

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

Hettie Youngblood,

Plaintiff,

vs.

No. 467 Civil

J. M. Kurn and John G. Lonsdale, Trustees of
and for the St. Louis-San Francisco Railroad
Company, a corporation,

Defendants.

O R D E R

Now on this 30th day of September, 1940, comes on for hearing the motion of the defendants to strike certain language from paragraph 10 of the first cause of action and all of the second cause of action of plaintiff's petition and the parties being present in Court by and through their respective counsel,

IT IS ORDERED AND DECREED that the following language appearing in paragraph 10 of the first cause of action be stricken, to-wit:

"That she is in destitute circumstances, being employed upon the relief work of the United States Government and now working at 1515 East Second Street, Tulsa, Oklahoma."

IT IS FURTHER ORDERED that all of the second cause of action be stricken from the plaintiff's petition.

IT IS FURTHER ORDERED that the defendant be permitted to comply with the order of the Court by marking out the portions of the petition herein ordered stricken.

IT IS FURTHER ORDERED that the defendants be granted ten days from date within which to answer.

Done in open Court the day and year first above written.

F. E. KENNAMER
DISTRICT JUDGE

ENDORSED: Filed Oct 7 1940
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. 2572 - Law.
)
The National Refining Company, a corporation,	Defendant.)

ORDER REINSTATING DISMISSAL

Now on this 7th day of October, 1940, comes on to be heard in its regular order the Motion of the Defendant to reinstate the Order Dismissing this case, which Order was entered June 7, 1939, and the Court, after hearing said Motion and the oral arguments thereon and an examination of the files herein, finds that on June 7, 1939, this Court did enter an order dismissing said cause, and that thereafter on August 1, 1939, vacated said Order in order for the plaintiff to appeal three of the companion cases, as stated in the defendant's Motion, and that said three cases were appealed to the Circuit Court of Appeals and have been decided against the contention of the plaintiff herein, and that the time has expired within which to appeal to the Supreme Court of the United States, and that the Decision of the Circuit Court of Appeals has become final, and that said Decision decides all of the matters and things in controversy herein, and that said Order should now be reinstated, dismissing this cause.

IT IS HEREBY ORDERED, that the judgment and order of this Court on June 7, 1939, be and the same is hereby reinstated and said cause is now finally dismissed.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 7 1940
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. 2577 Law
)
BARNSDALL OIL COMPANY, a corporation,	Defendant.)

ORDER SUSTAINING MOTION TO DISMISS

Motion to dismiss of defendant coming on to be heard on the 7th day of October, 1940, and it appearing to the Court that on the 25th day of April, 1939, it was stipulated in open court as follows:

1. That the Osage Tribal Council did not at any time, by resolution, or any other formal action, approved by the Secretary of the Interior, elect to take royalty in oil; and
2. That defendant is being sued exclusively as a purchasers of oil.

Upon consideration of said motion, of oral arguments thereon, and of briefs submitted by the parties hereto;

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
versus		)	No. 2580 LAW
)	
THE CARTER OIL COMPANY, a)	
corporation,	Defendant,)	

ORDER SUSTAINING MOTION TO DISMISS

Defendant's Motion to Dismiss came on for hearing on the 7th day of October, 1940, the plaintiff being represented by the Honorable Whit Y. Mauzy, United States District Attorney for the Northern District of Oklahoma, and defendant by its attorney, L. G. Owen. It was thereupon stipulated in open court as follows:

1. That the Osage Tribal Council did not at any time, by resolution, or any other formal action, approved by the Secretary of the Interior, elect to take royalty in oil; and
2. That defendant is being sued exclusively as a purchaser of oil.

Upon consideration of said Motion to Dismiss, the same is sustained on the authority of United States v. Stanolind Crude Oil Purchasing Company, 113 Fed. (2d) 194.

IT IS HEREBY ORDERED that said Motion to Dismiss is sustained, to which action, in open Court the plaintiff then and there excepts, which said exception is hereby, by the Court, allowed and the plaintiff having, in open court, elected to stand upon its amended complaint, and having refused, in open Court, to plead further, it is further ordered, adjudged and decreed that said amended complaint, and each and every cause of action attempted to be set up and stated therein, and this action, be, and the same is hereby, dismissed, to which action of the court plaintiff, in open court, duly excepts, and said exception is allowed, and the plaintiff gives notice of appeal to the United States Circuit Court of Appeals for the Tenth Circuit.

DATED this 7th day of October, 1940.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 7 1940
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. 1177 - Equity
)	
MID-CONTINENT PETROLEUM CORPORATION, a corporation,)	
	Defendant.)	

ORDER AND DECREE OF DISMISSAL

Defendant's CONSOLIDATED MOTION TO MAKE MORE DEFINITE AND CERTAIN, TO SEPARATELY STATE AND NUMBER, TO STRIKE AND TO DISMISS coming on to be heard on this, the 7th day of October, 1940,

the plaintiff appearing by its attorney, Whit Y. Mauzy, and the defendant appearing by its attorneys R. H. Wills, it was thereupon stipulated, in open Court, as follows:

1. That the Osage Tribal Council did not at any time, by resolution or any other formal action, approved by the Secretary of the Interior, elect to take royalty in oil; and
2. That defendant is being sued exclusively as a purchaser of oil.

Pursuant to the direction of the Court, hearing upon, consideration and determination of paragraph 1 of said Motion, and each of the subdivisions thereof, paragraph 2 of said Motion, and each of the sub-divisions thereof, and paragraph 3 of said Motion was postponed and deferred until the hearing upon, consideration and determination of paragraph 4 of said Motion, praying that plaintiff's Amended Complaint herein, and each and every cause of action attempted to be set up and stated therein be dismissed, and on the ground and for the reason that said Amended Complaint, and each and every cause of action attempted to be set up and stated therein, fails to state a claim upon which relief can be granted.

Upon consideration of said Paragraph 4,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that said paragraph 4 of said Motion is sustained; and, plaintiff having, in open Court, elected to stand upon its Amended Complaint herein, and each and every cause of action attempted to be set up and stated therein, and having refused, in open Court, to plead further with respect thereto, it is further ordered, adjudged and decreed that said Amended Complaint, and each and every cause of action attempted to be set up and stated therein, and this action, be, and the same are hereby dismissed; and it is further ordered, adjudged and decreed that the costs of this action be, and the same are hereby taxed against the plaintiff, and to each and all of which actions of the Court plaintiff, in open Court, duly excepts, and said exception is allowed.

The above and foregoing actions of the Court rendered unnecessary any hearing upon, consideration and determination of the parts of said Motion other than paragraph 4 thereof.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 7 1940
H. P. Warfield, Clerk
U. S. District Court H

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

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

ORDER AND DECREE DISMISSING PLAINTIFF'S FIRST CAUSE OF ACTION

Defendant's CONSOLIDATED MOTION TO MAKE MORE DEFINITE AND CERTAIN, TO SEPARATELY STATE AND NUMBER, TO STRIKE AND TO DISMISS, IN SO FAR AS THE SAME APPLIES TO THE FIRST CAUSE OF ACTION IN PLAINTIFF'S AMENDED COMPLAINT herein, coming on to be heard on this, the 7th day of October, 1940,

and the plaintiff appearing by its attorney, Whit Y. Mauzy, and the defendant appearing by its attorney R. H. Wills, it was thereupon stipulated, in open Court, as follows:

- 1. That the Osage Tribal Council did not at any time, by resolution or any other formal action, approved by the Secretary of the Interior, elect to take royalty in oil; and
- 2. That with respect to the First Cause of Action in plaintiff's Amended Complaint herein, defendant is being sued exclusively as a purchaser of oil.

Upon consideration of paragraph 6 of said Motion, praying that the First Cause of Action in plaintiff's Amended Complaint herein, and each and every cause of action attempted to be set up and stated therein, be dismissed, on the ground and for the reason that said First Cause of Action, and each and every cause of action attempted to be set up and stated therein, fails to state a claim upon which relief can be granted, and upon consideration of paragraph 5 of said Motion, in so far as the same is to the same effect and purpose as said paragraph 6,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that said paragraph 6 of said Motion and said paragraph 5 of said Motion, in so far as the same is to the same effect as said paragraph 6, are sustained, and, plaintiff having, in open Court, elected to stand upon the First Cause of Action in its Amended Complaint herein, and having refused, in open Court, to plead further with respect thereto it is further ordered, adjudged and decreed that said First Cause of Action, and each and every cause of action attempted to be set up and stated therein, and this action and plaintiff's Amended Complaint in so far as plaintiff's said First Cause of Action is concerned, be, and the same are hereby dismissed and it is further ordered, adjudged and decreed that the costs of this action, in so far as plaintiff's said First Cause of Action is concerned, be, and the same are hereby taxed against plaintiff, to all of which action of the Court plaintiff, in open Court, duly excepts, and said exception is allowed.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 7 1940
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

Elizabeth Daniel Wallace, et al,	Plaintiff,)	
)	
vs.		)	No. 1244 Equity
)	
Richard T. Daniel, Jr., et al,	Defendants.)	

O R D E R

For good cause shown it is hereby ordered that Eben L. Taylor, receiver, be and he is hereby authorized and directed forthwith to borrow the sum of Five Hundred Dollars (\$500.00) for use in making payments against the utilities accounts due from the R. T. Daniel Building, the proceeds thereof to be disposed of in the manner dictated by his discretion, and said receiver is further authorized to execute and deliver his promissory note to evidence such indebtedness.

Dated at Tulsa, Oklahoma, this 7th day of October, 1940.

ENDORSED: Filed Oct 7 1940
H. P. Warfield, Clerk
U. S. District Court H

F. E. KENNAMER
U. S. District Judge

Court adjourned to October 8, 1940

On this 8th day of October, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 8th day of October, A. D. 1940, it being made satisfactorily to appear that Pat Orr Johnson 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. (R.H.S.J)

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

GEORGE CHESHOLM, ADMINISTRATOR OF THE)
ESTATE OF LESSLEY HAWKINS CHISHOLM,)
nee Yarhold, deceased, Plaintiff,) NO. 387 CIVIL
vs.)
H. G. HOUSE, et al, Defendants.)

O R D E R

This matter coming on for hearing this 4th day of October, 1940, upon the application of the United States presented in open court, for an extension of time in which to file herein an intervening complaint, if desired, and the court being fully advised in the premises and for good cause shown, finds that the United States should be granted additional time in which to file an intervening complaint herein.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the United States be and it hereby is granted an extension of time of Forty-five (45) days from this date within which to file an intervening complaint herein.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Oct 8 1940
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to October 9, 1940

On this 9th day of October, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. F. E. Kennamer, Judges, present and presiding.

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

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

MISCELLANEOUS - ORDER APPOINTING GEO. H. LESSLEY, Official Court Stenographer.

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

IN RE: APPOINTMENT OF)
OFFICIAL COURT STENOGRAPHER.)

O R D E R

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

Dated at Tulsa, Oklahoma, October 9th, 1940.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Oct 9 1940
H. P. Warfield, Clerk
U. S. District Court

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

The City of Pawhuska, Oklahoma, a Municipal)
Corporation, ex rel R. G. McKay, Plaintiffs,)
vs.) No. 121-Civil
R. M. McCreery, et al., Defendants.)

ORDER APPOINTING SPECIAL MASTER

It appearing that Frank T. McCoy, Jr., the heretofore appointed special master herein, has submitted to this Court his resignation, and that it is necessary that this Court make an order appointing in this cause a special master to conduct upon execution and order of sale a sale herein, and that John Pearson is a suitable and proper person.

It is Therefore Ordered and Decreed that John Pearson be and hereby is appointed Special Master in this cause.

Dated this 9th day of September, 1940.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Oct 9 1940
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED MUTUAL LIFE INSURANCE COMPANY,)	
Complainant,)	
vs.)	
	)	No. 971 Equity
CITY OF WYNONA, A MUNICIPAL CORPORATION,)	
K. C. COLEMAN, MAYOR, MARTIN BROWN, CITY)	
TREASURER, COUNTY EXCISE BOARD OF OSAGE)	
COUNTY, ET AL.,	)	Respondents.
)	
FRANK E. SEDGWICK, ET AL.,	)	Intervenors.

O R D E R

Now on this 9th day of October, 1940 there came on for hearing the motion of the City of Wynona, Oklahoma, a municipal corporation, for an order of this court directing the register of this court to return to the City Treasurer of the City of Wynona, Oklahoma, the balance of the funds after the deduction of the accruing costs and impoundage fees now being held by register in this cause.

The court finds that the City of Wynona, Oklahoma, has paid to the register of this Court the sum of \$51,873.85, to be applied in satisfaction of the judgment entered herein; that of that amount \$1,731.53 has not been claimed by any holder of interest coupons issued by the City of Wynona; that upon October 7, 1940 the judgment in this cause was cancelled, vacated and set aside by this court in a certain order entered in cause No. 4578 in Bankruptcy, same being styled: In the Matter of the Readjustment of the Indebtedness of the City of Wynona, Oklahoma, an Insolvent Municipality, and that the said order should be entered as requested.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the register of this court be and he is hereby ordered and directed to return to the City of Wynona, Oklahoma, the balance remaining undistributed in this cause in the amount of \$1,731.51 after the deduction of accruing costs and impoundage fees; that the said treasurer of the said city of Wynona, Oklahoma, be and he is hereby ordered and directed to pay from said funds the sum of \$500.00 to D. A. W. Bangs for expenses incurred by the said D. A. W. Bangs in connection with the refunding of the indebtedness of the City of Wynona, Oklahoma, also the accruing costs or incidental expenses to be incurred in connection with cause No. 4578 in Bankruptcy in this court and the balance to be held by the said city treasurer in the optional refunding bond sinking fund account.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 9 1940
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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.		)	No. 471
)	
EXCHANGE TRUST COMPANY, a corporation,)	
and LINWOOD O. NEAL, Bank Commissioner for)	
the State of Oklahoma,	Defendants.)	

O R D E R

NOW, on this 10th day of October, 1940, upon motion of defendants, Exchange Trust Company, a corporation, and Linwood O. Neal, Bank Commissioner for the State of Oklahoma, coming on to be heard, praying for an Order consolidating the within cause and 926 Equity and the court being fully advised in the premises, finds that said causes of action should be consolidated.

IT IS THEREFORE, ORDERED, ADJUDGED and DECREED that said Cause 926 Equity is hereby consolidated with the within cause.

DONE in open court this 10 day of October, 1940.

ROYCE H. SAVAGE
United States District Judge.

ENDORSED: Filed Oct 10 1940
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to October 14, 1940

On this 14th day of October, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer and Hon. Royce H. Savage, Judges, present and presiding.

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

Public proclamation having been duly made, the following proceedings were had and entered, towit:

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

City of Shidler, a Municipal Corporation, ex rel J. E. Schwalb, Plaintiff,)	
)	
vs.	)	No. 390 Civil
)	
Lawrence J. Diehl, et al,)	
)	
Defendants.)	

O R D E R

Now on this 11 day of October, 1940, there came on regularly for hearing the duly verified application of the relator in this cause for an order directing the various absent defendants, if they are living, or if they are dead, their unknown heirs, executors, administrators, devisees, legatees, trustees and assigns, to appear and plead, demur or answer the petition by a day certain, and, being duly advised, the Court finds that this is an action to foreclose certain special assessment installment liens heretofore created by the City of Shidler, Oklahoma, in its Street Improvement District No. 2 against certain tracts, pieces and parcels of land, more particularly described in relator's petition, and, being duly advised, the Court finds that such a proceeding is in accordance with the intent and meaning of Section 118, Title 28, U. S. C. A., and that such an order should be made so requiring the said defendants, if they are living, or if they are dead, their unknown heirs, executors, administrators, devisees, legatees, and assigns, to so appear and plead, demur or answer.

The Court further finds that the addresses and the whereabouts of the hereinafter named defendants, if they are living, are unknown, and cannot be ascertained by the relator with the exercise of due diligence, or if they are dead, their names of their executors, administrators, devisees, legatees, trustees and assigns, are wholly unknown to the relator and cannot be ascertained with due diligence, and it is, therefore, proper that proceedings be had against them in the alternate, and that service be had upon them by publication.

The Court further finds that the said real estate herein involved is vacant and unimproved, or if improved such of the defendants as are in possession have heretofore been served personally with summons, and that it is, therefore, unnecessary to serve copies of this order upon any party in possession.

It is, therefore, ordered and decreed that the said application be in all respects granted, and it is ordered that the said defendants

- Unknown trustees, stockholders, directors, successors and assigns of Shidler National Bank, a defunct corporation
- Unknown trustees, stockholders, directors, successors and assigns of American Exchange Bank, a defunct corporation
- Unknown trustees, stockholders, directors, successors and assigns of Bank of Alpena, a defunct corporation
- Unknown trustees, stockholders, directors, successors and assigns of Bonding Co., Inc., a defunct corporation,
- Unknown trustees, stockholders, directors, successors and assigns of Citizens Trust Co., a defunct corporation,
- Unknown trustees, stockholders, directors successors and assigns of First National Bank of Shidler
- Fitzhugh Grovery Co.
- Trustees of I. O. O. F. Lodge No. 90;

and the defendants

Winnie Barker
Joseph Bladl
J. A. Burnett
S. J. Cloud
Izora B. Courton
W. D. Dennis
Henry Desterick
A. I. Effron
Joe Friedman
Scott Hancock
L. L. Hayes
H. Humes
Shannon Johnson
N. O. Lauderdale
Jake Lindsay dba Lind-
say Feed Co.
S. P. McBee
Bert Pierce
D.C. Robinson
Ike Schuman
W.E. Ucker
Geo. A. Whittington
W.A. Hadley

Gus Bass
Nell Brannon
Unknown Executors, Adminis-
trators, Devisees, Trustees
and Assigns, immediate and
remote of R. L. Carroll
Lorene Diehl
Ewell Fee
C. A. Gibson
Jack R. Hayes
Shafica Houra
Alex Hunt
Irene J. Jones
I. P. LeBoeuf
Julia Maranville
Winona G. Casselman
Orlena Pearson
Anna Pitts
George B. Russell
Frank S. Seward
Wheeler Warten
M. E. Young
Robert Harris

if living, or if dead, their unknown heirs, executors, administrators, devisees, legatees, trustees, and assigns, if any, immediate and remote, appear, and plead, demur, or answer the said petition of the relator on or before Wednesday, the 4th day of December, 1940, in the City of Tulsa, within the Northern District of Oklahoma.

It is further ordered that a copy of this order be published in The Osage County News, a weekly newspaper published in the City of Pawhuska, and in general circulation throughout the Northern District of Oklahoma, and that the said publication be made weekly to and including December 4, 1940.

It is further ordered that there be mailed, forthwith, copies of this order, together with copies of the petition to each defendant at his or her last known post office address.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 14 1940
H. P. Warfield, Clerk
U. S. District Court H

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

EVELYN SEBER, otherwise known as OSHARSHA)	
JOHN, et al.,	) Plaintiffs,	
	)	No. 436 CIVIL
-vs-)	
)	
BOARD OF COUNTY COMMISSIONERS OF CREEK)	
COUNTY, OKLAHOMA, et al.,	) Defendants.	

O R D E R

IT IS ORDERED BY THIS COURT that the defendants herein shall be allowed ten (10) days from October the 10th, 1940, in which to file brief in support of their motion to dismiss.

Dated this 14th day of October, 1940.

F. E. KENNAMER
FEDERAL JUDGE

ENDORSED: Filed Oct 14 1940
H. P. Warfield, Clerk
U. S. District Court H

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

HENRIETTA LULA RAMSEY,	) Plaintiff,	
)	
-vs-	)	No. 442 - Civil.
)	
SEARS, ROEBUCK AND COMPANY, a)	
corporation,	) Defendant.	

O R D E R

On this 14th day of October, 1940, by reason of the disability of Dr. W. J. Bryan,

IT IS HEREBY ORDERED that plaintiff be examined with reference to the nature and extent of her alleged injuries and permanent physical disabilities, for which she is suing in this cause, by Dr. C. S. Summers at Tulsa, Oklahoma, and the order heretofore entered in this cause on September 30, 1940 is modified accordingly.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 14 1940
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to October 15, 1940

IT IS FURTHER ORDERED that the said purchasers of said premises, lands and tenements at said sale, aforesaid, be immediately let into possession of said premises, and each and every party thereof.

IT IS FURTHER ORDERED that the assessments sued on in complainants' complaint, be merged in the respective judgments and said respective judgments on the properties described above be, marked satisfied by Special Commissioners Sale; all to be shown on the delinquent paving records of the office of the County Treasurer of Osage County, Oklahoma, and in the office of the City Clerk of Barnsdall, Oklahoma.

IT IS FURTHER ORDERED that out of the funds in the hands of H. M. Curnutt, Special Commissioner, he shall first pay the costs of advertising this sale; and Special Commissioner's fee of \$50.00; and the balance shall be paid to the City Treasurer of Barnsdall, Oklahoma, to be placed to the credit of Street Improvements Refunding District No. 1, Barnsdall, Oklahoma.

F. E. KENNAMER
U. S. DISTRICT JUDGE

ENDORSED: Filed Oct 15 1940
H. P. Warfield, Clerk
U. S. District Court G

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

C. J. LAURISCH, TRUSTEE,	Plaintiff,)
)
vs.		) No. 205 Civil
)
C. T. THOMPSON, et al,	Defendants.)

O R D E R

Now on this 15th day of October, 1940, the same being a regular judicial day of the above court, the application of Noble C. Hood, Receiver of the Seminole Provident Trust, for authority to pay expenses incurred in the operation of the Seminole Provident Trust came on regularly for hearing and the court, being fully advised in the premises, finds that said application should be in all things allowed; NOW, THEREFORE,

IT IS HEREBY ORDERED by the Court that the Receiver be and he is hereby authorized and directed to pay to the persons named the amounts hereinafter set opposite their names:

- | | | |
|----|--|----------|
| 1. | To Ewing, Britton & Hood, Agents -
for rent for the month of September, 1940 | \$ 35.00 |
| 2. | To Inez Bayless - Stenographic work | 5.00 |
| 3. | To the Blackwell Oil & Gas Company for operating
expenses on Ferguson Lease for August, 1940 | 224.22 |
| 4. | To Noble C. Hood for expenses on inspection trip
of all properties in which Seminole Provident Trust
has an interest | 18.00 |
| 5. | To E.W. Jones, Inc. -
For operating expenses on Banta and Lucal Leases
for month of August, 1940 | 120.32 |

6. To Geo. H. Lessley For reporting hearing on application in aid of execution on October 7, 1940 10.00

F. E. KENNAMER
U. S. DISTRICT JUDGE

ENDORSED: Filed Oct 15 1940
H. P. Warfield, Clerk
U. S. District Court H

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

Y. K. MEEHAN, Plaintiff,)
vs) No. 396 CIVIL
J. A. FRATES, JR., Defendant.)

O R D E R

Upon application of counsel for plaintiff in the above styled and numbered cause, and for good cause shown;

IT IS HEREBY ORDERED BY THE COURT that the plaintiff be and she is hereby granted an additional ten (10) days from and after October 15, 1940, within which to file her amended complaint in this case; and it is the further order of this court that the defendant be and he hereby is granted 10 days from and after the service of said amended complaint within which to plead or answer.

Dated this 15th day of October, 1940.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 15 1940
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

MOLLIE DAVIS, nee JONES, Plaintiff,)
v.) No. 926 Equity
EXCHANGE TRUST COMPANY, a Corporation, et al.,)
Defendants.)
UNITED STATES OF AMERICA, Intervener.) CONSOLIDATED WITH
UNITED STATES OF AMERICA, Plaintiff,) No. 471
vs.)
EXCHANGE TRUST COMPANY, a corporation,)
and LINWOOD O. NEAL, Bank Commissioner for the)
State of Oklahoma, Defendants.)

The execution, acknowledgment, delivery and approval of the within and foregoing compromise agreement by the United States for itself and for and on behalf of Mollie Davis, Nee Jones,

deceased, and the beneficiaries named in the deed of trust set forth in plaintiff's petition, is approved by order of the United States District Court for the Northern District of Oklahoma, this the 15th day of October, 1940.

ROYCE H. SAVAGE
Judge of the District Court of the
United States for the Northern District
of Oklahoma.

ENDORSED: Filed Oct 15 1940
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

MOLLIE DAVIS, nee JONES,	Plaintiff,)	
)	
v.		)	No. 926 Equity
)	
EXCHANGE TRUST COMPANY, a corporation, et al,	Defendants.)	
)	
UNITED STATES OF AMERICA,	Intervener,)	
		)	CONSOLIDATED WITH
UNITED STATES OF AMERICA,	Plaintiff,)	
)	
v.		)	No. 471 Civil
)	
EXCHANGE TRUST COMPANY, a Corporation, and LINWOOD O. NEAL, Bank Commissioner for the State of Oklahoma.	Defendants.)	

FINAL DECREE

THIS cause coming on for hearing on the 15th day of October, 1940, at a regular day of a term of this court at Tulsa, Oklahoma, the Honorable Royce H. Savage presiding, whereupon the United States for itself and for and on behalf of Mollie Davis, nee Jones, deceased, her legatees, devisees and heirs, and the beneficiaries named in the deed of trust, plead in plaintiff's petition, appeared the Attorney General of the United States by Charles O. Butler, Assistant to the Attorney General, and Whit Y. Mauzy, United States District Attorney, and Chester A. Brewer, Assistant United States Attorney, Gordon Denton, Executor of the estate of Mollie Davis, nee Jones, deceased, by his attorney, Forrester Brewster, and also appeared the Exchange Trust Company, a corporation, and the defendant Linwood O. Neal, Bank Commissioner for the State of Oklahoma, by their attorney, John M. Wheeler, and thereupon said appearing parties submitted to the court a written compromise agreement, bearing date of October ____, 1940, executed by the plaintiff United States of America, and the defendants, Exchange Trust Company, a corporation, and Linwood O. Neal, Bank Commissioner for the State of Oklahoma; and it appearing that said compromise agreement has been duly and regularly approved by the proper officers representing the Secretary of the Interior, and by the Attorney General of the United States, and the County Court of McIntosh County, Oklahoma, same being the court having jurisdiction of the settlement of the estate of Mollie Davis nee Jones, deceased, and it appearing that the executor of the estate of Mollie Davis, nee Jones, deceased, has approved said agreement for settlement; and it further appearing to the court that said compromise agreement provides that it should be submitted to this court for its approval, and that upon such approval by said court, a final judgment and decree shall be entered and rendered herein

pursuant to and in accordance with said compromise agreement;

That the court having read and considered said compromise agreement, and having heard and considered evidence relative to the merits of the controversies existing between the aforesaid appearing parties in connection with the accounting growing out of the trust deed set forth in said petition and involved herein; and it appearing to the court that it was and is to the best interests of the aforesaid Mollie Davis, nee Jones, deceased, her heirs, legatees, devisees, and beneficiaries under said deed of trust, to make and enter into said compromise agreement, and the court finds that it has jurisdiction of the parties and the subject matter of this action and said compromise agreement is hereby approved and confirmed by this court, and said court being fully advised in the premises.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED pursuant to and in accordance with the said compromise agreement, and upon the above evidence submitted to the court, that judgment be entered herein in favor of the plaintiff and against the defendants, the Exchange Trust Company, a corporation, as former trustee of the trust estate of Mollie Davis, nee Jones, deceased, and individually, an Linwood O. Neal, Bank Commissioner for the State of Oklahoma, in the sum of Forty Thousand (\$40,000.00) Dollars.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Plaintiff herein, by and through proper officers of the Interior Department of the United States of America, or the executor of the estate of Mollie Davis, nee Jones, deceased, as the case may be, shall, by proper assignment, assign the following described deficiency judgments to the defendant, Linwood O. Neal, Bank Commissioner of the State of Oklahoma:

#52769 Exchange Trust Company, trustee
District Court for Mollie Davis, nee Jones
Tulsa County

v.

Cyrus S. Avery, et al

#4766 Equity
Eastern District
of Oklahoma

Mollie Davis, nee Jones

vs.

Ida Q. Beasley

United States of America, Intervener

#6804
District Court
Sequoyah County

Mollie Davis, nee Jones

vs.

A. P. Dustman and Annie Lustman

#24676
District Court
Muskogee County

Exchange Trust Company, Trustee
for Mollie Davis, nee Jones

vs.

W. E. Floyd, et al

#56120
District Court
Tulsa County

Exchange Trust Company, Trustee for
Mollie Davis, nee Jones

vs.

Ross Grossheart, et al

#8394 Exchange Trust Company
District Court
Wagoner County vs.
W. T. Lomax, et al

#14016 Mollie Davis, nee Jones
District Court
Grady County vs.
Arthur M. Allen, B. H. Lowery et al

#1031 Equity Mollie Davis, nee Jones
Northern District vs.
of Oklahoma. A. D. Morton, et al

#4659 Equity Mollie Davis, nee Jones
Eastern District vs.
of Oklahoma Daisy Pybas, et al
United States of America, Intervener

#1097 Equity Mollie Davis, nee Jones
Northern District vs.
of Oklahoma F. F. Rudy, et al
United States of America, Intervener

#1237 Equity E. C. Woodruff, Trustee for Eva May
Northern District Woodruff and Mollie Davis, nee Jones
of Oklahoma vs.
A. Simon
United States of America, Intervener

#4656 Equity Mollie Davis, nee Jones
Eastern District vs.
of Oklahoma J. L. Trammell
United States of America, Intervener

#4714 Equity Mollie Davis, nee Jones
Eastern District of vs.
Oklahoma Allie L. Wilson

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the payment of the aforesaid sum of Forty Thousand (\$40,000.00) Dollars by the defendants to the plaintiff as consideration for a full and complete release and satisfaction of said judgment, that without further order of this court

that said Exchange Trust Company, as former trustee of the trust estate of Mollie Davis, nee Jones, (now deceased) and individually, and Linwood O. Neal, Bank Commissioner of the State of Oklahoma, and their respective bonds and the sureties thereon, be and they are hereby fully released and discharged of any and all liability in connection with said trust estate.

DONE IN Open Court this 15 day of October, 1940.

ROYCE H. SAVAGE
Judge of the District Court of the
United States for the Northern District
of Oklahoma

ENDORSED: Filed Oct 15 1940
H. P. Warfield, Clerk
U. S. District Court B

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

Mollie Davis, nee Jones,	Plaintiff,)	
)	
v.		)	No. 926 Equity
)	
Exchange Trust Company, a Corporation, et al.,	Defendants.)	
)	
United States of America,	Intervener.)	
		)	CONSOLIDATED WITH
UNITED STATES OF AMERICA,	Plaintiff,)	
)	
v.		)	No. 471 Civil
)	
EXCHANGE TRUST COMPANY, a corporation, and LINWOOD O. NEAL, Bank Commissioner for the State of Oklahoma,	Defendants.)	

ORDER DISCHARGING EXCHANGE TRUST COMPANY, THE BANK COMMISSIONER
OF THE STATE OF OKLAHOMA AND THEIR SURETIES AND
BONDSMEN.

Now, on this 15th day of October, 1940, the motion of the Defendants, coming on to be heard and the Court being fully advised in the premises, finds,

That judgment has this day been entered in favor of the United States of America against the said Linwood O. Neal, Bank Commissioner of the State of Oklahoma, for the sum of Forty Thousand (\$40,000.00) Dollars.

The Court further finds that the said Linwood O. Neal has this day paid to the United States of America, or to the Treasurer thereof, the said sum of Forty Thousand (\$40,000.00) Dollars, in full and complete settlement and satisfaction and payment of said judgment.

The Court further finds that the Exchange Trust Company, a corporation, as former trustee under the trust agreement, aforesaid, and the Bank Commissioner of the State of Oklahoma, in charge of liquidation of the Exchange Trust Company, and ex officio successor thereto, should be discharged from all further liability, and that the bondsmen and sureties of the Exchange Trust Company and the said Bank Commissioner of the State of Oklahoma should be released and discharged from any further liability thereon.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said Exchange Trust Company as former trustee under the trust agreement aforesaid, and Linwood O. Neal, Bank Commissioner of the State of Oklahoma, in charge of liquidation of the Exchange Trust Company, are hereby released and discharged from any and all liability to the said plaintiff, or the said Mollie Davis, nee Jones, her heirs, devisees and legatees and the beneficiaries under said trust agreement; and it is further ORDERED, ADJUDGED and DECREED That the sureties and bondsmen of said Exchange Trust Company and the sureties and bondsmen of the said Linwood O. Neal, Bank Commissioner of the State of Oklahoma, be, and they are hereby discharged and said Exchange Trust Company and said Bank Commissioner, for its and his bondsmen, are hereby released and exonerated from all further liability herein.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 15 1940
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to October 16, 1940

On this 16th day of October, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, 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, NORTHERN DISTRICT OF OKLAHOMA

J. H. Rogers, Plaintiff,)
vs) No. 388 - Civil
Empire District Electric Co., Defendant.)

JOURNAL ENTRY

Now on this the 16th day of October, 1940, there comes on for hearing before the Court, the Motion of the Plaintiff to Dismiss said cause without prejudice.

IT IS THEREFORE ORDERED, adjudged and decreed by the Court that said Motion should be sustained and is hereby sustained and said cause is dismissed without prejudice at the cost of the plaintiff.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Oct 18 1940
H. P. Warfield, Clerk
U. S. District Court ME

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.		) No. 434 Civil
)
George Garrett, A. G. Williams and)
H. H. Mundy,	Defendants.)

ORDER OF DISMISSAL

Now on this 16 day of October, 1940, this matter coming on before the Court, and it appearing that the amount sued for herein, together with the interest and court costs have been paid, and that said action should be dismissed;

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

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 16 1940
H. P. Warfield, Clerk
U. S. District Court of O

Court adjourned to October 19, 1940

On this 19th day of October, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer and Hon. Royce H. Savage, Judges, present and presiding.

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

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

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

THE CREEK NATION OF INDIANS, BY ALEX)
NOON, PRINCIPAL CHIEF,	Plaintiff,)
		) No. 367 - Civil
vs.)
)
SINCLAIR OIL & GAS COMPANY, ET AL.,	Defendants.)

ORDER PERMITTING PLAINTIFF TO FILE AMENDED BILL OF
COMPLAINT, AND GRANTING ADDITIONAL TIME FOR
BRIEF

On this 19th day of October, 1940, upon application of the complainant, and for good cause shown,

IT IS BY THE COURT ORDERED that the complainant be, and it is, granted permission to file its amended complaint herein within five (5) days from this date, copies thereof to be furnished to each of the defendants or to the attorneys of record herein, and the said defendants have ten (10) days after delivery of a copy of said bill to file responsive pleadings thereto.

IT IS BY THE COURT FURTHER ORDERED That complainant's counsel shall have ten (10) days additional time from this date in which to file with the Court their brief in answer to the briefs heretofore filed by the defendants, copies thereof to be furnished to defendants' counsel.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 19 1940
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 SELL REAL ESTATE

On this 19th day of October, 1940, upon the application of J. H. McBirney, Successor Trustee, for authority to sell real estate, and it appearing that J. H. McBirney, Successor Trustee, is the owner of the following described real estate, to-wit:

The Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the East Half (E $\frac{1}{2}$) of the East Half (E $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), Section Twenty-two (22), Township Twenty (20) North, Range Thirteen (13) East, Tulsa County, State of Oklahoma;

that said trustee acquired said real estate pursuant to an order entered herein on the 29th day of March, 1936, in satisfaction of notes totaling Three Thousand Dollars (\$3,000.00), executed by L. J. F. Rooney; and it further appearing that the said land above described constitutes a total of fifty (50) acres, but that approximately thirty-five (35) acres thereof is subject to cultivation that said land lies South of Mohawk Park and joins certain coal pits; the West side of the said land abutting said coal pits, and that the land above described has been stripped from coal mining for some distance; that said land stands as a charge upon the books of said trust in the amount of Three Thousand One Hundred Thirty Eight & 89/100 Dollars (\$3,138.89); and it further appearing that the said trustee has an offer from Cecil C. Anderson and Gladys M. Anderson for the purchase of said real estate above described for the sum of Two Thousand Dollars (\$2,000.00), payable as follows: Five Hundred Dollars (\$500.00) in cash, and the balance of Fifteen Hundred Dollars (\$1500.00) payable Fifty Dollars (\$50.00) per month, the deferred payments to bear interest at the rate of five per cent (5%) per annum, and to be secured by a first and prior real estate mortgage covering said land; and it further appearing that the sale of said real estate was arranged by North Syde Realty Company, and a real estate brokerage commission will be due in the event said sale is consummated; that reasonable compensation for said services is five per cent (5%) of the consideration for said real estate, or a real estate brokerage commission of One Hundred Dollars (\$100.00); and it

further appearing that the Advisory Committee, appointed by this court, upon whom notice shall be given of all proposed sales of real estate, have been duly notified of said offer of purchase of said real estate, and have considered the same and have approved said offer, and have recommended that the said trustee sell said real estate for said consideration and upon said terms; and it further appearing that the offer from Cecil C. Anderson and Gladys M. Anderson is the highest and best offer the said trustee has had for said real estate; that said trust is in liquidation and it is probably to the best interest of said trust estate and its beneficiaries to sell said real estate for said consideration and upon the terms above described; and it further appearing that the trustee, J. H. McBirney, has recommended that said real estate be sold for said consideration and upon said terms, and for other good cause,

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

The Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the East Half (E $\frac{1}{2}$) of the East Half (E $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-two (22), Township Twenty (20) North, Range Thirteen (13) East, Tulsa County, State of Oklahoma,

for the sum of Two Thousand Dollars (\$2,000.00), payable as follows: Five Hundred Dollars (\$500.00) upon execution and delivery by the trustee's special warranty deed, and the balance of Fifteen Hundred Dollars (\$1500.00) payable Fifty Dollars (\$50.00) monthly, said deferred payments to bear interest at the rate of five per cent (5%) per annum, and to be secured by a first and prior real estate mortgage covering said land.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized and directed to execute and deliver a trustee's special warranty deed, conveying the land above described to Cecil C. Anderson and Gladys M. Anderson upon payment to him by said Cecil C. Anderson and Gladys M. Anderson of the sum of Five Hundred Dollars (\$500.00), and execution and delivery to him of an installment note evidencing an indebtedness of Fifteen Hundred Dollars (\$1500.00) payable Fifty Dollars (\$50.00) monthly, said deferred payments to bear interest at the rate of five per cent (5%) per annum, as well as the execution and delivery to him of a real estate mortgage covering the land above described, and securing the payment of the said installment note evidencing the indebtedness of Fifteen Hundred Dollars (\$1500.00) and interest.

IT IS FURTHER ORDERED that the sale of the land above described by J. H. McBirney, Successor Trustee, to Cecil C. Anderson and Gladys M. Anderson, for the consideration and upon the terms above set forth, be and the same is hereby ratified and approved.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to pay to North Syde Realty Company a real estate brokerage commission in the amount of One Hundred Dollars (\$100.00) as payment in full for their services as real estate brokers in arranging the sale of the above described real estate, upon condition that said sale be fully consummated.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Oct 19 1940
H. P. Warfield, Clerk
U. S. District Court G

Chester A. Brewer, Assistant United States Attorney, for said district; and it being shown to the Court that the defendants, Claude Shannon, Fred G. Drummond and Earl Burton, have been regularly served with summons in this cause more than 20 days prior to this date, and that said defendants have failed to answer, demur or otherwise plead herein, the Court finds that they are in default, and that plaintiff is entitled to judgment against said defendants. The Court further finds that the sum of \$10.00 has been paid on the indebtedness sued on herein, leaving a balance due in the sum of \$68.00, for which plaintiff is entitled to judgment.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf, and in behalf of Louis Copperfield, Osage Allottee No. 671, et al, have and recover judgment against the defendants, Claude Shannon, Fred G. Drummond and Earl Burton, and each of them, in the sum of \$68.00, with interest thereon at the rate of 6% per annum from August 1, 1936, until paid, and for all costs of this action, for which let execution issue.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
Oct 21 1940
H. P. Warfield, Clerk
U. S. District Court ME

IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OKLAHOMA

NO. 198.

Lilia Quapaw Hanson, Plaintiff,)
)
)
)
)
)
)
)
Agnes Quapaw Hoffman, et al, Defendants.)

ORDER

On this the 21st day of October, 1940, the plaintiff appeared in open court by her attorney, Dick Rice, and requested that she be given thirty days from this date in which to file an amended complaint in the above entitled cause, which request is by the court granted.

It is therefore considered, ordered and adjudged that the plaintiff Lilia Quapaw Hanson be and is authorized to file an amended complaint in this cause within thirty days from this date.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 21 1940
H. P. Warfield, Clerk
U. S. District Court ME

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.		) No. 291 Civil
)
Thomas Bellieu,	Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this 21 day of October, 1940, this matter coming on before the Court for a default judgment, plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district; and it being shown to the Court that the defendant, Thomas Bellieu, has been duly and regularly served with summons and a copy of the complaint in this cause more than 20 days prior to this date, and that said defendant has failed to answer, demur or otherwise plead herein, the Court finds that said defendant is in default and that plaintiff is entitled to judgment as prayed in its complaint herein.

The Court further finds that the following described land located in Osage County, Oklahoma, to-wit:

North Half of Southwest Quarter of Northwest
Quarter of Section Twenty-three (23), Township
Twenty-five (25) North, Range Nine (9) East,

is restricted Indian land belonging to Margaret Stabler, 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, Thomas Bellieu, should be restrained and enjoined from interfering with the possession, management and control of said land by the Secretary of the Interior, or his authorized representative, the Superintendent of the Osage Indian Agency.

IT IS THEREFORE THE ORDER, ADJUDGED AND DECREED that the defendant, Thomas Bellieu, be, and he hereby is permanently restrained and enjoined from interfering with the possession, management and control of the following described land, located in Osage County, Oklahoma, to-wit:

North Half of the Southwest Quarter of Northwest
Quarter of Section Twenty-three (23), Township
Twenty-five (25) North, Range Nine (9) East.

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

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
Oct 21 1940
H. P. Warfield, Clerk
U. S. District Court ME

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

O. A. Farrell, Receiver in Case)	
#1155 Equity,	Plaintiff,)
	)	No. 316 Civil
vs.)	
)	
S. S. Kennedy and Amy Kennedy,	Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 21 day of October, 1940, this cause came on before Honorable Royce H. Savage, Judge presiding, on the complaint of the plaintiff and the default of the defendants, plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district; and it being shown to the Court that the defendants, S. S. Kennedy and Amy Kennedy, have been regularly served with summons in this cause more than 20 days prior to this date, and that said defendants have failed to answer, demur or otherwise plead herein, the Court finds that they are in default, and that plaintiff is entitled to judgment against said defendants as prayed in the complaint herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in behalf of Simon Henderson, Osage Allottee No. 757, have and recover judgment against the defendants, S. S. Kennedy and Amy Kennedy, and each of them, in the sum of \$375.00, with interest thereon at the rate of 6% per annum from April 1, 1938, until paid, and for all costs of this action, for which let execution issue.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
Oct 21 1940
H. P. Warfield, Clerk
U. S. District Court ME

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

UNITED STATES OF AMERICA,	Plaintiff,)
)	
vs.	)	No. 376 Civil
)	
Arthur Brown, Amie Brown, Bertha Sutton,)	
Elizabeth Vann, Stacy Sloss, Blanche Sloss,)	
Tennie Wedey, Josie Mae Wedey, Ed Porter,)	
T. R. Roan, Louis Rowe, O. T. Riley, Henry)	
Lewis, and Lavinia Morris,	Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 21 day of October, 1940, this cause coming on before the Court for a default judgment, plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district; and it being shown to the Court that the defendants, Arthur Brown, Amie Brown, Bertha Sutton, Stacy Sloss, Blanche Sloss, Tennie Wedey, Josei Mae Wedey, Ed Porter, T. R. Roan, Louis Rowe, O. T. Riley and Henry Lewis, have ach been duly and regularly served with summons and a copy of the complaint in this cause more than 20 days prior to this date, and that none of said defendants has answered, demurrered or otherwise pleaded herein, and are in default, the Court finds that plaintiff is entitled

to judgment in said case, against said defendants. It being further shown to the Court that the defendants, Elizabeth Vann and Lavinia Morris couldnot be found in this district and have not been served with said notice, the Court finds that this cause should be dismissed as to said defendants.

The Court further finds that the following described land, located in Osage County, Oklahoma, to-wit:

Lot Seven (7) and the Southeast Quarter of Southwest Quarter of Section Six (6), Township Twenty-four (24) North, Range Six (6) East,

is restricted Indian land belonging to Mary Morton West, Charles West and Harold West, restricted Osage Indians, 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 defendants, Arthur Brown, Amie Brown, Bertha Sutton, Stacy Sloss, Blanche Sloss, Tennie Wedey, Josie Mae Wedey, Ed Porter, T. R. Roan, Louis Rowe, O. T. Riley and Henry Lewis, should be restrained and enjoined from interfering with the possession, management and control of said land by the Secretary of the Interior, or his authorized representative, the Superintendent of the Osage Indian Agency.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendants, Arthur Brown, Amie Brown, Bertha Sutton, Stacy Sloss, Blanche Sloss, Tennie Wedey, Josie Mae Wedey, Ed Porter, T. R. Roan, Louis Rowe, O. T. Riley and Henry Lewis, be, and they are hereby permanently restrained and enjoined from interfering with the possession, management and control of the following described land, located in Osage County, Oklahoma, to-wit:

Lot Seven (7), and the Southeast Quarter of Southwest Quarter of Section Six (6), Township Twenty-four (24) North, Range Six (6) East.

IT IS THE FURTHER ORDER AND JUDGMENT of the Court that this cause be dismissed as to the defendants, Elizabeth Vann and Lavinia Morris.

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

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed in open court
Oct 21 1940
H. P. Warfield, Clerk

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

UNITED STATES OF AMERICA, Plaintiff,)
)
vs.) No. 393 Civil
)
L. B. Blankenship, Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this 21 day of October, 1940, the cause coming on before the Court, pursuant to regular assignment, plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and it being shown to the Court that the defendant, L. B. Blankenship, has been duly and regularly served with summons in this cause more than 20 days prior to this date, and is in default; and it being

further shown to the Court that after the institution of this action, and on June 27, 1940, the defendant entered into an approval Departmental lease covering the land involved in this cause of action and that plaintiff is not entitled to an order restraining and enjoining said defendant from interfering with the possession, management and control of the land described in plaintiff's complaint.

The Court further finds that at the time of the institution of this action defendant was occupying said premises without a lease or any other authority, and that the plaintiff, United States of America, is entitled to a judgment for the court costs in this cause of action.

IT IS THEREFORE ADJUDGED AND DECREED that the plaintiff, United States of America, have and recover judgment against the defendant, L. B. Blankenship in the sum of \$38.45, to cover the court costs in this cause of action.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
Oct 21 1940
H. P. Warfield, Clerk
U. S. District Court ME

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

United States of America, Plaintiff,)
)
)
)
)
)
)
-vs-)
)
Madge M. Carriger and J. M. Carriger, Defendants.)
)

No. 437 Civil

O R D E R

Now on this 21st day of October, 1940, there comes on for hearing the application of the defendants, Madge M. Carriger and J. M. Carriger, for an additional time within which to answer. The defendants are represented by their attorney, R. A. Barney, and the court, being fully advised in the premises, and for good cause shown, finds that the defendants should be given thirty (30) days from this date within which time to file their answer herein.

IT IS, THEREFORE, BY THE COURT, CONSIDERED, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be, and they are, hereby given thirty (30) days from this date within which to file their answer.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed Oct 22 1940
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to October 22, 1940

On this 22nd day of October, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1940 Term at Vinita, met pursuant to adjournment, Hon. Royce H. Savage and Hon. F. E. Kennamer, Judges, present and presiding.

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

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 22nd day of October, A.D. 1940, it being made satisfactorily to appear that Joshua Johnson Evans is duly qualified for admission to the Bar of the Court. Thereupon, it is ordered by the Court that said oath be administered and said attorney is declared admitted to the Bar of the Court. It is further ordered that Joshua Johnson Evans be permitted to sign the Oath and Roll of Attorneys as Joshua Evans. (R.H.S. J)

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

GEORGE CHISHOLM, ADMINISTRATOR OF THE)
ESTATE OF LESSEY HAWKINS CHISHOLM, NEE)
YARHOLD, DECEASED, Plaintiff,) NO. 387 - CIVIL
v.)
H. G. HOUSE, SHELL OIL COMPANY, INCORPORATED,)
ET AL., Defendants.)

JOURNAL ENTRY

Now on this 22nd day of October, 1940, this cause came on for hearing at Vinita, Oklahoma, upon the separate motions to dismiss filed on behalf of defendants, A. J. Martin D. W. Johnston, Washington Grayson, Lake Moore, and Shell Oil Company, Incorporated, and all parties being present and represented by their respective counsel, the court being fully advised in all the premises, is of the opinion that said motions, and each of them, should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the several motions to dismiss of the defendants above named, and each of them, are hereby sustained, to which ruling plaintiff requests exceptions and exceptions are allowed. The court further finds that it is without venue to hear and consider the remaining issues raised herein and therefore dismisses the entire cause, without prejudice, discharging the defendants, and each of them, with their costs herein expended.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Oct 30 1940
H. P. Warfield, Clerk
U. S. District Court

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

Grand River Dam Authority,	Plaintiff,)
)
vs.		) No. 392 Civil
)
United States of America, Bushyhead O'Field,)
et al,	Defendants.)

C R E R

Now on this 22nd day of October, 1940, this matter coming on before the Court upon the application of the United States of America to withdraw its motion to dismiss, filed herein on June 15, 1940, and it appearing to the Court that for its grounds the motion alleged that the lands involved in this cause of action were restricted Indian lands, and that before the United States could be sued in such action it was necessary that the Secretary of the Interior of the United States of America consent to the maintenance of such motion, and it further appearing to the Court that since the filing of said motion to dismiss the Secretary of the Interior of the United States of America has consented to the maintenance of this action, and that said motion to dismiss should be withdrawn.

IT IS THEREFORE THE ORDER of the Court that said motion to dismiss be, and the same is hereby withdrawn.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 22 1940
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to October 23, 1940

On this 23rd day of October, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1940 Term at Vinita, met pursuant to adjournment, Hon. Royce H. Savage and Hon. F. E. Kennamer, Judges, present and presiding.

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

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Plaintiff,)
)
v.		) No. 420 Civil
)
Edith Fuller,	Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this 23rd day of October, 1940, this cause came on to be heard in open court before the Honorable Royce H. Savage, Judge presiding, pursuant to regular assignment, plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Joe W. Howard, Assistant United States Attorney for said District, and it being shown to the Court that the above named defendant has been regularly served with summons and a copy of the complaint in this cause more than Twenty (20) days prior to this date and it further appearing that she has failed to answer or otherwise plead herein, she is, by the Court, declared to be in default, and the Court finds that plaintiff is entitled to judgment as demanded by its complaint in this cause.

IT IS, THEREFORE, THE ORDER AND JUDGMENT of the Court that the plaintiff, in its own behalf, and in behalf of the Federal Housing Administration, have and recover judgment against the defendant, Edith Fuller, in the sum of One Hundred Forty-six Dollars and Eighty-three Cents (\$146.83) with interest thereon at the rate of Six per cent (6%) per annum from August 24, 1939 until paid, and for costs of this action.

Let execution issue.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
Oct 23 1940
H. P. Warfield, Clerk
U. S. District Court ME

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,)
)
)
)
)
)
v.)
)
)
A. C. Holmburg and Dora Holmburg, Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 23rd day of October, 1940, this cause came on to be heard in open court before the Honorable Royce H. Savage, Judge presiding, pursuant to regular assignment, plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Joe W. Howard, Assistant United States Attorney for said District, and it being shown to the Court that the above named defendants have been regularly served with summons and a copy of the complaint in this cause more than Twenty (20) days prior to this date, and it further appearing that they have failed to answer or otherwise plead herein, they are, by the Court, declared to be in default, and the Court finds that plaintiff is entitled to judgment as demanded by its complaint in this case.

IT IS, THEREFORE, THE ORDER AND JUDGMENT of the Court that the plaintiff, in its own behalf, and in behalf of the Federal Housing Administration, have and recover judgment against the defendants, A. C. Holmburg and Dora Holmburg, in the sum of Two Hundred Sixty-two Dollars and Eighty-three Cents (\$262.83) with interest thereon at the rate of Six Per Cent (6%) per annum from August 29, 1939 until paid, and for costs of this action.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
Oct 23 1940
H. P. Warfield, Clerk
U. S. District Court ME

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Plaintiff,)
)
V.		) No. 454 Civil
)
Cecil P. Fitzsimmons and)
Leona N. Fitzsimmons,	Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 23rd day of October, 1940, this cause came on to be heard in open court before the Honorable Royce H. Savage, Judgepresiding, pursuant to regular assignment, plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Joe W. Howard, Assistant United States Attorney for said District and it being shown to the Court that the above named defendants have been regularly served with summons and a copy of the complaint in this cause more than Twenty (20) days prior to this date, and it further appearing that they have failed to answer or otherwise plead herein, they are, by the Court, declared to be in default, and the Court finds that plaintiff is entitled to judgment as demanded by its complaint in this case.

IT IS, THEREFORE, THE ORDER AND JUDGMENT of the Court that the plaintiff, in its own behalf and in behalf of the Federal Housing Administration, have and recover judgment against the defendants, Cecil P. Fitzsimmons and Leona N. Fitzsimmons, in the sum of Four Hundred Seventy-three Dollars and Eighty Cents (\$473.80) with interest thereon at the rate of Eight Per Cent (8%) per annum from May 18, 1939, until paid, and for costs of this action.

ROYCE H. SAVAGE
JUDGE

ENDORSED: FILED In Open Court
Oct 23 1940
H. P. Warfield, Clerk
U. S. District Court ME

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

Grand River Dam Authority, a public corporation,	Petitioner,)
)
-vs-		) CIVIL NO. 474
)
Seneca-Cayuga Tribe of Oklahoma, a corporation, et al.,	Defendants.)

ORDER FIXING TIME FOR THE APPOINTMENT OF COMMISSIONERS
AND PRESCRIBING FORM OF NOTICE

NOW, on this 23 day of October, 1940, the above entitled and numbered cause coming on to be heard, upon the application of the petitioner herein for an order of the Judge of this Court fixing the date for the appointment of three (3) disinterested freeholders of said Northern District of Oklahoma, as commissioners, to inspect said real property involved herein and consider the injuries sustained by reason of the condemnation and appropriation of the absolute, entire and unencumbered fee simple title to said lands, for public use and benefit, as alleged in the petition for condemnation filed herein, and for an order of the Judge of this Court prescribing notice to be

given said defendants in said cause, of the time and place when the Judge of this Court will appoint said commissioners; the petitioner appearing by Q. B. Boydston, Assistant counsel.

It appearing to the Judge of this Court that petitioner has filed its petition in the above styled and numbered cause for the condemnation and appropriation of the absolute, entire and unencumbered fee simple title to the lands described in the petition for condemnation heretofore filed, for use in connection with the construction, equipment, operation and maintenance of the Pensacola Dam and hydroelectric power plant on Grand River, and for the purpose of developing and generating electric energy for sale and distribution.

It appearing to the Judge of this Court that under the law applicable in such case it is necessary that the Judge of this Court appoint three (3) disinterested freeholders of the Northern District of Oklahoma as commissioners to be selected by the Judge of this Court, according to law, to inspect the lands and consider the injuries sustained by reason of the condemnation and appropriation of said lands described in the petition for condemnation and appropriation of said lands described in the petition for condemnation filed herein, for public use and benefit.

It further appearing that the Judge of this Court should prescribe the Notice to be given to the defendants in said cause of the time and place that the Judge of this Court will appoint said commissioners.

IT IS THEREFORE ADJUDGED AND DECREED by the Judge of this Court that Notice be given said defendants, and each of them, and all persons claiming any right, title, interest or possession in and to the lands involved, personally, by serving a copy of said notice upon said defendants, and each of them, said notice to be served by the United States Marshal of the District and State in which said defendants, and each of them, may reside, and said notice to be signed by the attorneys for the petitioner, Grand River Dam Authority, a public corporation, and duly attested by the Clerk of this Court, notifying said defendants, and each of them, that the application of the petitioner for the appointment of three (3) disinterested freeholders in the Northern District of Oklahoma, as commissioners to inspect said real property and consider the injuries which the owners thereof, or persons having some right, title or interest therein, may have sustained or will sustain by reason of the condemnation and appropriation of said property for public use, will be heard before the Judge of this Court, at Tulsa, Oklahoma, on the 30th day of December, 1940, at the hour of ten o'clock A.M., or as soon thereafter as counsel may be heard, and that said defendants, and each of them, may appear if they so desire.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Judge of this Court that in the event the petitioner is unable to obtain personal service of the notice upon any of said defendants to said action, notifying them of the hearing of the petitioner's application for the appointment of three (3) disinterested freeholders in said Northern District of Oklahoma, as aforesaid, that the petitioner may apply to the Judge of this Court for an Order directing the public of such notice as the Judge of this Court may prescribe to said defendant.

ROYCE H. SAVAGE
JUDGE OF THE DISTRICT COURT OF THE UNITED
STATES IN AND FOR THE NORTHERN DISTRICT OF
OKLAHOMA

ENDORSED: Filed Oct 23 1940
H. P. Warfield, Clerk
U. S. District Court AC

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,)	
	)	No. 877 Equity
vs.)	
)	
EXCHANGE NATIONAL COMPANY, a corporation, et al,)	
	)	Defendants.

ORDER AUTHORIZING TRUSTEE TO RELEASE JUDGMENT AS TO SPECIFIC
REAL ESTATE

On this 19th day of October, 1940, upon the application of J. H. McBirney, Successor Trustee, for authority to release a judgment against specific real estate; and it appearing that the said J. H. McBirney obtained a judgment on the 16th day of October, 1937, against Boone Rose and Calla Rose, in cause No. 58585 in the District Court of Tulsa County, Oklahoma, in the principal sum of Five Thousand Twenty & 30/100 Dollars (\$5,020.30); together with interest to the date of judgment in the amount of Two Thousand Seven Hundred Eighty Three & 41/100 Dollars (\$2,783.41), plus the sum of Four Hundred Eighty Five & 31/100 Dollars (\$485.31), advanced for taxes, less the sum of Eight Hundred Fifty Nine & 22/100 Dollars, the net amount received as rentals from said real estate, plus the sum of Five Hundred Dollars (\$500.00) as attorney fees, together with the costs of the action and interest upon said judgment, which said judgment is subject to a credit of Twenty Five Hundred Dollars (\$2500.00), the amount bid for the real estate foreclosed in said action; and it further appearing that the judgment debtors were the owners of

Lot Eight (8), Block Thirty Nine (39), Oak Ridge Second Addition
to the City of Sand Springs, Tulsa County, Oklahoma,

but that ad valorem taxes levied and assessed against said real estate had remained unpaid for a number of years, and that the said real estate above described was sold by the County Treasurer of Tulsa County, Oklahoma, to satisfy the unpaid and delinquent ad valorem taxes, and that Louis C. B. Linker purchased said real estate; and the court further finds that the said lien of the judgment above referred to constitutes a lien and cloud against the title of said lot and real estate; and the court further finds that if the lien of said judgment had been enforced against the said real estate above described, the trustee herein would have been required to pay the taxes due thereon; and further finds that the real estate above described is of relatively small value; and the court further finds that Louis C. B. Linker has offered to pay to said J. H. McBirney, Successor Trustee, the sum of Twenty Five Dollars (\$25.00) for a release of said judgment insofar as it affects the above described real estate; and it further appearing that it is to the best interest of said trust estate and to its beneficiaries to release said judgment insofar as it covers and affects the real estate above described, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to release judgment obtained by him, as plaintiff, against Boone Rose and Calla Rose, defendants, in cause No. 58585, District Court of Tulsa County, Oklahoma, on the 16th day of October, 1937, insofar as the said judgment covers and affects

Lot Eight (8), Block Thirty Nine (39), Oak Ridge Second Addition
to the City of Sand Springs, Tulsa County, Oklahoma,

for the sum of Twenty Five Dollars (\$25.00).

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to execute and deliver a partial release of said judgment, insofar as it covers and affects

the real estate above described, upon receipt by him of said sum of Twenty Five Dollars (\$25.00).

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Oct 23 1940
H. P. Warfield, Clerk
U. S. District Court G

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,)
) No. 877 Equity
vs.)
)
EXCHANGE NATIONAL COMPANY, a)
corporation, et al,) Defendants.)

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 22d day of October, 1940, upon the application of J. H. McBirney, Successor Trustee, for authority to sell real estate; and it appearing that among the assets coming into the hands of said trustee was a note, dated November 24, 1930, executed by W. E. Disney and Anna V. Disney, as makers, to Exchange National Company, for the principal sum of Five Thousand Five Hundred Dollars (\$5,500.00), upon which there was due the principal sum of Five Thousand Four Hundred Seven & 87/100 Dollars (\$5,407.87), together with interest thereon, and that said note was secured by a first and prior real estate mortgage covering

Lot Two (2) in Block Seven (7) in Hickory Manor Addition to
the City of Tulsa, Tulsa County, Oklahoma;

and it further appearing that because of the inability of the trustee to collect said note he instituted cause No. 64641 in the District Court of Tulsa County, Oklahoma, and recovered judgment therein on the 3rd day of January, 1939, against W. E. Disney and Anna V. Disney for the principal sum of Five Thousand Four Hundred Seven & 87/100 Dollars (\$5,407.87), together with interest to the date of judgment in the amount of Three Thousand Nine Hundred Seventy & 29/100 Dollars (\$3,970.29), plus an attorney's fee of Five Hundred Dollars (\$500.00), which said judgment was credited with the sum of One Thousand Four Hundred Seventy Nine & 66/100 Dollars (\$1,479.66), being the net amount of rents received from said real estate, and for the foreclosure of said real estate mortgage; that pursuant to appropriate proceedings therefor, said real estate was sold by the Sheriff of Tulsa County, Oklahoma, and J. H. McBirney, Successor Trustee, purchased said real estate at said Sheriff's sale, bidding therefor the sum of Five Thousand Four Hundred Dollars (\$5,400.00) which was credited upon said judgment.

The court further finds that J. H. McBirney, Successor Trustee, is the present owner and holder of legal title to said real estate above described, and that said real estate is improved with a brick veneer house, 38' x 45', containing 6 rooms and a breakfast room, and a basement 15' x 20', and that said house is equipped with a furnace and that said premises are further improved with a two-car frame garage, 18' x 18'.

The court further finds that the books and records of said trust disclose an investment in said real estate of Five Thousand Seven Hundred Fifty One & 57/100 Dollars (\$5,751.67), and rental receipts of Two Thousand Three Hundred Forty Nine & 01/100 Dollars (\$2,349.01), or a net balance

of Three Thousand Four Hundred Twelve & 12/66 Dollars (\$3,412.66), without computation of any interest upon said sum invested therein.

The court further finds that the trustee herein has an offer from Daniel Mount Lemon and Mary A. Lemon for the purchase of said real estate and improvements, for the sum of Five Thousand Dollars (\$5,000.00) in cash, and further finds that the members of the Advisory Committee, appointed by this court, upon whom notice shall be given of proposed sales of real estate, have been notified of said offer, and have considered the same and have approved said offer and recommended that said trustee sell said real estate for said cash consideration.

The court further finds that Pearl Andrews, a real estate broker in the City of Tulsa, arranged the sale of said real estate, and is entitled to compensation for her said services; that five per cent (5%) of the consideration for said sale is reasonable compensation for said services, and that said Pearl Andrews should be paid the sum of Two Hundred Fifty Dollars (\$250.00) as compensation in full for her said services, upon completion of said sale.

The court further finds that the sum bid for said property approximates its cash value; that the said trust is in liquidation; that it probably to the best interest of the said trust and its beneficiaries that said real estate be sold for said cash consideration, and further finds that the trustee herein, J. H. McBirney, has recommended the sale of said real estate for said cash consideration, and for other good cause,

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

Lot Two (2) in Block Seven (7) in Hickory Manor Addition to the City of Tulsa, Tulsa County, Oklahoma,

for the sum of Five Thousand Dollars (\$5,000.00) in cash.

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 to Daniel Mount Lemon and Mary A. Lemon, upon receipt by him of the sum of Five Thousand Dollars (\$5,000.00).

IT IS FURTHER ORDERED that the sale of the real estate above described, by J. H. McBirney, Successor Trustee, to Daniel Mount Lemon and Mary A. Lemon, be and the same is hereby ratified and approved.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to pay to Pearl Andrews a real estate commission, in the sum of Two Hundred Fifty Dollars (\$250.00), upon completion of the sale authorized herein.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Oct 23 1940
H. P. Warfield, Clerk
U. S. District Court G

Court adjourned to October 25, 1940

regular order of setting on the application of Reuben R. Huffaker and Bessie B. Huffaker for the disbursement of the sum of \$1809.00 to them. It being made to appear to the Court that due notice of hearing on said application has been given to all persons interested in said fund, that no objection nor protest have been filed, nor has any other person claimed said fund. It was then shown to the Court that plaintiff has taken, pursuant to its delegated power of eminent domain, those certain lands heretofore belonging to the applicants herein, described in the petition herein filed as Tract No. 6, 25 GR-D-1352; 6-A, and that the damages occasioned by the appropriation of said lands has been determined by this Court, in the sum of \$3609.00, that the plaintiff has heretofore paid on said award the sum of \$1800.00, leaving a balance due thereon in the sum of \$1809.00, which money the plaintiff has paid into Court for the benefit of these applicants.

It was further made to appear to the Court that taxes against said land for the year of 1939 and all prior years have heretofore been paid and that the applicants herein are the sole and only owners of said fund.

IT IS THEREFORE ORDERED that the Clerk of this Court do disburse and pay the sum of \$1809.00 to Reuben R. Huffaker, Bessie B. Huffaker, and their attorneys, L. Keith Smith and Frank Nesbitt.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 25 1940
H. P. Warfield, Clerk
U. S. District Court

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

IN THE MATTER OF THE COMPENSATION AND EXPENSES	)	CIVIL NOS. 232 - 263 -
OF THE COMMISSIONERS APPOINTED BY THIS COURT	)	303 - 304 -
TO APPRAISE LANDS IN THE GRAND RIVER DAM AUTHORITY	)	322 - 324 -
CONDEMNATION CASES	)	329 - 332 -
		370 - 392

O R D E R

This matter coming on to be heard on this the 25th day of October, 1940, after having been regularly set down for hearing and reasonable notice given; the Grand River Dam Authority appearing by Q. B. Boydston, Assistant Counsel, and the commissioners appointed by this Court, Ed Soph, Henry Hoffman and Dan Bishop, appearing in person; and the Court having examined the claims of said commissioners in Civil Cases No. 232 - 263 - 303 - 304 - 322 - 324 - 329 - 332 - 370 and 392, and having heard the testimony of witnesses sworn and examined in open Court, finds that the claims of said commissioners for per diem, expenses and mileage is correct, due and owing said commissioners.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the claims of said commissioners as filed with the Clerk of this Court in Civil Cases No. 232 - 263 - 303 - 304 - 322 - 324 - 329 - 332 - 370 and 392, be, and they are hereby approved and allowed; and

IT IS THE FURTHER ORDER of this Court that said commissioners are allowed the sum of Ten Dollars (\$10.00) per day each, and actual expenses and mileage of five cents (.05) per mile actually traveled by each commissioner while using his own automobile in the performance of his duty as such commissioner.

IT IS THE FURTHER ORDER of this Court that the Grand River Dam Authority deposit

with the Clerk of this Court the amount claimed by said commissioners, Ed Soph, Henry Hoffman and Dan Bishop, in the following cases and in the following amounts:

CIVIL CASE NO. 232 (Tract No. 6)	\$ 125.18
CIVIL CASE NO. 263 (Tract No. 2)	\$ 220.00
CIVIL CASE NO. 303	\$ Supplemental Report to be filed
CIVIL CASE NO. 304 (Tract No. 3)	\$ No expenses claimed
CIVIL CASE NO. 322	\$ 245.25
CIVIL CASE NO. 324	\$ 171.95
CIVIL CASE NO. 329	\$ 247.00
CIVIL CASE NO. 332	\$ 133.20
CIVIL CASE NO. 370	\$ 256.05
CIVIL CASE NO. 392	\$ 72.35

and that the Clerk of this Court be, and he is hereby directed to disburse to each commissioner the amount due him as shown by the claims of said commissioners.

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

ENDORSED: Filed Oct 25 1940
H. P. Warfield, Clerk
U. S. District Court B

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

Grand River Dam Authority, a public corporation,	Petitioner,)	
)	
		)	CIVIL NO. 322
)	
-vs-)	
)	
William H. Kneeland, et al.,	Defendants.)	

O R D E R

NOW, on this 25th day of October, 1940, there coming on for hearing the application of the petitioner, to discharge Edward Soph, Henry Hoffman and Dan Bishop as commissioners herein; the petitioner appearing by its Assistant Counsel, Q. B. Boydston, and the commissioners appearing in person; and it appearing to the Court that the petitioner's application for discharge alleges that said commissioners have failed to perform their duties as such commissioners and as directed by this Court, and it further appearing that said commissioners have this day filed their report, assessing the damages sustained by the owners of the lands herein, and that they have performed their duties as such commissioners and nothing further remains to be done or performed by said commissioners, and that petitioner's application should be denied.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the application of the petitioner, Grand River Dam Authority, a public corporation, to discharge Edward Soph, Henry E. Hoffman and Dan Bishop, as commissioners, should be denied.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 25 1940
H. P. Warfield, Clerk
U. S. District Court B

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

Grand River Dam Authority, a public corporation,	Petitioner,)	
)	
		)	CIVIL NO. 332
-vs-)	
)	
Charlotte J. Landrum, et al.,	Defendants.)	

O R D E R

NOW, on this 25th day of October, 1940, there coming on for hearing the application of the petitioner to discharge Edward Soph, Henry E. Hoffman and Dan Bishop as commissioners herein; the petitioner appearing by its Assistant Counsel, Q. B. Boydston, and the commissioners appearing in person; and it appearing to the Court that the petitioner's application for discharge alleges that said commissioners have failed to perform their duties as such commissioners and as directed by this Court, and it further appearing that said commissioners have this day filed their report, assessing the damages sustained by the owners of the lands herein, and that they have performed their duties as such commissioners and nothing remains to be done or performed by said commissioners, and that petitioner's application should be denied.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the application of the petitioner, Grand River Dam Authority, a public corporation, to discharge Edward Soph, Henry E. Hoffman and Dan Bishop, as commissioners, should be denied.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 26 1940
H. P. Warfield, Clerk
U. S. District Court B

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

Grand River Dam Authority, a public corporation,	Petitioner,)	
)	
		)	CIVIL NO. 370
-vs-)	
)	
United States of America, Clarence Winney, et al.,	Defendants.)	

O R D E R

NOW, on this 25th day of October, 1940, there coming on for hearing the application of the petitioner to discharge Edward Soph, Henry E. Hoffman and Dan Bishop as commissioners herein; the petitioner appearing by its Assistant Counsel, Q. B. Boydston, and the commissioners appearing in person; and it appearing to the Court that the petitioner's application for discharge alleges that said commissioners have failed to perform their duties as such commissioners, and as directed by this Court, and it further appearing that said commissioners have this day filed their report, assessing the damages sustained by the owners of the lands herein, and that they have performed their duties as such commissioners and nothing further remains to be done or performed by said commissioners, and that petitioner's application should be denied.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the application of the petitioner, Grand River Dam Authority, a public corporation, to discharge Edward Soph, Henry E.

Hoffman and Dan Bishop, as commissioners, should be denied.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 25 1940
H. P. Warfield, Clerk
U. S. District Court B

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

Grand River Dam Authority, a public
corporation,

Petitioner,)

) CIVIL NO. 392

-vs-

United States of America; Bushyhead
O'Fields, et al.,

Defendants.)

O R D E R

NOW, on this 25th day of October, 1940, there coming on for hearing the applica-
tion of the petitioner to discharge Edward Soph, Henry E. Hoffman and Dan Bishop as commis-
sioners here-
in; the petitioner appearing by its Assistant Counsel, Q. B. Boydston, and the commissioners appearing
in person; and it appearing to the Court that the petitioner's application for discharge alleges that
said commissioners have failed to perform their duties as such commissioners, and as directed by this
Court, and it further appearing that said commissioners have this day filed their report, assessing
the damages sustained by the owners of the lands herein, and that they have performed their duties as
such commissioners and nothing further remains to be done or performed by said commissioners, and that
petitioner's application should be denied.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the application
of the petitioner, Grand River Dam Authority, a public corporation, to discharge Edward Soph, Henry
E. Hoffman and Dan Bishop, as commissioners, should be denied.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 26 1940
H. P. Warfield, Clerk
U. S. District Court B

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Earl D. Alford, Administrator of the Estate of Mamie M. Weidman, deceased, plaintiff, and Dave McConnell, Charles F. Barrett, Adjutant General of the State of Oklahoma, and Maryland Casualty Company, a corporation, defendants, No. 2502 Law, the judgment of the district court in said cause entered on April 19, 1939, was in the following words, viz:

* * * * *

"It is, therefore, in open court on this 6th day of April, 1939, ordered considered and adjudged that the renewal of motion for directed verdict of Dave McConnell, be, and the same hereby is overruled, to which the defendant, Dave McConnell, excepts, and exceptions are allowed; and that the motion for new trial of said defendant, Dave McConnell, be, and the same hereby is overruled to which the defendant, Dave McConnell, excepts, and exceptions are allowed.

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

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

"It is further ordered, considered and adjudged now on this 6th day of April, 1939, in open court, that plaintiff have and recover judgment herein, and judgment is hereby rendered in favor of said plaintiff and against said defendants, and each of them, on plaintiff's second cause of action herein, in accordance with and upon the verdict of the jury, for the use and benefit of the estate of Mamie M. Weidman, deceased, for the sum of \$878.31, together with plaintiff's cost in this behalf laid out and expended; said judgment to bear six per cent interest per annum from this date until paid.

"For all of which let execution issue according to law"

* * * * *

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 Maryland Casualty Company, a corporation agreeably to the act of Congress in such case made and provided, fully and at large appears;

AND WHEREAS, at the April Term, in the year of our Lord one thousand nine hundred and forty, 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 District Court of the United States for the Northern District of Oklahoma and was argued by counsel.

It now appearing to the court that a remittitur in the sum of \$472.36 was filed in the District Court of the United States for the Northern District of Oklahoma,

It is now here ordered and adjudged by this court that the said judgment in the district court be and the same is hereby affirmed; and that Earl D. Alford, Administrator of the Estate of Mamie M. Weidman, Deceased, appellee, have and recover of and from Maryland Casualty Company, a corporation, appellant, his costs herein, and have execution therefor.

-- April 20, 1940

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

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

COSTS OF	Appellee
Clerk,	\$-- --
Printing Record	\$-- --
Attorney	\$20.00
	<u>\$20.00</u>

ROBERT B. CARTWRIGHT
Clerk of the United States Circuit Court
of Appeals, Tenth Circuit

ENDORSED: Filed Oct 26 1940
H. P. Warfield, Clerk
U. S. District Court H

EARL D. ALFORD, ADMR. ETC.,	Plaintiff,)
)
-vs-		) No. 2503 - Law
)
DAVE McCONNELL, ET AL,	Defendants.)

Now on this 26th day of October, A. D. 1940, it is ordered by the Court that the Clerk file and spread Mandate of Record in the above cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Earl D. Alford, Administrator, of the estate of Frederick W. Weidman, deceased, plaintiff, and Dave McConnell, et al., defendants, No. 2503, Law, the judgment of the district court in said cause, entered on April 9, 1939, was in the following words, viz:

It is, Therefore, in open court on this 6th day of April, 1939, ordered, considered and adjudged that the renewal of motion for directed verdict of Dave McConnell, be, and the same hereby is, overruled, to which the defendant, Dave McConnell, excepts, and exceptions are allowed; and that the motion for new trial of said defendant Dave McConnell, be, and the same hereby is, overruled, to which the defendant, Dave McConnell, excepts, and exceptions are allowed.

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

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

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

For all of which let execution issue according to law.

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

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

AND WHEREAS, at the April Term, in the year of our Lord one thousand nine hundred and forth, 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.

It now appearing to the court that a remittitur in the sum of \$490.47 was filed in the District Court of the United States for the Northern District of Oklahoma,

It is now here ordered and adjudged by this court that the said judgment of the district court be and the same is hereby affirmed; and that Earl D. Alford, Administrator of the Estate of Frederick W. Weidman, deceased, appellee, have and recover of and from Maryland Casualty Company, incorporation, appellant, his costs herein, and have execution therefor.

-- April 20, 1940.

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

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

COSTS OF	Appellee
Clerk,	\$ -- --
Printing Record	\$ -- --
Attorney	\$ 20.00
	<u>\$ 20.00</u>

ROBERT B. CARTWRIGHT
Clerk of the United States Circuit Court
of Appeals, Tenth Circuit

ENDORSED: Filed Oct 26 1940
H. P. Warfield, Clerk
U. S. District Court H

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

C. J. LAURISCH,	Plaintiff,)
)
vs.		) NC. 205 Civil
)
C. T. THOMPSON, ET AL,	Defendants.)

ORDER FOR HEARING APPLICATION

ON this 26th day of October, 1940, it is by the Court ordered that the application on file herein by Noble C. Hood, Receiver, for authority and direction of the court concerning the proposed sale of certain property set out and described in said application, be, and the same is hereby set for hearing by the Court in the court room at Tulsa, Oklahoma, on the 4th day of November, 1940, at 9:00 o'clock A.M., of said date; and

IT IS FURTHER ORDERED that the Receiver serve a copy of said application and a copy of this order upon each attorney of record in this cause, sufficiently prior to the date of said hearing so that said parties may be present at said hearing.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 26 1940
H. P. Warfield, Clerk
U. S. District Court G

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

Elizabeth Daniel Wallace, et al,	Complainants,)	
)	
-vs-		)	Equity No. 1244
)	
Richard T. Daniel, et al,	Respondents.)	

O R D E R

The application of Receiver being presented to the Court asking authority and permission to sell the luggage and personal property of the respective guests as set forth in the application, and from said application it appears that the Receiver should have permission and authority to sell said luggage and personal property for the use and benefit of the estate, and to satisfy the debts of said guests.

IT IS, THEREFORE, HEREBY ORDERED, That the Receiver, Eben L. Taylor, he and he is hereby authorized and directed to sell at public outcry, to the highest and best bidder, for cash in hand, the personal property now being held in the Alexander Hotel and described and set forth in the application herein on file, after due and timely notice, and apply the proceeds derived therefrom to the payment of the respective debts of the guests, as in said application set forth.

So ordered this 26 day of October, 1940.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Oct 26 1940
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to October 28, 1940

On this 28th day of October, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 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. Hogan, 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

Wilbur M. Bellows, Administrator of the)	
Estate of Claude Wesley Bellows, deceased,)	
	)	No. 348 - Civil
-vs-)	
)	
W.V. Pryor,	)	Defendant.

O R D E R

On this 28th day of October, 1940, on the application of plaintiff, and by agreement of the parties hereto conformably to the ruling and order of the Hon. A. P. Murrah, district judge heretofore made herein, but not formally entered of record.

IT IS ORDERED that Ross Bellows, Successor administratrix to Wilbur M. Bellows administrator of the estate of Claude Wesley Bellows, deceased, be and hereby is substituted as party plaintiff herein in lieu and instead of the said Wilbur M. Bellows, administrator aforesaid.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 28 1940
H. P. Warfield, Clerk
U. S. District Court ME

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

Wilbur M. Bellows, Administrator of the)	
Estate of Claude Wesley Bellows, deceased,)	
	)	No. 348 - Civil
vs.)	
)	
W. V. Pryor,	)	Defendant.

ORDER FOR DISMISSAL

Now on this 28th day of October, 1940, the above entitled action comes on for hearing upon the motion of the plaintiff to dismiss such action with prejudice, and the Court being fully advised in the premises, finds that such dismissal should be entered.

IT IS, THEREFORE, ORDERED, that the above entitled action be and is hereby dismissed with prejudice to the institution of any other action involving such cause of action, and at cost of plaintiff.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 28 1940
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to October 30, 1940

On this 30th day of October, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer and Hon. Royce H. Savage, Judges, present and presiding.

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

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

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

Grand River Dam Authority, a public corporation,	Plaintiff,)	
		)	NO. 324 CIVIL
vs.)	
James W. Elliott, et al.,	Defendants.)	

O R D E R

Now, on this 30th day of September, 1940 this matter coming on to be heard before the Court and it appearing that the defendants, L. O. Englebrecht, Sarah Englebrecht, James W. Elliott Lena Elliott, Clyde Morsey and Susanne Morsey have been directed to file briefs in this action pertaining to the ownership of the land involved herein and it further appearing to the Court that additional time should be granted said defendants in which to file their briefs.

It is, therefore, ordered, adjudged and decreed that the said defendants be, and they are hereby, granted thirty days from this date within which to file briefs herein.

Now, on this 30th day of October, 1940 it appearing that the defendants above name on account of lack of time, have been unable to file their briefs and that additional time should be granted said defendants to file such briefs herein.

It is, therefore, ordered, adjudged and decreed by the Court that the said defendants, L.O. Englebrecht, Sarah Englebrecht, James E. Elliott, Lena Elliott, Clyde Morsey and Suanna Morsey be, and they are, hereby granted 15 days from this date within which to file their briefs in this action.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 30 1940
H. P. Warfield, Clerk
U. S. District Court B

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Alfred A. Drummond,	Plaintiff,	}	No. 395 - Civil
vs.			
National Livestock Credit Corporation, a corporation,	Defendant.		

STIPULATION

It is hereby stipulated and agreed between attorney for plaintiff and attorney for defendant that the defendant may, with the consent of the Court have an extension of thirty days from the 26 day of Oct., 1940, within which to file and Amended Complaint in this cause.

Dated this 25th day of October, 1940.

HENRY R. DUNCAN
Attorney for Plaintiff

WM. G. DAVISSON
Attorney for Defendant

The foregoing Stipulation is hereby approved, and it is ordered that the plaintiff be given an extension of 30 days from the 26 day of October, 1940, in which to file his Amended Complaint.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 30 1940
H. P. Warfield, Clerk
U. S. District Court H

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

United States of America,	Plaintiff,	}	No. 2574 - Law
vs.			
The Texas Company, a corporation,	Derendant.		

ORDER SUSTAINING MOTION TO DISMISS

The defendant's motion to dismiss in the above entitled cause came on for hearing on the 30th day of October, 1940, the plaintiff being represented by the Hon. Whit Y. Mauzy, United States District Attorney for the Northern District of Oklahoma, and defendant by its attorney, B. W. Griffith. It was thereupon stipulated in open court as follows:

1. That the Osage Tribal Council did not at any time, by resolution, or any other formal action, approved by the Secretary of the Interior, elect to take royalty in oil; and
2. That defendant is being sued herein exclusively as a purchaser of oil.

Upon consideration of said motion to dismiss, the same is sustained on the authority of United States vs. Stanolind Crude Oil Purchasing Company, 113 Fed. (2d) 194.

It is hereby ordered that said motion to dismiss is sustained, to which action, in open court, the plaintiff then and there excepts, which said exception is hereby by the court, allowed; and the plaintiff having, in open court, elected to stand upon its amended complaint herein, and having refused, in open court, to plead further, it is further ordered, adjudged and decreed that said amended complaint, and each and every cause of action attempted to be set up and stated therein, and this action be, and the same is hereby dismissed, to which action of the court plaintiff, in open court, duly excepts, and said exception is allowed, and the plaintiff gives notice of appeal to the United States Circuit Court of Appeals for the Tenth Circuit.

Dated this 30th day of October, 1940.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 30 1940
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. Pearman,)
deceased,) Plaintiff,)
) No. 877 Equity
vs.)
)
EXCHANGE NATIONAL COMPANY,)
a corporation, et al,) Defendants.)

ORDER AUTHORIZING TRUSTEE TO SELL AND ASSIGN JUDGMENT

On this 30 day of October, 1940, upon the application of J. H. McBirney, Successor Trustee, for authority to sell and assign a judgment obtained by him in the District Court of Tulsa County, Oklahoma, in cause No. 64650; and it appearing that among the assets coming into the hands of said trustee was a note executed by Margaret R. Johnson and G. F. Johnson, dated July 2, 1929, to Exchange National Company as payee, for the principal sum of Two Thousand Eight Hundred Dollars (\$2,800.00), upon which the principal sum of Two Thousand Four Hundred Thirteen & 85/100 Dollars (\$2,413.85) was due, which said note was secured by a first and prior real estate mortgage covering the following described real estate, to-wit:

Lot One (1) of Smythe's Subdivision of Lot Nine (9) of Clarence Lloyd Subdivision of the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof;

and it further appearing that because of the inability of said trustee to collect said note, he executed cause No. 64650 in the District Court of Tulsa County, Oklahoma, and recovered judgment therein on the 14th day of June, 1940, against the defendants, Margaret R. Johnson and G. F. Johnson, H. H. Marshall, Grace L. Marshall and Y. E. Dunn, in the total net sum of Three Thousand Four Hundred Nine & 21/100 Dollars (\$3,409.21), plus an attorney's fee of Two Hundred Fifty Dollars (\$250.00), together with the costs of the action, and for the foreclosure of a real estate mortgage covering the real estate above described; that said judgment grants the defendants six (6) months from its date in which to pay the same, and in default thereof the said real estate described may be sold to satisfy said judgment.

The Court further finds that the said real estate securing the mortgage, and subject

to sale at the expiration of six (6) months from the date of said judgment, is improved with a frame dwelling, located at 1241 North Boston Avenue in the City of Tulsa, Oklahoma, and that the said real estate has been appraised for the sum of Two Thousand Five Hundred Dollars (\$2,500.00).

The Court further finds that the books and records of the said trust estate reveal an investment in said note, mortgage and the real estate securing the same, of the principal sum of Two Thousand Four Hundred Thirteen & 85/100 Dollars (\$2,413.85), together with interest from February 1, 1932, subject to a credit of Six Hundred Seven & 74/100 Dollars (\$607.74).

The Court further finds that the trustee herein has heretofore collects rents from said real estate, which have been credited on said judgment, and which have been ordered paid to said plaintiff herein, applicant herein, and that the receiver in control of said real estate above described has the sum of One Hundred Twenty Dollars (\$120.00) on hand, and further finds that Scott W. Lillie has offered the sum of Twenty Five Hundred Dollars (\$2500.00), in cash, for an assignment of the said judgment above described, subject to the credits therein set forth, and subject to the provisions that the funds in the hands of the receiver in control of said real estate, to-wit: the sum of One Hundred Twenty Dollars (\$120.00) shall be payable to the said trustee, applicant herein, and that said judgment shall be credited with the said sum so collected by said receiver.

The court further finds that the members of the Advisory Committee, appointed by this court, upon whom notice shall be given of all proposed sales of real estate, have been notified of the offer of Scott W. Lillie to purchase the said judgment for the sum of Twenty Five Hundred Dollars (\$2500.00), in cash, with the provision that all funds heretofore collected by the trustee as well as all funds in the hands of the receiver, be payable to the said trustee, and have considered said offer and have approved the same, and recommended that the trustee shall sell and assign said judgment for said cash consideration.

The court further finds that the said trust estate is in liquidation and that the trustee has not had a higher or better offer for the assignment of said judgment, and further finds that it is to the best interest of said trust estate and its beneficiaries that said judgment be sold for said cash consideration, and further finds that the trustee has recommended the sale of said judgment for said cash consideration, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized and empowered to sell and assign to Scott W. Lillie the judgment entered in cause No. 64650, District Court of Tulsa County, Oklahoma, wherein J. H. McBirney, Successor Trustee for Exchange National Bank, in No. 877 Equity, United States District Court for the Northern District of Oklahoma, was plaintiff, and Margaret R. Johnson, et al, were defendants, said judgment having been rendered on the 14th day of June, 1940, against Margaret R. Johnson, G. F. Johnson, H. H. Marshall, Grace L. Marshall and Y. E. Durn, for the total net sum of Three Thousand Four Hundred Nine & 21/100 Dollars (\$3,409.21), plus an attorney's fee of Two Hundred Fifty Dollars (\$250.00) together with the costs of the action, and for the foreclosure of the real estate mortgage covering the real estate above described, for the sum of Twenty Five Hundred Dollars (\$2500.00) in cash, and that the said trustee retain all funds and sums obtained and collected by him from said real estate, as well as the funds in the hands of the receiver, to-wit: one hundred twenty dollars (\$120.00), which shall be credited upon said judgment, but which shall be payable to said trustee.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to execute and deliver proper assignment of said judgment, upon payment to him by Scott W. Lillie, of the sum of Twenty Five Hundred Dollars (\$2500.00), plus the retention by him of all sums heretofore received from said premises, upon the payment to him of the funds in the hands of the receiver, to-wit: One Hundred Twenty Dollars (\$120.00).

IT IS FURTHER ORDERED that the sale and assignment of said judgment by J. H. McBarney, Successor Trustee, to Scott W. Lillie, be and the same is hereby ratified and approved.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Oct 30 1940
H. P. Warfield, Clerk
U. S. District Court AC

Court adjourned to November 1, 1940

On this 1st day of November, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. F. E. Kennamer, Judges, present and presiding.

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

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

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

M. P. PERRY, TRUSTEE,

Plaintiff,)

-vs-

) No. C-285

ASSOCIATED PETROLEUM PROPERTIES,
a Trust Estate; PROVIDENT TRUST,
a Trust Estate; E. R. PERRY and
S. L. DEDMAN,

) Defendants.)

O R D E R

On this 1st day of November, 1940, this matter coming on before me, the undersigned Judge of this court, upon the application of the Receiver for partial allowance to himself and to his attorney, Mr. Henry L. Fist, and the court having heard the testimony of the Receiver, and being fully advised in the premises, and no adverse interest appearing,

IT IS ORDERED that the Receiver, Joseph R. McGraw, be, and he is hereby, authorized, empowered and directed to pay to himself to Five Hundred Dollars (\$500.00), and to his attorney, Henry L. Fist, Five Hundred Dollars (\$500.00), each payment being a partial allowance and covering services rendered up to and including the month of November, 1940.

F. E. KENNAMER
JUDGE OF THIS COURT

ENDORSED: Filed Nov 1 1940
H. P. Warfield, Clerk
U. S. District Court H

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

M. P. PERRY, TRUSTEE,	Plaintiff,)	
)	
-vs-		)	No. C-285
ASSOCIATED PETROLEUM PROPERTIES,)	
a Trust Estate; PROVIDENT TRUST,)	
a Trust Estate; E. R. PERRY and)	
S. L. DEDMAN,	Defendants.)	

ORDER TO MAKE DISTRIBUTION

Now, on this 1st day of November, 1940, this matter coming on before me;

IT IS ORDERED that the Receiver, Joseph R. McGraw, be, and he is hereby authorized and directed to pay a distribution of 25¢ per unit to all unit-holders of Associated Petroleum Properties and Provident Trust, each a Trust Estate.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Nov 1 1940
H. P. Warfield, Clerk
U. S. District Court H

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

OLLIE TURNER, HUGH TUNSTALL, J. E.)	
TURNER, PAULINE TURNER DYE, and)	
NORVIN SCOTT,	Plaintiffs,)
)
vs.)
)
"CRIME DETECTIVE", a corporation, DANIEL)	
WEST, THE AMERICAN NEWS COMPANY, a cor-)	
poration, and BLANCHARD E. BELKNAP,)	
	Defendants.)

ORDER OF DISMISSAL

NOW on this 1st day of November, 1940, the above entitled cause comes on for hearing upon the Stipulation for Dismissal heretofore filed herein and it appearing to the Court that therefrom that all matters in controversy herein have been fully compromised and settled between the parties hereto;

It is, by the Court, ORDERED, ADJUDGED and DECREED that this action be and the same hereby is dismissed with prejudice, the costs in this Court, but not in the State Court, to be paid by the defendants.

F. E. KENNAMER
DISTRICT JUDGE

ENDORSED: Filed Nov 1 1940
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 SALE OF STOCK

THIS CAUSE COMING on to be heard on this the 1st day of November, 1940, on the application of T. P. Farmer, as receiver of the Exchange National Company for authority to sell 202 shares of the City Central Corporation stock to Harry H. Rogers, for the sum of \$3.25 per share and the Court having read said application and finding that it has jurisdiction to entertain the same and enter an order thereon, and being fully advised in the premises, finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that said application be and it is hereby sustained, and T. P. Farmer, as Receiver for Exchange National Company, be and he is hereby directed, authorized and empowered forthwith to sell said 202 shares of City Central Corporation stock to Harry H. Rogers for the sum of \$3.25 per share, and the receiver be and he is hereby authorized, directed and empowered to do all things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Nov 1 1940
H. P. Warfield, Clerk
U.S. District Court G

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

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

ORDER AUTHORIZING SALE OF REAL ESTATE

THIS CAUSE COMING on to be heard on this the 1st day of November, 1940, on the verified application of T. P. Farmer, as Receiver of Exchange National Company, for an order authorizing, directing and empowering him to sell the following described premises:

South Half of the Southwest Quarter of the Southwest Quarter of Section 33 and the East Half of the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 32, Township 7 North, Range 13 East, Pittsburg County, Oklahoma.

to Tom G. Haile in behalf of George W. Coop for the sum of \$480.00, and the court being fully advised in the premises, and finding that it has jurisdiction to entertain said application and enter an order thereon, and finding that said sum so offered is a fair cash price, and being fully advised, finds that said application should be allowed and an order thereon entered.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said application for authority to sell the above described premises be and the same is hereby sustained, and

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that the said T. P. Farmer, as receiver of Exchange National Company be and he is hereby directed, authorized and empowered to sell the above described premises to Tom G. Haile on behalf of George W. Coop for the sum of \$480.00 in cash, and make, execute and deliver to said purchaser a good and sufficient deed covering the same, 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

ENDORSED: Filed Nov 1 1940
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 SALE OF REAL ESTATE

THIS CAUSE COMING on to be heard on this the 1st day of November, 1940, on the application of T. P. Farmer, as receiver of Exchange National Company, for an order authorizing directing and empowering him to sell to J. B. Starkey, for the sum of \$250.00 cash, the following described premises:

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

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

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said application be and it is hereby sustained, and the said T. P. Farmer, as Receiver of Exchange National Company, be and he is hereby directed, authorized and empowered to sell the above described premises to J. B. Starkey for the sum of \$250.00 cash, and the said T. P. Farmer as such receiver 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 Nov 1 1940
H. P. Warfield, Clerk
U. S. District Court G

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 SALE OF TIMBER

THIS CAUSE COMING on to be heard on the application of T. P. Farmer, as receiver of Exchange National Company, for an order directing, authorizing and empowering him to sell all of the cottonwood timber on the Kincannon-Yarbrough farm in Haskell County, Oklahoma, under 13" at the rate of \$1.00 per thousand feet 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 application should be sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that the application of T. P. Farmer, as receiver of Exchange National Company, to sell all of the cottonwood timber belonging to the Exchange National Company up to 13" for the sum of \$1.00 per thousand feet, be and the same is hereby sustained, and the said receiver be and he is forthwith authorized to sell said timber at the price stated, and is further authorized, directed and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of said application and this order.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Nov 1 1940
H. P. Warfield, Clerk
U. S. District Court G

Court adjourned to November 4, 1940

ON THIS 4TH DAY OF November, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. F. E. Kennamer, Judges, present and presiding.

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

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

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

CLAUDINE SPITZNAGEL,	Plaintiff,)	
)	
vs.)	
)	
PEDRICK LABORATORIES, INC.,		)	No. 404 Civil
same being a copartnership)	
composed of Wade P. Owen, Sr., and)	
C. Pedrick, and Kansas City Market,)	
a copartnership composed of)	
Wade P. Owen, Sr., and Wade P. Owen, Jr.,)	
	Defendants.)	

DISMISSAL WITH PREJUDICE

Comes now the plaintiff, Claudine Spitznagel, and dismisses the above styled and numbered suit as against all of the defendants therein named, with prejudice to the bringing of a future action, at the cost of the defendants.

Dated this 1 day of November, 1940.

CLAUDINE SPITZNAGEL
Plaintiff

ARDEN E. ROSS HOLLY L. ANDERSON
Attorneys for Plaintiff.

For good cause shown the above styled and numbered suit is hereby ordered dismissed.

Dated this 4 day of November, 1940.

ROYCE H. SAVAGE
U. S. District Judge

ENDORSED: Filed Nov 4 1940
H. P. Warfield, Clerk
U. S. District Court B

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

Evelyn Seber, et al.,	Plaintiffs,)	
)	
vs.)	
		)	Number 436
Board of County Commissioners of the County)	
of Creek, State of Oklahoma, et al.,)	
	Defendants.)	

ORDER AUTHORIZING AMENDMENT OF COMPLAINT

NOW, on this 4 day of Nov., 1940, IT IS ORDERED and ADJUDGED that the plaintiffs be permitted to amend their complaint herein by interlineation in the following manner:

By striking that portion of Paragraph 10 on Page 5 of said complaint, which reads as follows:

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

SAINT PAUL MERCURY INDEMNITY COMPANY,)
)
 Plaintiff,)
 vs.)
) No. 141 Civil
)
 B. I. DAVENPORT, JUDGE JAMES S. DAVENPORT,)
 CONCHITA IRONSIDE and BERTHA IRONSIDE,)
 Defendants.)

ORDER PURSUANT TO PRE-TRIAL CONFERENCE

A pre-trial conference was had in the above entitled cause on this 4th day of November, 1940, pursuant to regular assignment, the parties all appearing by their attorneys of record, and W. T. Rye, Administrator of the Estate of James S. Davenport, deceased, appearing by Roscoe E. Harper.

The plaintiff called attention to its motion pending in the cause for a default judgment against W. T. Rye, Administrator, and thereupon the said defendant requested permission to file an answer out of time.

IT IS ORDERED by the Court that the said defendant, W. T. Rye, Administrator, be permitted to file an answer in said cause within five (5) days from this date.

It was agreed by the parties that Hon. A. P. Murrah had heard the Plaintiff's application to enjoin the defendants from prosecuting pending suits and had made an order granting the injunction prayed for although there is no minute on record of the entry of such an order and an order has not been signed by the Court because of the inability of the parties to agree upon the form thereof.

It was thereupon agreed by the parties that Judge Savage might at this time enter an order in the cause enjoining the defendant, Conchita Ironside and the defendant, W. T. Rye, Administrator of the Estate of James S. Davenport, deceased, from making any effort to collect any sum of money from the Saint Paul Mercury Indemnity Company, plaintiff in this cause, until and after Cause No. 29467 pending in the Supreme Court of the State of Oklahoma, entitled Bertha Ironside, plaintiff in error, vs. Conchita Ironside, et al, defendants in error, has finally been adjudicated in said court and until this cause has been tried and a judgment entered therein by the court. It was further agreed that the order of injunction by the Court should provide that no further proceedings should be had in the cause now pending in the District Court of Tulsa County, Oklahoma, in which Judge James S. Davenport is plaintiff and the said Bertha Ironside is defendant, except that said cause may be revived in the name of the administrator of the Estate of said James S. Davenport, deceased.

An injunction is hereby entered by the Court in conformity with the agreement of the parties as above set forth.

At the request of the plaintiff, it was ordered by the Court that the plaintiff may file an amendment to its complaint in this cause within five (5) days from this date.

The defendants thereupon stated to the Court that, if the judgment of the District Court of Tulsa County now pending on appeal in the Supreme Court of Oklahoma should be reversed, no further effort would be made to collect on the insurance policy involved in this cause, and requested that the case not be set for trial until a final judgment should be entered in said pending case by the Supreme Court of Oklahoma.

IT IS THEREFORE ORDERED by the Court that the trial of the case be postponed until

Alice A. Kane, as executrix of A. R. Kane, deceased, and her attorney Frank Neshitt	100.00
Henry Walker as attorney for J. B. Wise and Elsie Wise	41.00

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Nov 6 1940
H. P. Warfield, Clerk
U. S. District Court H

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

City of Fairfax, Oklahoma, ex rel.,)	
Almeda Durgée,	Complainant,)
		) No. 311 - Civil
vs.)	
)	
Mrs. Jessie McInroy, et al.,	Respondents.)

JOURNAL ENTRY OF JUDGMENT AND DECREE

NOW, on this 6 day of November, 1940, the same being a regular juridical day of a regular term of this Court, this matter coming on regularly for trial before the undersigned Judge, the City of Fairfax, Oklahoma, a municipal corporation, on relation of Almeda Durgée, Complainant, appears by its attorneys, Holden & Holtzendorff by R. B. Holtzendorff; the defendants, H. M. Maxwell, Elda Maxwell, Osage Federal Savings & Loan Association of Pawhuska, Oklahoma, Grace Haggert and Clare A. Haggert, appear by their attorneys Hamilton & Kane by Wm. S. Hamilton, the defendants, Mrs. Jessie McInroy, Frank McInroy, Floyd Thompson, Pitts Beaty, Guardian of Floyd Thompson, E. N. Lipe, S. S. Mathis, Mrs. S. S. Mathis, Alex Revard, E. B. Beaty, Pitts Beaty, H. E. Wilson and Mrs. H. E. Wilson appear by their attorneys Johnson & Johnson by D. E. Johnson; the defendant, Home Owners Loan Corporation appears by its attorney, O. K. Wetzell; the remaining defendants appear not, and all parties appearing announcing ready for trial, the Court proceeds to an examination of the pleadings and proof of service on file herein and being fully advised in the premises

Finds that due and regular personal service of summons has been had upon all of the defendants named in the Complaint on file herein; that this suit has heretofore been dismissed as to the defendants D. E. Foley and Ione Foley, complainants, as to the 10th and 11th causes of action, and as to the defendants Rose Mason and Joseph Mason as to the 29th cause of action; that by agreement of counsel, the 2nd cause of action is hereby dismissed as to Mrs. Jessie McInroy and Frank McInroy and the Home Owners Loan Corporation; the 9th cause of action as to the defendants Floyd Thompson and Pitts Beaty, guardian of Floyd Thompson; the 12th and 13th causes of action as to the defendant E. N. Lipe; the 14th and 15th causes of action as to the defendants, S.S. Mathis and Mrs. S. S. Mathis; the 17th cause of action as to Alex Revard, Solomon Revard, H. M. Maxwell and Elda Maxwell; the 19th, 20th and 21st causes of action as to the defendants H. E. Wilson and Mrs. H. E. Wilson; the 5th cause of action as to the defendant Grace Haggert, Clare A. Haggert, J. B. Warren and Mrs. J. B. Warren; the 16th and 18th causes of action as to H. M. Maxwell, Elda Maxwell and Osage Federal Savings & Loan Association; and the 28th cause of action as to Ina Pitts and M. J. Pitts.

Whereupon all parties appearing having announced ready for trial, those not appearing being adjudged in default, the Court proceeds to the trial of this cause, evidence is

introduced and all parties appearing rest, and the Court being fully advised in the premises finds that the Court has jurisdiction of the subject matter of this action and of the parties hereto; and that each and all of the material allegations in complainant's petition are true and are sustained by the evidence; that the City of Fairfax, Oklahoma, a municipal corporation, by appropriate legal proceedings in the manner and form provided by law created Street Improvement District No. 3 and described the same as follows:

"Ash Avenue from the West line of Block 35, original plat, to the West line of Seventh Street-

Park Avenue from the East line of Seventh Street to the West line of Sixth Street-

Locust Avenue from the East line of Seventh Street to the West line of Sixth Street-

Elm Avenue from the East line of Sixth Street to the West line of Fifth Street-

Seventh Street from the North line of McKinley Avenue to the North line of Locust Avenue-

Sixth Street from the North line of Ash Avenue to the North line of Elm Avenue, in the Town of Fairfax, Okla.";

that the City of Fairfax, Osage County, Oklahoma, by appropriate legal proceedings and in the manner and form provided by law and in full compliance with the provisions of Chapter 173 of Oklahoma Session Laws of 1923 and on the 8th day of February, 1925, issued its Street Improvement Bonds, Series No. 3 in the aggregate amount of Seventy-two Thousand One Hundred Forty-Nine Dollars and Eleven Cents (\$72,149.11), said bonds being numbered 1 to 145, inclusive, Bond No. 1 being in the amount of \$149 11, the remainder of said bonds being each in the amount of \$500.00, all of said bonds being payable, in their numerical order, on or before the 1st day of October, 1934; that the relator herein is the owner and holder of the bonds numbered 112 to 121, inclusive, of said series, which are outstanding and unpaid.

The Court further finds that in the manner and form provided by law, assessments were duly and regularly levied against the lots and tracts of land subject to assessment within said improvement district, as a means of providing revenue for the payment of said bonds and the interest thereon, and that such assessments constitute and are a lien on such lots and tracts of land, co-equal with general or ad valorem taxes and special assessments and prior and superior to all other liens, and that the amount of the unpaid assessment, together with the interest and penalty interest thereon, so levied and assessed against the following described real property, is as follows:

CAUSE OF ACTION	DESCRIPTION OF PROPERTY	BALANCE OF ASSESSMENT	BALANCE OF PENALTY AND INTL	TOTAL
Third	Lot 15, Blk 18 Original Plat	\$864.67	\$922.64	\$1,787.31
Fourth	Lot 11, Blk 10 Original Plat	181.01	146.36	327.37
Sixth	Lot 2, Blk 19	266.00	226.78	492.78
Seventh	Lot 3, Blk 19 Original Plat	266.00	226.78	492.78
Eighth	Lot 14, Blk 23	518.63	596.20	1,114.83
Twenty-second	Lot 31, Blk 6 Tallchief Add.	76.12	61.29	137.41

CAUSE OF ACTION	DESCRIPTION OF PROPERTY	BALANCE OF ASSESSMENT	BALANCE OF PENALTY AND INTL	TOTAL
Twenty-third	Lot 32, Blk 6 Tallchief Add.	\$ 26.93	\$ 24.94	\$ 51.87
Twenty-fourth	Lot 25, Blk 7 Tallchief Add.	43.22	40.64	83.86
Twenty-fifth	Lot 26, Blk 7 Tallchief Add.	43.22	40.64	83.86
Twenty-sixth	Lot 27, Blk 7 Tallchief Add.	43.22	40.64	83.86
Twenty-seventh	Lot 1, Blk 18 Original Plat	123.73	189.39	313.12

and that the amount owing on each lot and tract of land as above set out constitutes a valid and subsisting lien thereon, and plaintiff is entitled to have judgment against each of said lots and tracts of land for the said amount owing thereon, and a further judgment foreclosing the said lien, and to have the property sold, subject to existing general or ad valorem taxes and special assessments, to satisfy said judgment and costs of this action; and that the defendants mentioned and described in the causes of action on which this judgment is entered, and each and all persons claiming under or through them since the commencement of this action, should be barred and foreclosed from all right title, claim or interest in and to said property, except by or through the purchase of the property at foreclosure sale.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff herein have and recover judgment for the amount of the unpaid paving assessment together with the interest and penalty interest thereon owing at the time of the commencement of this action, as follows:

DESCRIPTION OF PROPERTY	AMOUNT OF JUDGMENT
Lot 15, Blk 18, Original Plat	\$1,787.31
Lot 11, Blk 10, Original Plat	327.37
Lot 2, Blk 19, Original Plat	492.78
Lot 3, Blk 19, Original Plat	492.78
Lot 14, Blk 23, Original Plat	1,114.83
Lot 31, Blk 6, Tallchief Add.	137.41
Lot 32, Blk 6, Tallchief Add.	51.87
Lot 25, Blk 7, Tallchief Add.	83.86
Lot 26, Blk 7, Tallchief Add.	83.86
Lot 27, Blk 7, Tallchief Add.	83.86
Lot 1, Blk 18, Original Plat	313.12

and that the amount of said judgment against each of said properties as above set out bear interest from the 1st day of November, 1940, at the rate of six per cent per annum until paid and costs of this action, and that said judgment constitutes a valid and subsisting lien on said property, subject only to existing general or ad valorem taxes and special assessments.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that in the event the said judgments herein rendered, or any of them, together with interest and costs be not paid within a period of six (6) months from this date, the Clerk of this Court shall issue an Order of Sale directed to the Special Master to be hereinafter appointed by this Court to levy upon and sell according to law each of said lots or tracts of land hereinbefore described in the manner and form as in the case of

sale or thereafter under execution, subject, however, to existing and unpaid ad valorem taxes and special assessments thereon, and to file with the Clerk of this Court his return, or returns, of sale, and on confirmation of said return, or returns, the respective defendants named in each of complainant's causes of action in relation thereto and all persons claiming by, through or under said defendants, or any of them, shall be barred and foreclosed of and from any and all right, title, interest, equity, or estate in or to or lien upon the said real estate and perpetually enjoined from ever asserting or claiming any such in or to said respective lots or tracts of land and that the proceeds realized from any and all of said sales shall be distributed by the Special Master as follows:

First: To the payment of the costs of said sale, including advertising, appraisers' fees, and Special Master's fee, the latter to be, by this Court, hereinafter determined.

Second: To the proportionate costs of this suit, such proportionate sum to be hereinafter determined by this Court.

Third: The balance to be remitted to the City Treasurer of the City of Fairfax and by him when received placed in the special separate fund for the retirement, in their numerical order, of the bonds of the said Street Improvement District.

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED AND DECREED that the sale of any of said properties under the judgment herein rendered for the amount of the delinquent and unpaid installments of the paving assessments levied against said properties as herein set out shall constitute full and complete satisfaction and settlement thereof and all sums due and owing thereon, and the same shall be cancelled upon the records of the County Treasurer of Osage County. The costs of this proceeding are taxed generally against all of the properties involved herein except such properties as to which a dismissal has been filed or entered including the dismissals herein contained, the proportion of costs which the several properties shall bear will be hereinafter determined by this Court.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Nov 6 1940
H. P. Warfield, Clerk
U. S. District Court G

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

Mae Branstetter, as next friend of Jack Branstetter, a minor,	) Plaintiff,	) No. 449 Civil
vs.)	
Robert Case, otherwise known as Roland Case, Williams Roofing Company and Bill Dixon	) Defendants	) Consolidated
Ed Mosier, as next friend of Ray Mosier, a minor,	) Plaintiff,	
vs.	)	) No. 450 Civil
Roland Case, Williams Roofing Company and Bill Dixon,	) Defendants.	

JOURNAL ENTRY OF JUDGMENT

The above consolidated cause came on to be heard before the Honorable Royce H.

Savage, Judge presiding, at the regular January 1940 term of court held at Tulsa, Oklahoma, the plaintiffs, Mae Branstetter, as next friend of Jack Branstetter, a minor, and Ed Mosier, as next friend of Ray Mosier, a minor, being present in person and by their attorneys, R. A. Wilkerson and Ben Murdoch, and the defendants, Robert Case, otherwise known as Roland Case, Williams Roofing Company and Bill Dixon, being present by their attorneys, Rittenhouse, Webster, Hanson & Rittenhouse, by Walter D. Hanson, both plaintiffs and defendants announced ready for trial, both waiving right to trial by jury in open court; the court thereupon proceeded to hear the testimony in the case and argument of counsel, and being fully advised in the premises,

The court finds that the defendants are indebted to the plaintiff, Mae Branstetter, as next friend of Jack Branstetter, a minor, in the sum of \$312.50.

The Court further finds that the defendants are indebted to the plaintiff, Ed Mosier, a next friend of Ray Mosier, a minor, in the sum of \$1107.00.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff Mae Branstetter, as next friend of Jack Branstetter, a minor, have judgment against the defendants and each of them, in the sum of \$312.50, and the costs of this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff, Ed Mosier, as next friend of Ray Mosier, a minor, have judgment against the defendants, and each of them, in the sum of \$1107.50, and the costs of this action.

To which orders and judgments of the court the defendants, and each of them, duly except and said exceptions allowed.

ROYCE H. SAVAGE
J u d g e

ENDORSED: Filed Nov 6 1940
H. P. Warfield, Clerk
U. S. District Court B

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

Now on this 6th day of November 6, 1940, 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)

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Fred W. Seymour, Trustee, plaintiff, and Gilmort Oil Company, a corporation, defendant, Producers Pipe and Supply Co., a Corp. et al., interveners, Iverson Tool Company, a corp., Stephenson-Brown Lumber Co., a corp., and Halliburton Oil

Well Cementing Company, a corporation, et al., claimants, No. 1277 Equity, the judgment of the said district court in said cause, entered on September 19, 1939, was in the following words, viz:

Thereafter on the day set for hearing objections and exceptions, Wilbur J. Holleman presented argument to the Court on behalf of Taylor, Trustee, in support of his exceptions. After consideration, the Court entered a judgment, the material portion of which, for the purpose of this appeal, is as follows:

Now on this 19 day of September, 1939, came on for hearing, pursuant to regular assignment, the complaint of Fred W. Seymour, Trustee, the intervention and bill of complaint of Producers Pipe and Supply Company, together with all claims, petitions of intervention and cross-petitions filed herein, and the Court being fully advised in the premises, finds:

That on the 24th day of March, 1938, L. L. Wiles and Wilbur Holleman were duly appointed Receivers of the said Gilmort Oil Company, and all of its properties and assets within the jurisdiction of this Court, with authority and direction to receive and collect all rents, income and benefits from the properties and the oil and gas leasehold estates, and to keep accurate and separate accounts of each leasehold estate; and that they duly qualified and have ever since been acting as such Receivers.

The Court further finds that notice to the creditors and claimants against the Gilmort Oil Company and the leases herein described, was duly given by publication and by mailing as required by this Court, and by law, and that except as herein provided, no person, firm or corporation, filed any claim or entered any appearance and is therefore in default, and that no person, firm or corporation, except as herein decreed has any right, title or interest in or to any of the leases or property herein described.

That thereafter on the 12th day of September, 1938, pursuant to an order of this Court, and separate order as to the intervention and bill of complaint of Producers Pipe & Supply Company and all issues in its foreclosure suit, W. L. Coffey was appointed Special Master, to hear the evidence, make reports, and recommendations as to the determination of all claims, interventions, and cross-complaints, of the parties litigant and parties claimant. Said Special Master, after hearing all the evidence and argument of counsel, filed his report in this cause on the 21st day of March, 1939, containing his findings of fact, conclusions of law, and recommendations as to judgments to be entered herein, and due notice of the filing of the report of said Special Master was served upon all parties to this cause.

Various objections to the report and recommendation of said Special Master were filed and served upon all the affected parties. Thereafter, on the 17th day of April, 1939, this cause came on for further hearing, and for action upon the said report and the objections thereto, and said objections being presented to the Court and argument of counsel being heard, the matter was by the Court taken under advisement. On the day first aforesaid, there came regularly on for action the report of the Special Master and the objections thereto. And, thereupon, after due consideration, it was Ordered, Adjudged and Decreed by this Court, that the objections, and each of them, and of each and all of the parties filing objections to said report of the Special Master, be and the same are hereby overruled except as is otherwise provided in this judgment, and the special appearance and pleas to the jurisdiction of Roland L. Taylor, Trustee, be and the same is hereby overruled. To which action of the Court all parties and each of them, objected, the Court allowing their exceptions.

It is Further ordered, adjudged and decreed, that Roland L. Taylor, Trustee, under seven separate deeds, each dated October 10, 1936, and each being for one of his grandchildren (and hereafter in this decree where the name of Roland L. Taylor, Trustee, appears, it shall be deemed to mean the Roland L. Taylor, Trustee, as aforesaid) is the owner of an undivided 30% interest in the Taylor Group of leases, and a mining partner with the Gilmort Oil Company in said Taylor Group of leases.

The Court finds that no personal service was had upon the said Roland L. Taylor, Trustee in this cause, within the State of Oklahoma, but that he has filed a claim with the Receivers herein in his capacity as Trustee, and offered proof in support of said claim in the hearing before the Special Master; that he was represented by counsel in the proceedings hereunder, and that said counsel interposed certain objections to said proceedings hereunder from time and to time, and entered exceptions to certain rulings made by said Special Master, but that counsel at all times insisted that his appearance was special and not for the purpose of invoking the general jurisdiction of the Court hereunder; that by virtue of having filed a claim herein and having offered proof in support thereof at the hearing before the Special Master, and having otherwise participated in the hearings and having interposed objections and exceptions to the proceedings, thereby submitted himself to the general jurisdiction of this Court.

It is Further Ordered, Adjudged and Decreed that the following named persons, firms and corporations have and receive judgment against Roland L. Taylor, Trustee, (but not against him individually or in any other capacity) for that portion of the judgments, hereinbefore decreed to them, for the amount and attorney's fees as follows:

- a. Producers Pipe & Supply Company, for \$13,387.44, and the further sum of \$1,819.69 as attorney's fee.
- b. Stephenson-Browne Lumber Company, for \$1,444.97, and the further sum of \$200.00 as attorney's fee.
- c. Iverson Tool Company, for \$2,713.37, and the further sum of \$300.00 as attorney's fee.
- d. Halliburton Oil Well Cementing Company, for \$4,500.00, and the further sum of \$300.00 as attorney's fee.

and that to secure said judgments or part thereof, liens are granted against the undivided 30% interest, as hereinafter set out, with reference to each specific lease.

It is Further Decreed that, in the event Roland L. Taylor, Trustee, pays said judgments hereinabove described, or any of them, or that any oil proceeds due him are used to pay the same or that by reason of any lien decreed against his 30% interest in the Taylor Group of leases, or the necessity of paying operating expenses, any portion of the oil, or the proceeds therefrom are diverted from him, then said Roland L. Taylor, Trustee, shall be subrogated to the rights of said lien or judgment holder, affecting said diversion, as to any lease for the amount so diverted as against Gilmort Oil Company, and all creditors decreed junior to him as to each lease.

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 Roland L. Taylor, Trustee, agreeably to the Act of Congress in such case made and provided, fully and at large appears:

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that Producers Pipe and Supply Company, a corporation, Iverson Tool Company, a corporation, Stephenson-Brown Lumber Company, a corporation, and Halliburton Oil Well Cementing Company, a corporation, appellees, have and recover of and from Roland L. Taylor, Trustee, under Seven Separate Deeds of Trust each dated October 10, 1936, each being for one of his seven grandchildren, appellant, their costs herein.

--September 27, 1940.

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 4th day of November, in the year of our Lord one thousand nine hundred and forty.

COSTS OF	APPELLEES
Clerk,	\$-- --
Printing Record	\$-- --
Attorney	\$20.00
	<u>\$20.00</u>

ROBERT B. CARTWRIGHT
Clerk of the United States Circuit Court of Appeals, Tenth Circuit

ENDORSED: Filed Nov 6 1940
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to November 7, 1940

On this 7th day of November, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. F. E. Kennamer, Judges, present and presiding.

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

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

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

C. J. LAURISCH, TRUSTEE,	Plaintiff,)
)
vs.		) No. 205 Civil
C. T. THOMPSON, ET AL.,	Defendants.)

ORDER AUTHORIZING RECEIVER TO SELL
LUCAS LEASE AND FARM OUT FERGUSON LEASE

NOW on this the 4th day of November, A.D., 1940, same being a regular judicial day of the January Term of the above indicated court, the application of Noble C. Hood, Receiver of Seminole Provident Trust, for leave to sell Receiver's interest in the Lucas lease in Pottawatomie County, Oklahoma and farm out its interest in a part of the Ferguson lease in Seminole County, Oklahoma coming on regularly for hearing, and said Receiver being present in person and by his attorney, Eugene C. Monnet, and the defendant, C. T. Thompson, being present by his attorney Henry L. Fist and the other parties, intervenors to the above indicated action, not appearing, the Court proceeded to the hearing of said application, and having examined the same, heard argument of counsel, being fully advised in the premises and finding:

1. That Noble C. Hood is now and has been continuously since February 16, 1940 the duly appointed, qualified and acting Receiver of the Seminole Provident Trust, a trust estate:

2. That on October 26, 1940 this court set the above indicated application for hearing at its court room in Tulsa, Oklahoma on November 4, 1940 at 9:00 o'clock A.M., and ordered that Receiver serve a copy of said application and of said order upon the attorneys of record of parties appearing in the above entitled action. That on or before October 28, 1940 copies of said order and of said application were served upon the attorneys of record of all the parties appearing in the above entitled cause, as provided in said order of October 26, 1940.

3. That said Noble C. Hood, Receiver of Seminole Provident Trust, is the owner and in possession of an undivided 44% interest in and to the oil and gas leasehold estate and 7/8ths working interest covering the following described land situated in Pottawatomie County, Oklahoma, to-wit:

East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) of Section Two (2), Township Six (6) North, Range 4 East, containing 80 acres, more or less;

which same is commonly known as the Lucas Lease. That E.W. Jones, Inc., owns an undivided 56% interest in and to said oil and gas leasehold estate and 7/8ths working interest; and said Jones Company interest is now held and controlled by A. M. Rhodes, Receiver appointed by the United States District Court for the Eastern District of Oklahoma in a case entitled, Mercantile National Bank at Dallas, Texas, Plaintiff, v. E.W. Jones, Inc., et al., Defendants, No. 289 Civil; that both said interests in said oil and gas leasehold estate are subject to the certain overriding oil payments as shown of record. That one, H. H. Duck, of Tulsa, Oklahoma, has heretofore offered both of said Receivers the total sum of \$4,000.00 for all their right, title and interest in and to said oil and gas leasehold estate covering said Lucas Lease, same to be prorated between them in the proportion of 56% to the Jones interest, or \$2240.00, and 44%, or \$1760.00 to the Seminole Provident Trust interest. That by order of said District Court of the United States for the Eastern District of Oklahoma in the above entitled cause of October 10, 1940, said Receiver of said Jones interest was authorized and directed to sell its interest in and to said Lucas lease to said H. H. Duck for a cash consideration of \$2240.00.

4. That said Lucas Lease has two wells located thereon, both drilled and completed to and into the Simpson-Dolomite Formation; one of said wells is a small oil producer,

producing approximately ten barrels per day, and the other has not produced for approximately a year from this date due to lack of production. That said sum of \$1760.00 is a reasonable and adequate price for the 44% interest of this said Receiver in and to said Lucas Lease and said sale should be authorized and approved.

5. That said Noble C. Hood, Receiver of said Seminole Provident Trust, a trust estate, is the owner and in possession of an undivided 22% interest in and to the oil and gas leasehold estate and 7/8ths working interest covering the following described land situated in Seminole County, Oklahoma, to-wit:

All of Lot Six (6), and the North 9.76 acres of the North 15.63 acres of Lot Seven (7), all in Section Twenty-nine (29), Township Seven (7) North, Range Eight (8) East, containing 42 acres, more or less;

which said property is commonly known as the Ferguson lease. That there are five small producing oil wells upon the West Half of said Ferguson lease, two of which are producing from the Wilcox Sand and three from the Cronwell Sand. That there are no wells located upon the East Half of said leasehold estate.

6. That H. B. Jones, of Okemah, Oklahoma, has offered to drill a test well for the exploration of oil and gas to and thoroughly test the Simpson-Dolomite formation on the East Half of said Ferguson lease for a conveyance from the owners of all of their right, title and interest in and to the oil and gas leasehold estate and 7/8ths working interest covering the same, subject to an overriding royalty to said owners, to be prorated to them in the proportion of their interest thereunto of a free 1/8th of the 7/8ths working interest of production produced, saved and sold from the East Half of the said Ferguson lease, which said well and all other subsequent wells drilled thereon shall not be nearer than 660 feet from the present wells located upon the West Half of the Ferguson Lease. That said proposition provides that operations for the drilling of said test well upon said East Half of said lease shall be commenced within 90 days from the date of this Order and thereafter drilled with due diligence, at his sole risk, cost and expense, to a depth sufficient to test the said Simpson-Dolomite Horizon found in that locality at an approximately depth of 4300 feet, unless oil or gas in commercial quantities is actually produced at a lesser depth, with the further provision that if said well is completed as a dry hole it shall be promptly plugged and abandoned in conformity with constituted authority, and if a commercial producer it will be promptly completed into the tanks as such and connected with the pipeline.

7. That E.W. Jones, Inc., owns and undivided 28% interest in and to the said Ferguson lease; that A. M. Rhodes has been appointed Receiver of the interest of said Jones Company in and to said leasehold estate under an Order of the United States District Court for the Eastern District of Oklahoma in a case entitled, Mercantile National Bank at Dallas, Texas, Plaintiff, v. E. W. Jones, Inc., et al., defendants, No. 389 Civil, That Blackwell Oil & Gas Company of Cushing, Oklahoma owns the other undivided one-half interest in and to said Ferguson lease and the said proposition of H. B. Jones is acceptable to it, That on October 10, 1940 the United States District Court for the Eastern District of Oklahoma in the above entitled cause authorized said A. M. Rhodes, Receiver, to accept said proposition of H. B. Jones, in so far as the interest of said Jones Company in and to said lease is concerned, but said proposition cannot be consummated and completed until said Noble C. Hood, Receiver, has been authorized to join with said other two parties herein.

8. That the proposition of H. B. Jones to conditionally acquire the East Half of said Ferguson Lease from said Noble C. Hood, Receiver, is a fair and reasonable offer for said leasehold estate and same should be approved; NOW, THEREFORE,

IT IS HEREBY ORDERED, DECREED AND ADJUDGED, as follows, to-wit:

1. That Noble C. Hood, Receiver of Seminole Provident Trust, a trust estate, is hereby authorized and directed to transfer and convey unto H. H. Duck all of the right, title and interest of said receivership estate in and to said Lucas lease, together with the personal property and equipment located thereon and used or obtained in connection therewith and production therefrom and proceeds thereof as of November 1, 1940 at 7:00 o'clock A.M., in consideration of the payment to

said Receiver in cash by said H. E. Duck of the sum of \$1760.00.

(a) Said receiver is hereby authorized and directed to execute such instruments of conveyance and transfer and division orders as may be necessary and proper to effect the above indicated order.

2. That subject to the final approval of this court, said Noble C. Hood, Receiver of said Seminole Provident Trust, a trust estate, is further authorized and directed to enter into an agreement with H. B. Jones, of Okemah, Oklahoma, whereby said Receiver agrees to convey unto said H. B. Jones of Okemah, Oklahoma, when actual drilling of the well hereinafter referred to is commenced, an assignment of all said Receiver's right, title and interest in and to the East Half of said Ferguson lease above described, excepting and reserving unto said receivership estate an undivided 22% interest of a free 1/8th of the 7/8ths working interest production, together with the proceeds thereof produced, saved and sold from said East Half of said Ferguson lease, together with all rights thereunder and incident thereunto, and said H. B. Jones shall, at his sole risk, cost and expense, agree within 90 days from this date to commence actual drilling of a test well for exploration of oil or gas upon said East Half of said Ferguson lease and thereafter drill the same with due diligence to a depth to thoroughly test the Simpson-Dolomite Horizon found in that locality at an approximate depth of 4300 feet, unless oil or gas in commercial quantities be actually produced at a lesser depth; if said well is completed as a dry hole, to promptly plug and abandon the same in conformity with constituted authority, and if completed as a commercial producer, to complete the same to and into the tanks, if an oil well, and to the top of the Derrick floor, including all necessary valves and fittings, if a gas well, and thereafter promptly connect and market the production therefrom with the pipeline; with the further provision that said well and any subsequent wells drilled thereon shall not be drilled closer than 660 feet to any of the wells now located upon the West Half of said Ferguson lease. Time is to be of the essence of said agreement, which shall also contain the provision that if said well is not so commenced, drilled and completed as above provided, said assignment shall automatically become null and void and of no force and effect. Said contract shall not be effective until subsequently approved by this court.

3. That notice of this hearing has been given as provided by law and the order of this court, and the consideration for the conveyances of this said Receiver above indicated are reasonable and it is to the best interest of said receivership estate that said transactions and sales be consummated as above provided.

Dated this 4th day of November, 1940.

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

ENDORSED: Filed Nov 7 1940
H. P. Warfield, Clerk
U. S. District Court H

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

The Creek National of Indians, Alex Noon, Principal Chief,	Plaintiff,)	
)	
vs		)	No. 367 Civil
)	
Nancy Barnett, nee Grayson, et al,	Defendants.)	

ORDER EXTENDING TIME IN WHICH TO PLEAD TO AMENDED
BILL OF COMPLAINT

H. B. Barnard and V. V. Harris, two of the defendants herein, for good cause shown, are each given until Thursday, November 21, 1940, in which to plead in this cause.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed Nov 7 1940
H. P. Warfield, Clerk
U. S. District Court

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

CREEK NATION OF INDIANS, BY ALEX NOON, Principal Chief,	Plaintiff,)	
)	
vs		)	No. 367 - CIVIL
)	
NANCY BARNETT, nee Grayson, et al.,	Defendants.)	

C R D E R

It appearing to the Court that certain motions to dismiss the plaintiff's complaint herein have been filed by several defendants; and that the defendant, Jim Payne Woods, has filed an answer and cross-complaint herein which will require pleas or answers by the other parties to such pleadings; and it further appearing that said motions to dismiss, not having been passed upon;

It is now, on stipulation of the parties, ORDERED that in the event the motions to dismiss shall be by this Court overruled, the defendants, Izora Alexander Lee, et al., represented by Chas. B. Rogers, as their attorney, and any other of the parties to this suit who may desire to plead or answer to said answer and cross-complaint, aforesaid, shall have ten (10) days from and after the overruling of such motions to dismiss the said complaint and the amended complaint, in which to file their pleas or answers thereto.

DATED: This 7th day of November, 1940, at Tulsa, Oklahoma.

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

ENDORSED: Filed Nov 7 1940
H. P. Warfield, Clerk
U. S. District Court ME

On this 8th day of November, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, 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 8th day of November, A. D. 1940, it being made satisfactorily to appear that Eugene Lee Coffelt 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 this Court. (R.H.S.J)

Court adjourned to November 9, 1940

On this 9th day of November, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, 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

D. SCHMIDT,)
Plaintiff,)
)
vs.) Civil Action No. 253
)
)
The Board of Education of the)
Town of Broken Arrow, Oklahoma,)
Defendant.)

ASSIGNMENT OF JUDGMENT

In consideration of the sum of one (\$1.00) dollar and other good and valuable considerations the receipt of which are hereby acknowledged, I. D. SCHMIDT of Los Angeles, California Plaintiff in the above and foregoing action, in which a judgment was entered on the 29th day of April 1940 and filed and docketed in the United States District Court for the Northern District of Oklahoma in favor of said plaintiff and against said defendant for the sum of \$3000.00 together with interest added at the rate of six per cent (6%) per annum until paid, as will more fully appear from the record thereof, to which reference is made, do hereby sell, assign, transfer and set over to JOHN SMILEY of Tulsa, Oklahoma to his assigns, said judgment and any and all or any sum or sums of money that may be had or obtained by means thereof or on any proceedings here thereupon, any and all liens and levies securing the same; and I do covenant with the said JOHN SMILEY that there is now due

and owing on said judgment the principal sum of \$3000.00 together with interest thereon added at the rate of six per cent per annum from the date of said judgment, and that I will not collect or attempt to collect or receive the same or any part thereof, nor release nor attempt to release or discharge said judgment but will own and allow all lawful proceedings therein, hereby constituting the said John Smiley my true and lawful attorney in fact for me and in my place and stead and at any expense to take all steps or proceedings necessary to collect said judgment, except court costs which the Board of Education has now been ordered to pay to the District Court.

Dated at Los Angeles, California, this 6 day of Nov., 1940.

D. SCHMIDT

ENDORSED: Filed Nov 9 1940
H. P. Warfield, Clerk
U. S. District Court G

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

BLANCHE WICKETT and LINDA BLANCHE)
WICKETT, a minor, suing herein by and)
through her mother and next friend, BLANCHE)
WICKETT, Plaintiffs,) No. 408 Civil
-vs-)
NATIONAL BANK OF COMMERCE OF TULSA, TULSA,)
OKLAHOMA, ALICE W. WICKETT and KENNETH L.)
WICKETT, Defendants.)

ORDER APPOINTING GUARDIAN AD LITEM

This matter coming on for hearing on the 9 day of November, 1940, before the Honorable Royce H. Savage, Judge of the above court, upon the application of the defendants, the National Bank of Commerce of Tulsa, Tulsa, Oklahoma, one of the defendants in this cause for the appointment of a guardian ad litem in this cause for the plaintiff, Linda Blanche Wickett, and it appearing to the court that said plaintiff, Linda Blanche Wickett, is a minor under the age of twenty one (21) years, and has filed the within and foregoing action by and through her mother and next friend, the plaintiff, Blanche Wickett, and that said minor has no legal or general guardian of her person or estate, and it further appearing that all parties to this cause have joined in said application and have consented that the Court shall make the within Order forthwith and without further notice or hearing, and the Court being satisfied that sufficient grounds exist for the appointment of a guardian ad litem herein, and that David R. Milsten, a practicing attorney of the Bar of the State of Oklahoma, who now appears as one of the attorneys of record for said minor, is a proper person for said appointment.

IT IS THEREFORE BY THE COURT ORDERED that David R. Milsten be and he is hereby appointed guardian ad litem for the plaintiff, Linda Blanche Wickett in this action.

ROYCE H. SAVAGE
JUDGE OF THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Nov 9 1940
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to November 12, 1940

On this 12th day of November, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. T. E. Kennamer, Judges, present and presiding.

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

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

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

ORDER TO MARSHAL TO ADJOURN COURT

At Tulsa, in said District, on this 8th day of November, A. D. 1940, it is ORDERED by the Court that the Marshal in and for the Northern District of Oklahoma, be and he is hereby directed to adjourn the present November 1940 Term of Court at Miami, Oklahoma, Sine Die on Saturday, November 9, 1940, at 9:00 o'clock A.M.

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

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Nov 12 1940
H. P. Warfield, Clerk
U. S. District Court AC

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

NICHOLS WIRE SHEET & HARDWARE COMPANY, a corporation,	Plaintiff,)	
		)	No. 458 Civil
vs)	
TULSA ROOFING COMPANY, a corporation, HARRY R. CORSON AND ELIZABETH NOBLE CORSON,	Defendants.)	

JOURNAL ENTRY OF JUDGMENT

On this 12 day of November, 1940, this matter came on for hearing upon motion of plaintiff in open court for judgment against the defendants, and each of them, as by default. The court having examined the files and record in this cause, finds that all of the parties defendant have been duly served with process, or have entered their appearances herein, and that no pleadings of any character have been filed by any of the defendants, and that all of said defendants are in default.

The court having examined the petition of plaintiff, finds that plaintiff is a foreign corporation, and citizen of the State of Missouri, that defendants are residents and citizens of the State of Oklahoma, and that the amount in controversy herein is more than \$3000.00,

exclusive of interest and costs, and that by reason of the premises this court has jurisdiction of this action.

The Court further finds that all of the defendants are indebted to plaintiff in the principal sum of \$4000.00, upon a promissory note dated October 24, 1938, as set forth in plaintiff's First Cause of Action, which said note was past due and unpaid at the time this action was filed, and which provides for interest at 5% per annum from date until paid, the interest amounting to \$400.00 at this time, making a total of \$4400.00, principal and interest.

That the defendant, Tulsa Roofing Company, a corporation, is liable upon said note by reason of having executed the same, and the defendants, Harry R. Corson and Elizabeth Noble Corson, are liable upon said note by reason of having endorsed the same prior to delivery to plaintiff, and that plaintiff is entitled to judgment in the further sum of \$400.00 as attorney's fees, provided by said note.

The court further finds that the defendant, Tulsa Roofing Company, a corporation is justly indebted to plaintiff for goods, wares and merchandise, in the principal sum of \$577.77 as set forth in plaintiff's Second Cause of Action, and that plaintiff is entitled to judgment against said defendant corporation for said sum, together with interest at 6% per annum from November 9, 1938, amounting at this time to \$67.88, making a total of \$645.65.

The court further finds that the defendant, Tulsa Roofing Company, a corporation, is justly indebted to plaintiff in the principal sum of \$150.00, as set forth in plaintiff's third cause of action, said amount representing a check dated June 29, 1938, made, executed and delivered by J. M. Crutchfield, and which check was duly endorsed, sold, transferred and delivered to plaintiff herein, by the Tulsa Roofing Company, a corporation, for a good and valuable consideration, and which check was dishonored when presented for payment.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the court that plaintiff have and recover of and from the defendants, Tulsa Roofing Company, a corporation, Harry R. Corson and Elizabeth Noble Corson, and each of them, the amount of FORTY FOUR HUNDRED DOLLARS (\$4400.00), principal and interest, together with the additional sum of FOUR HUNDRED DOLLARS (\$400.00) attorney's fee; and that this portion of the judgment bear interest at 5% per annum until paid, together with all costs of this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that plaintiff have and recover of and from the defendant, Tulsa Roofing Company, a corporation, the sum of SEVEN HUNDRED NINETY SIX DOLLARS AND SIXTY FIVE CENTS (\$796.65), under plaintiff's second and third causes of action as above set forth, together with the costs of this action; and that this portion of the judgment bear interest at the rate of 6% per annum from this date until paid.

FOR ALL OF WHICH LET EXECUTION ISSUE.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Nov 12 1940
H. P. Warfield, Clerk
U. S. District Court ME

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

I. E. NELSON, TRUSTEE, ET AL,	Complainants,)
)
vs.		) No. 1266 Equity
SAPULPA GAS COMPANY, et al,	Respondents.)

ORDER DISCHARGING TRUSTEE

The above entitled matter came on for hearing upon its assignment heretofore made for hearing of the final report of I. E. Nelson, Trustee for the holders of Five Per Cent Gold Bonds of Sapulpa Gas Company. Upon such hearing the court finds that said I. E. Nelson, has faithfully discharged each and every of the duties of his office and has fully and faithfully carried out each and every of the orders of this court and made due accounting of all sums coming to his hand.

IT IS THEREFORE BY THE COURT ORDERED AND ADJUDGED that I. E. Nelson, Trustee for the holders of Five Per Cent Gold Bonds of Sapulpa Gas Company be and he is hereby discharged from further duties or responsibilities herein and his sureties are exonerated of and from all liability in his behalf.

Dated at Tulsa, Oklahoma this 12 day of November, 1940.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Nov 12 1940
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to November 13, 1940

On this 13th day of November, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 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

Lilia (Quapaw) Hanson,	Plaintiff,)
)
-vs-)
)
Agnes Quapaw Hoffman, et al,	Defendants.)

Civil No. 198

ORDER EXTENDING TIME TO DEFENDANTS TO PLEAD TO PLAINTIFF'S
AMENDED COMPLAINT

Now, on the 12 day of November, 1940, the above matter coming on to be considered on stipulation of counsel for plaintiff and defendants asking and agreeing that counsel for defendants be given thirty (30) days from the filing of the amended complaint on November 1, 1940, in which to plead to said amended complaint and for good cause shown, the defendants are hereby given thirty (30) days from November 1, 1940 in which to plead to said amended complaint.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Nov 13 1940
H. P. Warfield, Clerk
U. S. District Court ME

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

Fred W. Seymour, Trustee,	Plaintiff,)
)
vs.)
)
Gilmort Oil Company, a corporation,	Defendant.)
)
G. M. Kenney and Jack Lunnon,	Interveners.)

NO. 1277 EQUITY

ORDER REVIVING JUDGMENT

Now on this 12th day of November, 1940, upon the written application of Mrs. G. M. Kenney to revive the judgment rendered herein on the 19th day of September, 1939, on behalf of G. M. Kenney, the Court finds that proper showing has been made for revivor as prayed, and further finds that no notice of such application was necessary.

IT IS THEREFORE ORDERED by the Court that said judgment be and is hereby revived in the name and for the benefit of Mrs. G. M. Kenney.

F. E. KENNAMER
District Judge

ENDORSED: Filed Nov 13 1940
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to November 14, 1940

On this 14th day of November, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, 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

BLANCHE WICKETT and LINDA BLANCHE WICKETT)
a minor, suing herein by and through her)
Mother and next friend, BLANCHE WICKETT,)
Plaintiffs,) No. 408 Civil

-vs-

NATIONAL BANK OF COMMERCE OF TULSA, Tulsa,)
Oklahoma, ALICE W. WICKETT and KENNETH L.)
WICKETT,) Defendants.

JOURNAL ENTRY OF JUDGMENT

On this 14 day of November, 1940, this cause having come on before the Court pursuant to the setting of the trial thereof, the Plaintiff, Blanche Wickett appearing by her attorneys, Slay & Simon, and Milsten & Milsten, the plaintiff, Linda Blanche Wickett appearing by her attorneys, Slay and Simon and Milsten & Milsten, and by her guardian ad litem, David R. Milsten; the defendants Kenneth L. Wickett and Alice W. Wickett appearing in person and by their attorney, Everett Petry, the defendant the National Bank of Commerce of Tulsa, Tulsa, Oklahoma, appearing by its attorneys, Ownby & Warren, and all parties having in open court announced ready for trial, and having consented that said cause proceed to trial at this time, expressly in open Court waiving any form of notice of the setting of said cause for trial, and expressly waiving any statutory or rule time within which said cause should be set for trial, and all parties having in open court waived a trial by jury and consented that said cause be tried to the Court, thereupon the parties introduced their evidence and argument of counsel was had, and the Court being fully advised in the premises finds in favor of the defendants and against the plaintiffs.

It is therefore ordered, adjudged and decreed by the court that the plaintiffs take nothing by their bill of complaint or petition herein, and that judgment be entered for the defendants and each of them, and against the plaintiffs, denying to the plaintiffs or either of them, any relief prayed for in their petition or bill of complaint.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT the trust agreement dated March 26, 1930 between Alice W. Wickett and settlor and the National Bank of Commerce of Tulsa, Tulsa Oklahoma as Trustee, a copy of which is attached to Plaintiff's petition, by the terms thereof was and is subject to revocation, modification, or amendment by the written consent of the said Settlor Alice W. Wickett and Kenneth L. Wickett.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the management and handling of said trust estate by the Trustee, the National Bank of Commerce of Tulsa, Tulsa, Oklahoma, since the date thereof has in all things been legal, proper and in strict accordance with the terms of said trust agreement.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the investments heretofore made by said Bank as Trustee, were made pursuant to the authority given it under the terms of the original trust indenture, and the modifications thereof, and that by the terms of said trust agreement and modification, the investments now held by the bank are proper and legal, and that under the terms of said trust agreement, and the modifications thereof, the said bank, as trustee, has authority to retain the investments now held by it in said trust account at its discretion, and that said bank, as trustee, has from time to time properly accounted to Alice W. Wickett and Kenneth L. Wickett of its actions in the handling of said trust estate, and that all transactions, actions and doings of said Trustee in the handling and management of said Trust Estate since the date thereof to this date have been legal, proper and in accordance with the express terms of said trust agreement and the written modifications thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the modifications heretofore made of said trust agreement, including the modification dated Nov. 14, 1940 introduced in the record herein have been properly made pursuant to the terms of the declaration of trust, and that the same are valid and enforceable modifications.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Trustee pay the fees of David R. Milsten, Guardian ad Litem heretofore appointed in this cause, the sum of \$75.00 from the trust estate, the same being a proper charge in the defense of this action, and that said trustee pay to Ownby and Warren the sum of \$1,000.00 for their services in the defense of said trustee in this action, said sum to be paid out of the trust estate.

ROYCE H. SAVAGE
Judge of the District Court of the United
States for the Northern District of
Oklahoma

ENDORSED: Filed In Open Court
Nov 14 1940
H. P. Warfield, Clerk
U. S. District Court B

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

LAWRENCE WELCH, ET AL,	Plaintiffs,	}	No. 483 Civil
-vs-			
JOHN DOE d/b/a SELLS-FLOTO ET AL,	Defendants.	}	

O R D E R

For good cause shown, the defendant Ringling Brothers Barnum and Bailey Combined Shows, Inc., is hereby given 10 days from this date in which to plead or answer.

DATED this 14th day of November, 1940.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Nov 14 1940
H. P. Warfield, Clerk
U. S. District Court B

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

City of Sapulpa, Oklahoma, a Municipal Corporation, ex rel Brandon Barringer, George A. Ritzinger, and William W. Allen, Jr.,
Plaintiff,)
No. 484 C-

vs.

1ST TRACT: W.S. Glasby, et al, Defendants.)

O R D E R

Now on this 14 day of November, 1940, there is presented to the Court the application of the relators herein for an order appointing some suitable and proper person to make service of summons, writs and other forms of process in the above styled and numbered cause, and being duly advised, the Court finds that it would be beneficial and to the best interests of the parties hereto that such an order be made. The Court further finds that C. C. Warren, Sapulpa, Oklahoma, is a suitable person to be so appointed.

IT IS, THEREFORE, ORDERED AND DECREED that C. C. Warren, Sapulpa, Oklahoma, be and hereby is appointed to serve all summons, writs or other forms of process in this cause.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Nov 14 1940
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to November 16, 1940

On this 16th day of November, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 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

C. J. LAURISCH, TRUSTEE, Plaintiff,)
vs.) No. 205 Civil
C. T. THOMPSON, ET AL., Defendants.)

O R D E R

Now on this 16th day of November, 1940, the same being a regular judicial day of

the above court, the application of Noble C. Hood, receiver of the Seminole Provident Trust, for authority to pay expenses incurred in the operation of the Seminole Provident Trust came on regularly for hearing, and the court, being fully advised in the premises, finds that said application should be in all things allowed: NOW, THEREFORE

IT IS HEREBY ORDERED by the Court that the Receiver be and he is hereby authorized and directed to pay to the persons named the amounts hereinafter set opposite their names:

- 1. To the Blackwell Oil & Gas Company, for operation expenses on Ferguson Lease for Sept., 1940 \$313.77
- 2. To E. W. Jones, Inc. - For operation expenses on Banta and Lucas leases for month of Sept. 1940 181.11
- 3. To Rufus Lillard for operating expenses on Brandenburg lease for months of July, August and September, 1940 84.02
- 4. To Ewing, Britton & Hood - Rent for Oct. 1940 35.00

F. E. KENNAMER
U. S. DISTRICT JUDGE

ENDORSED: Filed Nov 16 1940
H. P. Warfield, Clerk
U.S. District Court AC

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

C. J. LAURISCH, TRUSTEE,	Plaintiff,)
)
vs.		) No. 205 Civil
)
C. T. THOMPSON, et al.,	Defendants.)

ORDER AUTHORIZING RECEIVER TO PAY CENTRAL SUPPLY COMPANY, A CO-PARTNERSHIP NET RUNS ON BRANDENBURG LEASE FOR JUNE, JULY, AUGUST AND SEPTEMBER, 1940

Now on this the 16th day of November, 1940, same being a regular judicial day of the above indicated court, the application of Noble C. Hood, Receiver of Seminole Provident Trust for leave to pay the net runs received by him for June, July, August and September on the Brandenburg lease to the purchaser of said lease coming on regularly for hearing and the court being fully advised in the premises and finding that said application should be granted, NOW THEREFORE,

IT IS HEREBY ORDERED that said application be granted and that said Noble C. Hood, Receiver of the Seminole Provident Trust, a trust estate, is hereby authorized and directed to pay to Central Supply Company, a co-partnership consisting of Morris Mizel, et al., the sum of \$185.76, which sum represents the June, July, August and September, 1940 runs on the Brandenburg lease in the amount of \$308.09 received by him, less the operating expenses for those months, amounting to \$122.33 paid by him.

Dated, November 16th, 1940.

F. E. KENNAMER
U. S. DISTRICT JUDGE

ENDORSED: Filed Nov 16 1940
H. P. Warfield, Clerk
U. S. District Court AC

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

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

C R D E R

THIS CAUSE COMING on to be heard on this the 16th day of November, 1940, on the application of T. Austin Gavin and Wendell B. Barnes for temporary compensation for services rendered during the latter part of the year 1933 up to December 15th, 1940, and the Court being well and truly advised in the premises and finding that it has jurisdiction to entertain an application and enter an order on said application, finds that said application should be sustained.

IT IS ORDERED, ADJUDGED AND DECREED BY the Court that the said law firm of T. Austin Gavin and Wendell B. Barnes, doing business as Gavin & Barnes, be and they are hereby entitled to temporary compensation as and for services heretofore rendered as attorneys for T. P. Farmer, as receiver for Exchange National Company, and the Court finds that reasonable compensation for said services amounts to the sum of \$600.00.

IT IS ORDERED, that T. P. Farmer as Receiver for Exchange National Company be and he is hereby directed, authorized, and empowered forthwith to pay from funds on hand in said receivership to pay to Gavin & Barnes the sum of \$600.00, as temporary compensation for services rendered since the granting of the last allowance in this cause for attorneys fees down to the 15th day of December, 1940.

F. E. KEMMAMER
United States District Judge

ENDORSED: Filed Nov 16 1940
E. 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,)	
)	
vs.	)	No. 873 Equity
)	
EXCHANGE NATIONAL COMPANY,)	
)	
)	
)	
)	

ORDER AUTHORIZING SALE OF REAL ESTATE

THIS CAUSE COMING on to be heard on this the 16th day of November, 1940, on the application of T. P. Farmer, as receiver for Exchange National Company, for an order authorizing him to sell to Wilbur R. Green for the sum of \$1500.00 cash, the following described premises:

West Half of Southwest Quarter and Southeast Quarter of
Southwest Quarter of Section 22, Township 9 North, Range
12 East, Muskogee County, Oklahoma.

and to pay from said sum so received, to-wit: \$1500.00 the sum of \$75.00 as and for a commission, and the court having read said application and being fully advised in the premises, finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that said application of the said T. P. Farmer, as such receiver for Exchange National Company should be sustained; and

IT IS THE ORDER, JUDGMENT AND DECREE OF THE COURT that the said T. P. Farmer, as receiver for Exchange National Company be and he is hereby directed, authorized and empowered to sell to Wilbur R. Green the above entitled property for the sum of \$1500.00 and to pay from said sum so received the amount of \$75.00 as a commission, and the said T. P. Farmer, as Receiver, be and he is further directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of this order and the application thereon.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Nov 16 1940
H. P. Warfield, Clerk
U. S. District Court

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 7th day of November, 1940, upon the application of J. H. McBirney, Successor Trustee, for authority to sell real estate; and it appearing that among the assets coming into the hands of said trustee was a note executed by Virginia Bullington and Bascum B. Bullington, for the principal sum of Six Thousand Five Hundred Dollars (\$6,500.00), which said note was secured by a first and prior real estate mortgage covering the real estate hereinafter described; and it further appearing that pursuant to an order herein on the 12th day of November, 1937, the trustee, J. H. McBirney, accepted a deed transferring fee title in and to the said real estate to him as such trustee; and it further appearing that the said real estate above referred to is improved with a four-unit frame apartment, and is located at 614 North Cincinnati in the City of Tulsa; and it further appearing that among the assets coming into the hands of the trustee was a note executed by Clara May Middelcoff, dated October 18, 1930, for the principal sum of One Thousand Eight Hundred Dollars (\$1,800.00), upon which the principal sum of One Thousand Six Hundred Ninety One & 70/100 Dollars (\$1,691.70) was due, said note being secured by a first and prior real estate mortgage covering the real estate hereinafter described, and being improved with a frame duplex and a small frame dwelling, located at numbers 41-43-47 North Columbia in the City of Tulsa, Oklahoma; and it further appearing that Hebe Dox has offered to purchase the two (2) parcels of real estate hereinafter described, for the sum of Four Thousand Three Hundred Dollars (\$4,300.00) in cash; and it further appearing that the members of the Advisory Committee, appointed and designated by this

court, upon whom notice of proposed sales of real estate of said trust shall be given, have been duly notified of said offer, and have considered the same and have approved the same, and recommended that the said trustee sell said two (2) parcels of real estate, for the sum of Four Thousand Three Hundred Dollars (\$4,300.00) in cash; and it further appearing that the said parcels of real estate are so located and situated as to be difficult of sale; and that the books and records of the said trust reveal an investment of said trust in the first referred to property, designated herein as the Bullington property, of Four Thousand Two Hundred Fifty Five & 37/100 Dollars (\$4,255.37), and an investment in the second above referred to property, described as the Middlecoff property, of Two Thousand Two Hundred Fifty & 69/100 Dollars (\$2,250.69), and that the said trust estate will sustain a financial loss in the sale of said real estate; and it further appearing that the trustee has not had a higher or better offer for the said real estate singly or jointly; that the said trust estate is in liquidation, and that the said trustee has recommended the sale of said real estate for said cash consideration; and it further appearing that the sale of said real estate was arranged by Riley and Atchison, real estate brokers in the City of Tulsa, who are entitled to compensation for their services, and that five per cent (5%) of the sales price of said real estate is the usual compensation therefor, and that the said real estate brokers should be paid the said sum of Two Hundred Fifteen Dollars (\$215.00) in the event said sale is consummated, and for other good cause,

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

Lot Thirteen (13), in Ozarka Place Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof;

and,

Part of Lot Two (2), in Block Two (2) in the Town of North Tulsa, Tulsa County, Oklahoma, beginning at a point on the Easterly line of Lot Two (2) in said Block, a distance of Twenty (20) feet Northerly from the Southeast corner of said Lot, thence running in a northerly direction along the Easterly line of said Lot Two (2) a distance of Fifty (50) feet, thence running in a Westerly direction parallel with the Southerly line of Lot Two (2) a distance of one hundred forty (140) feet to an alley, thence Southerly along the Easterly line of said alley fifty (50) feet, thence in an Easterly direction and parallel with the Southerly line of Lot Two (2) a distance of one hundred forty (140) feet to the place of beginning,

for the consideration of Four Thousand Three Hundred Dollars (\$4,300.00), in cash.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, execute and deliver a trustee's special deed, setting over and conveying the above described real estate to Hebe Cox, upon payment to him of said sum of Four Thousand Three Hundred Dollars (\$4,300.00).

IT IS FURTHER ORDERED that the sale of the above described real estate, by J. H. McBirney, Successor Trustee, to Hebe Cox, for the sum of Four Thousand Three Hundred Dollars (\$4,300.00) in cash, 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 pay to Riley and Atchison the sum of Two Hundred Fifteen Dollars (\$215.00) as

compensation in full for their services as real estate brokers in arranging the sale of said real estate to the said Hebe Cox, said payment to be made only if said sale is consummated.

F. E. KESBAMER
United States District Judge.

ENDORSED: Filed Nov 16 1940
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to November 18, 1940

On this 18th day of November, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

The Atchison, Topeka & Santa Fe Railway)
Company, a corporation, Plaintiff,)
vs.) Civil No. 209
Harry Thomas, Defendant.)

ORDER OF DISMISSAL

IT IS THIS DAY ORDERED that the above entitled cause be dismissed pursuant to the notice of dismissal duly filed and served herein by the plaintiff, without prejudice, at the cost of the plaintiff.

Dated November 18th, 1940.

ROYCE H. SAVAGE
U. S. District Judge

ENDORSED: Filed Nov 18 1940
H. P. Warfield, Clerk
U. S. District Court B

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

ANNA HINDS,	Plaintiff,)
)
-vs-		) No. 416 Civil
)
NEW YORK LIFE INSURANCE COMPANY, a corporation,	Defendant.)

O R D E R

Now on this 6th day of November, 1940, this matter comes on to be heard upon the objection of the defendant to the interrogatories filed by the plaintiff in the above styled and numbered cause; both parties being represented by counsel and the court being fully advised in the premises, finds:

That defendant's objections to interrogatories No. 1 and No. 2 should be overruled and defendant's objections to interrogatories Nos. 3, 4, 5 and 6, should be sustained.

IT IS THEREFORE ORDERED that defendant's objections to interrogatories Nos. 1 and 2 be, and the same are hereby overruled, and defendant is hereby ordered to answer same within ten days from this date.

IT IS FURTHER ORDERED that defendant's objections to interrogatories No. 3, 4, 5 and 6, be, and the same are hereby sustained.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Nov 18 1940
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,	Plaintiff,)
)
vs.		) NO. 424 CIVIL
)
GEO. W. SMITH, J. B. SMITH and WAYLAND SMITH,	Defendants.)

O R D E R

NOW, on this 18 day of November, 1940, this matter coming on before the court on application of Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, to dismiss said cause and the court being advised in the premises finds that the principal and interest herein, in the sum of \$55.50 has been paid to the Osage Indian Agency, and the costs in the sum of \$21.00 have been paid to the clerk of this court, and that said cause should be dismissed.

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

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

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

ENDORSED: Filed Nov 18 1940
H. P. Warfield, Clerk
U. S. District Court B

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.)	
		)	NO. 427 CIVIL
GEO. W. SMITH, J. B. SMITH and)	
WEYLAND SMITH,	Defendants.)	

O R D E R

NOW, on this 18 day of November, 1940, this matter coming on before the court on application of Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, to dismiss said cause and the court being advised in the premises finds that the principal and interest herein, in the sum of \$58.75, has been paid to the Osage Indian Agency, and the costs, in the sum of \$21.00, have been paid to the clerk of this court, and that said cause should be dismissed.

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

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

ENDORSED: Filed Nov 18 1940
H. P. Warfield, Clerk
U. S. District Court B

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.)	
		)	NO. 430 CIVIL
E. D. SMITH, GEO. W. SMITH and JOSEPH S.)	
WESTERHEIDE,	Defendants.)	

O R D E R

NOW, on this 18 day of November, 1940, this matter coming on before the court on application of Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, to dismiss said cause and the court being advised in the premises finds that the principal and interest herein, in the sum of \$46.60 has been paid to the Osage Indian Agency, and the costs in the sum of \$19.00,

HAVE been paid to the Clerk of this Court, and that said cause should be dismissed.

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

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

ENDORSED: Filed Nov 18 1940
H. P. Warfield, Clerk
U. S. District Court B

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.		)	NO. 436 CIVIL
)	
WAYLAND SMITH, GEORGE W. SMITH and)	
JOSEPH S. WESTERHEIDE,	Defendants.)	

O R D E R

NOW, on this 18 day of November, 1940, this matter coming on before the court application of Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, to dismiss said cause and the court being advised in the premises finds that the principal and interest herein, in the sum of \$234.48, has been paid to the Osage Indian Agency and the costs, in the sum of \$21.00, have been paid to the clerk of this court, and that said cause should be dismissed.

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

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

ENDORSED: Filed Nov 18 1940
H. P. Warfield, Clerk
U. S. District Court B

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

ELI BATT,	Plaintiff,)	
)	
vs.		)	No. 476 CIVIL
)	
NANNIE BATT, et al,	Defendants.)	

O R D E R

Now on this 18 day of November, 1940, this matter coming on before the Court on the motion of the United States of America for permission to intervene in the above mentioned cause, and it appearing to the Court that this action involves lands allotted to a restricted Cherokee Indian, and that all of the parties involved in this action are full-blood Cherokee 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.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Nov 18 1940
H. P. Warfield, Clerk
U. S. District Court B

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

City of Sapulpa, Oklahoma, a Municipal)	
Corporation, ex rel Brandon Barringer, George)	
A. Ritzinger and William W. Allen, Jr.,)	
	)	Plaintiffs,
	)	No. 484
vs.)	
)	
1ST TRACT: W.S. Glasby, et al.,	)	Defendants.

O R D E R

Now on this 18th day of November, 1940, there is presented to the Court the Application of Relators for an order substituting Paul Rutledge to make service of process, summons or other forms of writs in lieu of C. C. Warren, and being fully advised, the Court finds that the said Paul Rutledge is a member of the Bar of the State of Oklahoma and is in all respects a suitable and proper person to be so appointed, and that an order should be made directing such substitution.

IT IS THEREFORE ORDERED AND DECREED that Paul Rutledge be and hereby is appointed to make service of process, summons or other forms of writs in the above styled and numbered cause.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Nov 18 1940
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to November 19, 1940

On this 19th day of November, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

ORDER FOR PETIT JURY

On this 19th day of November, A. D. 1940, 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 Cler, or one of his deputies, in accordance with the law and the rules of this Court, the names of Forty Five (45) persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Regular January 1940 Term of this Court to be held at Tulsa, Oklahoma.

IT IS FURTHER ORDERED by the Court that a Writ of Venire Facias be issued out of this Court, in due form as provided by law, commanding the said Marshal to summon said Petit Jurors, drawn as aforesaid, to be and appear before said Court, to be held at Tulsa Oklahoma, in the Northern District of Oklahoma, on Tuesday, the 3rd day of December A.D. 1940, at 9:00 o'clock A.M., then and there to serve as Petit Jurors of the United States in and for sad District at the Regular January 1940 Term of said Court.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Nov 19 1940
H. P. Warfield, Clerk
U. S. District Court

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

WALTER REED, JR. PLAINTIFF,)
)
vs.) NO. 475 Civil
)
NASH-KELVINATOR CORPORATION, a corpn.)
KINNEBREW MOTOR COMPANY, a corpn. DEFENDANTS.)

ORDER OF DISMISSAL

Now, on this 19 day of November, 1940, the Plaintiff in the above named action, Walter Reed Jr., having through his attorney filed a Dismissal in this cause, dismissing said above named and numbered action without prejudice and at the cost of the plaintiff; and it appearing to the Court that said such Dismissal should be sustained;

IT IS HEREBY ORDERED & DECREED: That said above named and numbered action is

hereby dismissed, without prejudice, and at the cost of said Plaintiff.

ROYCE H. SAVAGE
JUDGE, U. S. DISTRICT COURT,
NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Nov 19 1940
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to November 20, 1940

On this 20th day of November, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Honorable Royce H. Savage, 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:

MISCL- APPOINTMENT OF JACK SPEAKMAN, DEPUTY CLERK

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

UNITED STATES OF AMERICA)
) SS:
Northern District of Oklahoma)

By virtue of the authority in me vested by the laws of the United States of America Jack Speakman, is hereby appointed Deputy Clerk of the U. S. District Court for the Northern District of Oklahoma, effective November 20, 1940.

IN TESTIMONY WHEREOF, I, the undersigned Clerk of the District Court of the United States for the Northern District of Oklahoma, have hereunto set my hand and affixed the Seal of said Court, at Tulsa, in said District, this 20th day of November, A. D. 1940.

H. P. WARFIELD
Clerk

(SEAL)

ENDORSED: Filed Nov 20 1940
H. P. Warfield, Clerk
U. S. District Court

MISCL: OATH OF JACK SPEAKMAN, DEPUTY CLERK

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

UNITED STATES OF AMERICA,)
) ss:
NORTHERN DISTRICT OF OKLAHOMA.)

I, Jack Speakman, being appointed a Deputy Clerk of the District Court of the United States for the Northern District of Oklahoma, do solemnly swear that I will truly and faithfully enter and record all the orders, decrees, judgments and proceedings of the said Court, and that I will faithfully and impartially discharge and perform all the duties of my said office, according to the best of my ability and understanding. That I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office of which I am about to enter.

SO HELP ME GOD.

JACK SPEAKMAN

Subscribed and sworn to before me this 20 day of November, A. D. 1940.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

ENDORSED: Filed Nov 20 1940
H. P. Warfield, Clerk
U. S. District Court

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

United States of America, Plaintiff,)
)
 vs.) No. 439 CIVIL
)
 Revard Davis, D. H. Downey, Geo. Th. Tselos,)
 C. F. Lake and Duncan Hotel, Pawhuska, Oklahoma,)
 Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 20 day of November, 1940, this matter coming on before the court on the application of the plaintiff for default judgment, pursuant to Rule 55 of the Rules of Civil Procedure, plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and William Knight Powers, Assistant United States Attorney for said district, and the defendants, and each of them, appearing neither in person nor by attorney, and it appearing to the Court that more than 30 days prior to this date all of the above named defendants were personally served with summons and a copy of the complaint, and that all of said defendants have failed to answer demur or otherwise plead in this cause of action, and are in default; the Court, after hearing statements of counsel, finds that Carrie Revard, Osage Allottee No. 1772, was duly allotted, by reason of her membership in the Osage Tribe of Indians, the following described land, to-wit:

The East Half of the Southwest Quarter of the Northeast Quarter, and the East Half of the East Half of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter less 3.08 acres reserved for right of way of the Missouri, Kansas & Texas Railway Company, and the Southwest Quarter of the Southeast Quarter less .51 acres reserved for right of way of the Missouri, Kansas & Texas Railway Company and the Southeast Quarter of the Southeast Quarter of Section 25, Township 26 North, Range 10 East, Osage County, Oklahoma.

That Carrie Revard, Osage Allottee No. 1772, died, intestate, while a resident of Osage County, Oklahoma, on March 29, 1920, and by decree of the County Court of Osage County, Oklahoma, her heirs and the distributive shares of the above described land were determined to be as follows: Albert Davis, husband, 1/3, Revard Davis, son 2/9, Ola May Davis, daughter, 2/9, Roberta (Loretta) Grant Davis, daughter, 2/9.

The thereafter a partition suit was instituted in the District Court of Osage County, Oklahoma, under No. 5801, entitled Revard Davis, et al, v. A. N. Ruble and Owen Lewis, for the purpose of partitioning said real estate among the various heirs. That on December 10, 1921, a warranty deed was executed by the Sheriff of Osage County, Oklahoma, conveying the land hereinabove described to Revard Davis, Ola May Davis and Roberta (Loretta) Grant Davis.

The Court further finds that Ola May Davis, Roberta (Loretta) Grant Davis and Revard Davis are unallotted Osage Indians of 3/64 degree Osage blood each, and neither of said heirs has received a certificate of competency.

The Court further finds that Ola May Davis, Roberta (Loretta) Grant Davis and Revard Davis were all born subsequent to July 1, 1907, and by reason of said fact are restricted Osage Indians, pursuant to the provisions of Section 5 of the Act of Congress of March 2, 1929.

The Court further finds that Ola May Davis, Revard Davis and Roberta (Loretta) Grant Davis are the owners in fee simple of the land hereinabove described, and have been the owners of said land since the date of the death of Carrie Revard, Osage Allottee No. 1772, and that said heirs are now in possession of said land.

The Court further finds that notwithstanding the fact that the land hereinabove described has at all times herein mentioned been restricted against alienation and not subject to execution, the Duncan Hotel, in Pawhuska, Oklahoma, obtained a judgment in case No. A-1442, entitled Duncan Hotel Company v. Revard Davis, defendant, said judgment being dated September 27, 1938, in the sum of \$55.80 and court costs in the sum of \$6.10, together with interest thereon at the rate of 6% per annum from April 16, 1938, until paid. That said judgment constitutes a cloud upon the title of the real estate hereinabove described. That said judgment is void and of no force and effect insofar as the land above described is concerned, and should be canceled and vacated of record.

The Court further finds that notwithstanding the fact that the real estate hereinabove described has at all times mentioned herein been restricted against alienation and not subject to encumbrance or execution, Revard Davis and Lucille Davis, his wife, on August 13, 1938, executed a purported real estate mortgage covering the above described land, to one D. H. Downey, to secure a promissory note in the sum of \$25.00, said note to become due on August 20, 1938, together with interest at the rate of 8% per annum. That said mortgage was filed of record in the office of the County Clerk of Osage County, Oklahoma, on August 13, 1938, in book MTG 65, Page 74. That said mortgage was

not approved by the Secretary of the Interior and that same is void and of no force and effect but constitutes a cloud upon the title to the real estate hereinabove described, and should by this Court be canceled and vacated of record.

The Court further finds that notwithstanding the fact that the real estate hereinabove described has at all times mentioned herein been restricted against alienation and not subject to encumbrance or execution, Ola May Davis Soulligny on August 29, 1938, executed a purported warranty deed purporting to convey all of her right, title and interest in and to the real estate hereinabove described to Revard Davis. That said conveyance was made without the approval of the Secretary of the Interior. That said warranty deed was filed of record in the office of the County Clerk of Osage County, Oklahoma, and recorded in Book 81, Page 423. That said deed is void and of no force and effect and constitutes a cloud upon the title to the land hereinabove described, and should be canceled and vacated of record.

The Court further finds that notwithstanding the fact that the real estate hereinabove described has at all times mentioned herein been restricted against alienation and not subject to encumbrance or execution, the said Revard Davis, on August 3, 1938, made and executed a purported real estate mortgage covering the above described land, to Geo. Th. Tselos, which mortgage was made to secure a promissory note of even date therewith in the sum of \$69.25, together with interest thereon at the rate of 8% from date until paid. That said mortgage was filed of record in the office of the County Clerk of Osage County, Oklahoma, on October 3, 1938, and recorded in Book Mtg. 65, Page 96. That said mortgage was not approved by the Secretary of the Interior and is void and of no force and effect insofar as the land hereinabove described is concerned but that same constitutes a cloud upon the title to the real estate hereinabove described and should be canceled and vacated of record.

The Court further finds that notwithstanding the fact that the land hereinabove described has at all times mentioned herein been restricted against alienation and not subject to execution or encumbrance Revard Davis and Lucille Davis, his wife, executed a purported real estate mortgage covering a $\frac{2}{3}$ interest in the real estate hereinabove described, to C. F. Lake, for the purpose of securing the sum of \$187.48 which became due on June 20, 1930, together with interest thereon at the rate of 10% per annum. That said mortgage was filed of record in the office of the County Clerk of Osage County, Oklahoma, on April 19, 1939, and recorded in Book 66, Page 8. That said mortgage was not approved by the Secretary of the Interior and is null and void and of no force and effect but that same constitutes a cloud upon the title to the real estate hereinabove described and should be canceled and vacated of record.

IT IS THEREFORE THE ORDER, JUDGMENT AND DECREE of the Court that the following encumbrances be and they are hereby vacated and canceled of record insofar as the same constitutes a cloud upon the title to the following described real estate, to-wit:

The East Half of the Southwest Quarter of the Northeast Quarter, and the East Half of the East Half of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter less 3.08 acres reserved for right of way of the Missouri, Kansas & Texas Railway Company, and the Southwest Quarter of the Southeast Quarter less .51 acres reserved for right of way of the Missouri, Kansas & Texas Railway Company and the Southeast Quarter of the Southwest Quarter of Section 25, Township 26 North, Range 10 East, Osage County, Oklahoma:

Judgment obtained by the Duncan Hotel Company in case No. A-1442, entitled Duncan Hotel Company v. Revard Davis, dated September 27, 1938, in the sum of \$55.80, together with interest at the rate of 6% per annum from April 16, 1938, until paid, and court costs in the sum of \$6.10.

Mortgage dated August 13, 1938, executed by Revard Davis and Lucille Davis, his wife, to D. H. Downey to secure the sum of \$25.00 due August 20, 1938, together with interest at the rate of 8% per annum, which mortgage was filed of record in the office of the County Clerk of Osage County, Oklahoma, on August 13, 1938 and recorded in Book Mtg. 65, Page 74.

Mortgage dated October 3, 1938, executed by Revard Davis in favor of Geo. Th. Tselos, given to secure a promissory note in the sum of \$69.25, together with interest at the rate of 8% from date until paid, which mortgage was filed of record in the office of the County Court of Osage County, Oklahoma, on October 3, 1938, and recorded in Book Mtg. 65 Page 96.

Mortgage executed by Revard Davis and Lucille Davis, his wife, in favor of C. F. Lake, and given to secure the sum of \$187.48, due June 20, 1930, together with interest thereon at the rate of 10% per annum, which mortgage was filed of record in the office of the County Clerk of Osage County, Oklahoma, in Book 66, Page 8, on April 18, 1930.

Warranty Deed dated August 29, 1938, from Ola May Davis Souigny to Revard Davis, which deed is recorded in the office of the County Clerk of Osage County, Oklahoma, in Book 81, Page 423.

IT IS THE FURTHER JUDGMENT AND DECREE of the Court that the defendants, D. H. Downey, Geo. Th. Tselos, C. F. Lake and Duncan Hotel, Pawhuska, Oklahoma, and all persons claiming by, through or under them since the commencement of this action, own no right, title, or interest of whatsoever nature in or to the land hereinabove described.

IT IS THE FURTHER JUDGMENT AND DECREE of the Court that the fee simple title in and to the land hereinabove described is in Ola May Davis Souigny, Revard Davis and Roberta (Loretta) Grant Davis, each owning an undivided 1/3 interest therein.

IT IS THE FURTHER JUDGMENT AND DECREE of the Court that the defendants, D. H. Downey, Geo. Th. Tselos, C.F. Lake and Duncan Hotel, Pawhuska, Oklahoma, and each of them, are hereby restrained and enjoined from claiming or asserting any right, title, interest, equity or estate in or to the land hereinabove described, or in any manner interfering with the possession and control of said land by Ola May Davis Souigny, Revard Davis and Roberta (Loretta) Grant Davis.

IT IS THE FURTHER JUDGMENT AND DECREE of the Court that plaintiff recover its costs herein against the defendants, D. H. Downey, Geo. Th. Tselos, C.F. Lake and Duncan Hotel, Pawhuska, Oklahoma, and each of them.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Nov 20 1940
H. P. Warfield, Clerk
U. S. District Court G

Court adjourned to November 22, 1940

On this 22nd day of November, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, 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

E. J. BOWERS, Trustee of the Estate of
AIR RECTIFYING EQUIPMENT CORPORATION, a
corporation, Bankrupt,

Plaintiff,

vs.

BENJAMIN F. STEPHENS, doing business as
STEPHENS MANUFACTURING COMPANY,

Defendant.

No. 428 - Civil

ORDER APPOINTING SPECIAL MASTER

Now on this the 18th day of November, 1940, this cause comes on to be heard upon the application of plaintiff herein for the appointment of a special master to hear and determine this cause; and the parties hereto being represented by counsel, and the court having heard the arguments of counsel and being fully advised in the premises, finds that said application should be sustained, and that Referee J. M. Humphreys should be appointed special master in this cause as prayed for in said application. It is therefore

ORDERED that said application for the appointment of a special master be sustained, and that the Referee in Bankruptcy, J. M. Humphreys, be, and he hereby is appointed as special master in this cause and vested with the customary powers of a special master in cases of this nature.

It is FURTHER ORDERED that until and unless otherwise ordered, all matters arising in the progress of this proceeding, which are required or proper to be referred to a special master, are hereby so referred for hearing, report, and recommendation; and said special master shall hear all the testimony and evidence in this cause, giving all parties sufficient notice of said hearings, and thereafter report his findings of fact and conclusions of law thereon to the judge. Any party who feels aggrieved at the finding or decision of the special master may within ten (10) days after said report is rendered, file such exceptions in writing to the same as may be deemed appropriate by such party, to all of which the defendants excepts, and exceptions are allowed.

ROYCE H. SAVAGE
Judge

ENDORSED: Filed Nov 22 1940
H. P. Warfield, Clerk
U. S. District Court B
