOUNG
Attorneys for Plaintiff.
A. N. BOATMAN JOHN MAYNARD T. L. BLAKEMORE
Attorney for Defendant

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

Court adjourned to June 29, 1939

SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA THURSDAY, JUNE 29, 1939

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

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

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

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

J. D. SIMMS, TRUSTEE,

Plaintiff,

vs.

LOUIS P. ANDREWS, Deputy Collector
of Internal Revenue, and H. C. JONES,
Collector of Internal Revenue,

Defendants.

No. 79 Civil

O R D E R

This matter coming on for hearing this 29th day of June, 1939, upon the motion of plaintiff to strike petition of intervention of the United States and answer and for judgment on the pleadings and the court being fully advised in the premises, after argument of counsel, finds that said motion should be overruled. Counsel for defendants, in open court, asks permission under Rule 6b to file the answer out of time and also asks permission to file the intervening petition of the United States out of time and the court finds that said motion should be sustained.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that the motion of the plaintiff to strike the petition of intervention and to answer and for judgment on the pleadings be and the same hereby is overruled, to which ruling of the court, plaintiff excepts which exception is duly allowed.

IT IS THE FURTHER ORDER of the Court that the defendants, Louis P. Andrews, Deputy Collector of Internal Revenue Service, and H. C. Jones, Collector of Internal Revenue Service, be and they hereby are, under Rule 6b, allowed to file their answer out of time, to which ruling of the court, plaintiff duly excepts which exception is duly allowed.

IT IS THE FURTHER ORDER of the court that the United States of America be and it hereby is, under Rule 6b, allowed to file its intervening petition out of time to which ruling of the court plaintiff duly excepts which exception is allowed.

IT IS THE FURTHER ORDER of the court that upon application of the plaintiff, he is allowed Twenty (20) days from this date to reply to the answer of the defendants and to plead to the intervening petition of the United States.

AND IT IS SO ORDERED.

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

SERVICE OF COPY ACKNOWLEDGED.

O.K. JNO. M. GOLDSBERRY
HAROLD E. ROESCHACH
Attorneys for Plaintiff

WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant U. S. Attorney
ATTORNEYS FOR DEFENDANTS.

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

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

THURSDAY, JUNE 29, 1939

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

United States of America, Libelant,

vs.

One 1938 Model Deluxe Ford Coupe Automobile, Motor No. 18-4,308,181, and approximately One Hundred Twenty-three gallons of assorted taxpaid intoxicating liquors seized therein; William M. Tucker, Claimant.

CIVIL FILE NO. 177

ORDER FOR MONITION

Now on this 29th day of June, 1939, it appearing to the court that the said 1938 MODEL DELUXE FORD COUPE AUTOMOBILE, MOTOR NO. 18-4,308,181, with approximately One Hundred twenty-three (123) gallons of intoxicating liquor containing more than four per centum (4%) of alcohol by volume, was seized at a point on U. S. Highway No. 66, about eight miles east of the City of Tulsa, in Tulsa County, State of Oklahoma, Northern District of Oklahoma and within the jurisdiction of this court, on May 5, 1939, by W. G. Malsie, Assistant Supervisor of the Alcohol Tax Unit, Bureau of Internal Revenue of the United States for the District comprising the States of Missouri, Arkansas, Kansas and Oklahoma, by virtue of authority of his said office, and in accordance with the provisions of law in such case made and provided, while said automobile was being used by William M. Tucker for transportation of such intoxicating liquors from Cairo, in the State of Illinois, into and to the aforesaid described point of seizure; it further appearing that thereupon said property was appraised at more than Five Hundred Dollars (\$500.00), whereupon plaintiff has instituted libel action herein and requests issuance of monition notifying claimant William M. Tucker of this proceedings, unless notice thereof be waived.

IT IS, THEREFORE, ORDERED that monition issue as prayed for in said libel and that same be served upon William M. Tucker, unless notice thereof be waived, and any other person that might claim any interest in said automobile requiring them to appear in said court on or before twenty (20) days after personal service thereof, and to show cause, if any they have, why said automobile and intoxicating liquors should not be forfeited to libelant under provisions of Section 224, Title 27, U. S. Code Annotated, and in accordance with the provisions of the law relating to seizures, forfeitures and disposition of property and proceeds for violation of the Internal Revenue Laws of the United States.

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

F. E. KENNAMER JUDGE

ENDORSED: Filed Jun 29 1939 H. F. Warfield, Clerk U. S. District Court EA

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

SPECIAL MARCH 1939 TERM

THURSDAY, JUNE 29, 1939

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY,

Plaintiff,

vs.

EXCHANGE NATIONAL COMPANY,

Defendant.

No. 873 Equity

ORDER AUTHORIZING REPAIRS

THIS CAUSE COMING on to be heard on this the 29th day of June, 1939, on the application of T. P. Farmer, as receiver for Exchange National Company, for an order authorizing, directing and empowering him to make certain repairs to the improvements located on

Lot 16 Block 1 Kratts Gerlack Addition to the City of Tulsa, Tulsa County, Oklahoma,

which repairs consist of putting a new foundation under the house and around the porch, including porch piers, entire foundation and piers to be dashed with stucco, raise the house in order to put a foundation under it, new front porch floor and necessary joists, new mud sill under entire house, leveling floors over entire house, putting in termite shields, and treating the house and vents for termites, and the court having read said application and finding that it has jurisdiction to entertain said application, and enter an order thereon, and being fully advised in the premises, finds that said application should be sustained.

IT IS, THEREFORE, THE ORDER, JUDGMENT AND DECREE OF THE COURT, that the application of the receiver for authority to make certain repairs to the improvements on the above described premises be and the same is hereby sustained, and the said T. P. Farmer be and he is hereby directed, authorized and empowered to have made the repairs hereinabove set forth, and is further directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER
United States District Judge

A copy of the application and this order is acknowledged.

GAVIN AND BARNES
Attorney for Plaintiff and receiver

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

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY,

Plaintiff,

vs.

EXCHANGE NATIONAL COMPANY,

Defendant.

No. 873 Equity

ORDER AUTHORIZING ADVERTISING AND SALE OF REAL ESTATE

THIS CAUSE COMING on to be heard on this the 29 day of June, 1939, on the

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA FRIDAY, JUNE 30, 1939

application of T. P. Farmer, as Receiver for Exchange National Company, for an order authorizing the advertising and sale of the following described real estate, to-wit:

Northerly 50 feet of Lot 3 in Block 10 in the Original Town, now City,
of Tulsa, Tulsa County, Oklahoma,

to Mildred Moorhead for the sum of \$500.00, she to pay the expense of advertising, the sale and the broker's commission, provided she is the highest and best bidder therefor, and the court having read said application and being fully advised in the premises, and finding that it has jurisdiction to entertain said application and enter an order thereon, finds that said order should be sustained.

IT IS THEREFORE BY THE COURT ORDERED, ADJUDGED AND DECREED that said application be and it is hereby sustained;

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that T. P. Farmer, as Receiver be and he is hereby directed, authorized and empowered to advertise and sell the above described premises to the highest and best bidder therefor, and if the said Mildred Moorhead is the best bidder to sell the same to her for the sum of \$500.00, she to pay the expense of advertising the sale and the broker's commission, and the said T. P. Farmer, as Receiver be and he is directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER
DISTRICT JUDGE

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

Court adjourned to June 30, 1939

SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA FRIDAY, JUNE 30, 1939

On this 30th day of June, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon^l 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: