

Frank H. Reed and Isabelle S. Reed Trust; THE FIRST)
 NATIONAL BANK AND TRUST COMPANY, Successor Trustee)
 for John Francis Malloy; J. C. DENTON, C. H. SWEET)
 and F. M. SOWLE, as Trustee; VIRGINIA HAGAN HINTON,)
 Successor Trustee for S. L. Canterbury; FEDERAL)
 NATIONAL BANK OF SHAWNEE, OKLAHOMA, A Corporation,)
 Guardian of the Estate of Charline Naomi Crossland,)
 a minor; PHILLIPS UNIVERSITY, a corporation; MOLLIE)
 DAVIS, nee Jones; HAROLD T. WRIGHT; FRANK G. COUPER;)
 TULSA GENERAL HOSPITAL; FLORENCE M. WILSON; and)
 MAUDE C. MARKHAM, Executrix of the Estate of John H.)
 Markham, deceased, Defendants.)

O R D E R

Now, on this 2nd day of Jan., 1941, this matter came on for hearing in Open Court upon the application of Lon R. Stansbery, Receiver of and for the property involved herein, asking for the authority and direction of this Court to agree in writing to the assignment by R. L. Green to Tulsa General Hospital, a corporation, of a certain Lease Agreement heretofore, and on the 13th day of October 1938, entered into, between said Receiver and said R. L. Green, and covering the portion of the property involved herein, occupied by the Hospital and Nurses' home, and the Court, having duly considered said matter, and having been fully advised in the premises, is of the opinion that said application should be granted;

IT IS, THEREFORE, ORDERED, CONSIDERED AND ADJUDGED that Lon R. Stansberry, Receiver, as aforesaid, be, and he hereby is, authorized and directed to execute an Agreement in writing, to and with R. L. Green, consenting to the assignment by the latter to the Tulsa General Hospital, a corporation, of the Lease Contract heretofore, and on the 13th day of October, 1938, entered into between said Receiver and said R. L. Green; it being specifically ORDERED, however, that the consent given to the assignment of said Lease shall not serve to release said R. L. Green from his primary liability as Lessee under the terms of said Lease.

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

ROYCE H. SAVAGE
DISTRICT JUDGE

ENDORSED: Filed Jan 2 1941
H. P. Warfield, Clerk
U. S. District Court JS

Court adjourned to January 3, 1941

On this 3rd day of January, A. D. 1941, 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

C. J. LAURISCH, TRUSTEE,	plaintiff,)	
)	
vs.		)	No. 205 Civil
)	
C. T. THOMPSON, et al.,	defendants.)	

ORDER

Now on this 31st day of December, 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 - for rent for the month of November, 1940 | \$35.00 |
| 2. To the Blackwell Oil & Gas Company - for operating expenses on Ferguson lease for October, 1940 | 283.32 |
| 3. To E. W. Jones, Inc., - for operating expenses on Banta and Lucas leases for month of October, 1940 | 130.33 |

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

ENDORSED: Filed Jan 3 1941
H. P. Warfield, Clerk
U. S. District Court G

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 SETTING CONFIRMATION OF SALE OF BRANDENBURG
LEASES FOR HEARING

Now on this the 19th day of December, 1940, same being a regular judicial day of the January Term of the above indicated court, the return of sale of the Brandenburg leases of Noble C. Hood, receiver of Seminole Provident Trust, a Trust estate, having been presented to the court and the court having examined the same, being fully advised in the premises, and finding:

1. That on August 12, 1940, pursuant to order of this court in the above entitled cause, said receiver sold at private sale the properties described in said return to the purchasers therein named for a cash consideration of \$1943.33;

2. That the hearing should be had on the confirmation of said sale at some early date;
NOW, THEREFORE,

IT IS HEREBY ORDERED as follows, to-wit:

1. That confirmation of said sale be set for hearing before this court on January 6, 1941, at 9:30 o'clock A.M., in the court room of this court at the Federal Building, Tulsa, Oklahoma.

2. That notice of the time, place and purpose of said hearing on confirmation and the terms of said sale shall be given by said receiver by publication thereof in the Tulsa Daily Legal News, a newspaper of general circulation, said notice to be published in at least ten consecutive issues of said paper, and said first publication to be at least ten days before the date of said sale.

3. That W. W. McClure, A. F. Bourne, and Ben O. Kirkpatrick, all of Tulsa, Oklahoma, being three disinterested persons, are hereby appointed and commissioned as appraisers to appraise the property described in said receiver's return and being sold hereby and are further authorized and directed to promptly appraise the same and file their verified appraisal and report thereof with the Clerk of this Court on or before Jan. 5th, 1941.

4. That anyone desiring to make a bona fide cash offer for said Receiver's interest in the property described in said Receiver's return of sale, which shall be equal to or in excess of a 10% increase of the purchase price set forth in said return, may do so at any time prior to the confirmation of said private sale set forth in said return, and said offer will be considered by the court at said hearing.

Dated, December 19th, 1940, at Tulsa, Oklahoma.

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

ENDORSED: Filed Jan 3 1941
H. P. Warfield, Clerk
U. S. District Court G

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 PRIVATE SALE OF FERGUSON LEASE BY
NOBLE C. HOOD, RECEIVER OF SEMINOLE PROVIDENT
TRUST

Now on this the 19th day of December, 1940, the application of Noble C. Hood, Receiver of Seminole Provident Trust, a trust estate, for leave to sell said receiver's interest in the Ferguson lease in Seminole County, Oklahoma coming on regularly for hearing, and the court being fully advised in the premises and finding:

1. That notice of said hearing has been given as required by law and the order of this court.

2. That said Receiver owns an undivided 22% interest in and to the oil and gas leasehold estate and 7/8ths working interest in the Ferguson lease, which covers the following described land situated in Seminole County, Oklahoma, to-wit:

Lot 6 and the North 9.76 acres of Lot 7, Section 29, Township 7 North, Range 8 East, containing 41 acres, more or less;

together with a like interest in and to the personal property and equipment located thereon or used or obtained in connection therewith, and that Byron V. Boone and Eli Wilkonson, both of Tulsa, Oklahoma, have made a written offer to purchase said interest from said receiver for a cash consideration of Seven Thousand (\$7,000.00) dollars, payable upon confirmation and delivery of assignment thereunto unto said prospective purchasers.

3. That said \$7,000.00 offer of said prospective purchasers appears to be a fair and reasonable price for the interest so to be purchased, and said receiver should be authorized to sell the same unto said purchasers at private sale, subject, however, to proper confirmation thereof by the court and it is considered to be the best interest of said receivership estate to so sell said property at private sale.

4. That said Receiver has signified his desire and intention of accepting said offer of said prospective purchasers, as he believes same to be a reasonable and fair offer for the property to be sold and also to the best interest of said estate that said sale be made and he should be authorized and directed to accept said offer;

N O W, T H E R E F O R E,

IT IS HEREBY ORDERED, DECREED AND ADJUDGED as follows:

1. That said Noble C. Hood, Receiver of said Seminole Provident Trust, a trust estate, is hereby authorized and directed to sell at private sale all of the right, title and interest fo said receiver and of said receivership estate in and to the above described Ferguson lease, together with the personal property located thereon or used or obtained in connection therewith and the production therefrom and the proceeds thereof, as of December 19, 1940 at 7:00 o'clock A.M., for a cash consideration of Seven Thousand (\$7,000.00) Dollars, to be paid upon confirmation of sale and delivery of conveyance to purchasers.

2. That W. W. McClure, A. F. Bourne and Ben O. Kirkpatrick, all of Tulsa, Oklahoma,

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

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

JOURNAL ENTRY

On this 3rd day of January, 1941, this cause came on for hearing upon the motion of the defendant to dismiss the plaintiff's amended complaint, and there appeared the plaintiff by her attorneys H. L. Smith and C. A. Kothe, and the defendant by his attorney Everett Petry, and after hearing the argument of counsel and being fully advised in the premises, the court finds that said motion should be, and the same hereby is, overruled, to which action and ruling of the court the defendant excepted and his exceptions were allowed.

The defendant is granted twenty (20) days from this date within which to file an answer.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 7 1941
H. P. Warfield, Clerk
U. S. District Court G

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

W. M. Fulkerson,	Plaintiff,)	
)	
vs.		)	No. 417 Civil
)	
R. L. Long, et al,	Defendants.)	

JOURNAL ENTRY GRANTING NEW TRIAL

This matter coming on for hearing on this 3rd day of January, 1941 upon the motion for new trial of the plaintiff, W. M. Fulkerson and the motion for new trial of R. L. Long, defendant, and this matter having been regularly set for this date and all parties being properly represented by their attorneys at this time, and the court being fully advised finds that a new trial should be granted herein and the verdict and judgment rendered herein on the 13th day of December, 1940 as to the defendant, R. L. Long should be vacated and set aside.

The court further finds that the motion for new trial of the plaintiff, as to the defendant, Ethel Long should be granted and that the verdict and judgment rendered herein on the 13th day of December, 1940 in favor of the defendant, Ethel Long should be vacated and set aside.

IT IS THEREFORE, the order, judgment and decree of this court that the verdict and judgment rendered herein on the 13th day of December, 1940 against the defendant, R. L. Long be and is hereby vacated and set aside and new trial granted, and it is the further order, judgment and decree of this court that the verdict and judgment rendered herein on the 13th day of December, 1940, in favor of the defendant, Ethel Long be and is hereby vacated and set aside and a new trial ordered, to the

action of the court in setting aside the verdict and judgment, as to the defendant, Ethel Long an exception is granted to said defendant, Ethel Long.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Jan 8 1941
H. P. Warfield, Clerk
U. S. District Court E

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

D. F. GAGER, for and in behalf of)
himself and others similarly situated,)
Plaintiff,) No. 470 Civil
vs.)
HAYNES AUTO SUPPLY COMPANY, a)
corporation,)
Defendant.)

O R D E R

This cause coming on for hearing upon the defendant's motion to dismiss; and plaintiff appearing by his attorney, Garland Kelling, and the defendant by its attorney, F. A. Bodovitz; and thereupon the said motion was duly presented, and the court being fully advised,

Finds that paragraph numbered (a) of the motion for more definite statement, should be overruled, and that paragraphs (b) and (c) should be sustained.

IT IS, THEREFORE, ORDERED, that paragraph (a) of defendant's motion for more definite statement requiring the plaintiff to set forth the compensation and rate of pay received by said plaintiff from the defendant, be and the same is hereby overruled, to which ruling of the court defendant excepts.

IT IS FURTHER ORDERED that paragraphs (b) and (c) of defendant's motion for more definite statement, be and they are sustained, and plaintiff is required to set forth a detail, by weeks or months, of the alleged over time hours during the first year, totaling five hundred twenty (520) hours, and further required to set forth a detail, by weeks or months, of the alleged over time hours during the second year, totaling four hundred ninety-eight (498) hours, to which ruling of the court plaintiff excepts.

IT IS FURTHER ORDERED that the plaintiff be and he is granted twenty (20) days from the date hereof in which to amend his said complaint, in accordance with this order, and defendant is required to plead or answer to said amended complaint within ten (10) days thereafter.

Thereupon defendant withdrew its motion to dismiss for failure to state a claim.

DATED this 3rd day of January, 1941.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Jan 11 1941
H. P. Warfield, Clerk
U. S. District Court B

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

ROBERT M. WAGNER and CURTIS MURRELL, in)
person and for all other persons similarly)
situated, Plaintiffs,)

vs.)

No. 477 Civil)

MISSOURI, KANSAS & OKLAHOMA TRAILWAYS, INC.,)
Defendant.)

O R D E R

Now on this the 3rd da of Januar, 1941, this matter comes on to be heard upon the consolidated motion of the defendant, Missouri, Kansas & Oklahoma Railways, Inc., to dismiss and for a more definite sta.ement and to strike certain allegations contained in the plaintiff's petition.

Plaintiffs appeared by their counsel, W. L. Shirey, and the defendant, Missouri, Kansas & Oklahoma Trailways, Inc., appeared through its counsel, Karl H. Mueller, Ted H. Haugh, and Robert D. Hudson.

The court being fully advised in the premises, finds that the motion of the defendant Missouri-Kansas & Oklahoma Trailways, Inc., to dismiss, should be, and the same is hereby denied, to wh action of the court the defendant duly excepted.

The court further finds that the motion to strike of the defendant should be, and the same is hereby overruled, to which the defendant duly excepted.

The court further finds that the motion of the defendant for a more definite statement should be in all things overruled and denied except that the named plaintiffs, Robert M. Wagner and Curtis Murrell be, and they hereby are required to plead specifically each week in which it is alleged that over-time was worked and for which payment was not made in compliance with the law, and to set forth the amount of over-time worked in each such week; and further that said named plaintiffs, Wagner and Murrell, and each of them, be, and they are required hereby to plead the facts with referance to the reduction in pay alleged to have been made in contravention of the provisions of the Fair Labor Standards Act.

THE COURT FINDS and so orders that the plaintiffs shall have fifteen (15) days in which to amend their complaint, and the defendant shall have ten (10) days thereafter in which to file its answer thereto.

IT IS SO ORDERED.

ROYCE H. SAVAGE
Judge of U. S. District Court

ENDORSED: Filed Jan 14 1941
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

EARL M. GLASS,	Plaintiff,)
)
-vs-		) No. 478 - C
)
The Equitable Life Assurance Society of the United States, a corporation,	Defendant.)

ORDER REMANDING CAUSE TO STATE COURT

This cause coming on to be heard this 3rd day of January, 1941, upon motion of the plaintiff herein to remand the same to the state court, and it appearing that this court does not have jurisdiction of said cause and that the same should be remanded;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the above entitled cause be remanded to the Common Pleas Court of Tulsa County, State of Oklahoma, and that costs incurred in connection with the proceedings in this court be assessed against the defendant herein.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 4 1941
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. 480 CIVIL
)
BESS BROWN, ET AL,	Defendants.)

O R D E R

The special appearance and motion of the defendant John Holloway to quash service coming on for hearing this 3rd day of January, 1941, and the United States appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma and the defendant appearing by T. F. Dukes the court finds that said service is bad and that new service has been obtained.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that said motion be stricken from the files since new process has been duly served since the filing of said motion.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed In Open Court
Jan 3 1941
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,)
)
v.		) No. 2573 Law.
)
PHILLIPS PETROLEUM COMPANY,	Defendant.)
a corporation,)

ORDER OF DISMISSAL

It appearing to the Court that on June 7, 1939, the Court entered its order sustaining the motion of the defendant, Phillips Petroleum Company, to dismiss the amended complaint of the plaintiff; and it further appearing to the Court that on June 7, 1939, a similar order of dismissal was entered in Case No. 2569 Law, entitled United States of America, Plaintiff, v. Sinclair Prairie Oil Company, Defendant, from which order said plaintiff prosecuted an appeal to the United States Circuit Court of Appeals for the Tenth Circuit; and it further appearing to the Court that on September 11, 1939, the Court filed and entered its order vacating the order of dismissal of the above entitled and numbered cause entered June 7, 1939, and decreeing that said above entitled and numbered cause be allowed to pend upon the motion to dismiss the amended complaint of plaintiff filed by the defendant, Phillips Petroleum Company, and that said motion to dismiss shall await the action of the United States Circuit Court of Appeals for the Tenth Circuit in said Cause No. 2569 Law and be governed by the decision of said United States Circuit Court of Appeals for the Tenth Circuit on the appeal of said Cause No. 2569 Law; and it further appearing to the Court that on June 29, 1940, the United States Circuit Court of Appeals for the Tenth Circuit decided the appeal of said Cause No. 2569 Law and two other similar causes and held that said causes were properly dismissed by this Court; and it further appearing to the Court that no further appeal has been taken and no petition for writ of certiorari has been filed by the United States of America in connection with the appeal of said Cause No. 2569 Law, that the time for taking such action has now expired, and that the decision of the United States Circuit Court of Appeals for the Tenth Circuit on the appeal of said cause No. 2569 Law has become final.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED BY THE COURT that the motion of the defendant, Phillips Petroleum Company, to dismiss the above entitled and numbered cause is hereby sustained; and the plaintiff having elected to stand upon its last amended complaint and refusing to plead further said last amended complaint and the above entitled and numbered cause are hereby finally dismissed.

Dated this 2nd day of January, 1941.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Jan 3 1941
H. P. Warfield, Clerk
U. S. District Court H

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 3rd day of January, A. D. 1941, it being made satisfactorily to appear that Charles P. Gotwals, Jr., is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court.

Court adjourned to January 4, 1941

On this 4th day of January, A. D. 1941, 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 WITHIN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

City of Sapulpa, Oklahoma ex rel George)	
A. Ritzinger, Brandon Barringer, and)	
William W. Allen, Jr.,	)	No. 491 Civil
)	
Plaintiff,)	
)	
vs.)	
)	
Edith Helser, et al.,)	
)	
Defendants.)	

WARNING ORDER DIRECTING ABSENT DEFENDANT TO APPEAR AND ANSWER TO COMPLAINT OF PLAINTIFF

Now on this 4 day of January, 1941 there comes on regularly for hearing the verified application of the relators for an order directing a defendant who is absent from the State of Oklahoma to appear and plead or answer to the complaint of plaintiff by a day certain to be fixed by the court. The Court finds that this is an action commenced by plaintiff to foreclose the lien of delinquent special assessment instalments against lots and tracts of real estate located in the City of Sapulpa, Oklahoma as more particularly described in plaintiff's complaint and is an action in rem, and is a proceeding in accordance with the meaning and intent of Section 118, Title 28, U. S. C. A. and that the defendant named in the application is a non-resident of the State of Oklahoma and is not now within the State of Oklahoma and cannot be served with process in the State of Oklahoma and that an order should be made requiring him to appear and plead or answer to said complaint by a day certain and that a proper person should be appointed specially to serve a copy of this order and excerpted copy of the complaint of the plaintiff upon the absent defendant.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said application of the plaintiff should be and is hereby in all respects granted; and it is further ordered that the absent defendant to-wit, Paul C. Allen, is hereby directed to appear and plead or answer to the complaint of the plaintiff within 60 days after service upon said defendant of a true copy of this order and an excerpted copy of plaintiff's complaint, which said pleading or answer must be filed with the Clerk of this Court at Tulsa, Oklahoma, and in default thereof, the court will proceed to the hearing of said suit and judgment in rem will be awarded against said defaulting defendant in the same manner as if he had been served with process within the State of Oklahoma and had failed to plead or answer in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this order and an excerpted copy of plaintiff's complaint relevant to the interests of said defendant be served upon said defendant and that summons be served on the person or persons in possession or in charge of the property in which said absent defendant may be interested and it is further ordered and decreed that process as above be served upon said absent defendant by the person specially appointed for such process as set out in a separate order issued simultaneously with this order, and it is further ordered that said person specially appointed to serve process shall make return of a copy of this Warning Order showing the time, place and manner of serving same.

ENDORSED: Filed Jan 4 1941
H. P. Warfield, Clerk
U. S. District Court H

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

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

City of Sapulpa, Oklahoma ex rel)
George A. Ritzinger, Brandon Barringer,)
and William W. Allen, Jr., Plaintiff,) No. 491 - Civil

vs.

Edith Helser, et al., Defendants.

ORDER APPOINTING PERSON SPECIALLY TO SERVE PROCESS UPON
ABSENT DEFENDANT

Now on this 4 day of January, 1941 this court having issued a Warning Order directing a defendant absent from the State of Oklahoma to appear and answer or plead to plaintiff's complaint in the above cause, and it being necessary and proper for this court to appoint a competent and qualified person to serve a copy of this Warning Order and a copy of the complaint of the plaintiff upon said absent defendant;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that Orin J. Adams, of Kingston, Missouri, be and he is hereby appointed specially to serve all summons and process, mesne and final, copy of the Warning Order and copy of the excerpted complaint of the plaintiff, upon the defendant, whose address is as follows:

Paul C. Allen, R.F. G., Kingston, Missouri,

and it is further ordered and directed that the party appointed specially to serve process as aforesaid shall make a writ showing the time, place and manner of serving the same upon the party directed, which said writ shall be endorsed upon a copy of the Warning Order and shall be returned to Reynolds & Ridings, attorneys for the relators, at 421 Petroleum Building, Oklahoma City, Oklahoma.

It is further expressly provided that the appointment hereinabove made is a special appointment for the purpose only as hereinabove set out.

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

ENDORSED: Filed Jan 4 1941
H. P. Warfield, Clerk
U. S. District Court H

It is this day ordered in pursuance of Section 12 of the
Judicial Code, that the Regular January 1940 Term of said Court
at Tulsa, Oklahoma, be adjourned sine die.

commonly known as the Ferguson lease, Seminole County, Oklahoma, coming on regularly for hearing and the court having examined the record, being fully advised in the premises and finding:

1. That said Noble C. Hood is the duly appointed, qualified and acting receiver of Seminole Provident Trust, a trust estate, and as such receiver 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, State of Oklahoma, to-wit:

Ferguson lease - all of Lot 6 and the North 9.76 acres of Lot 7, all in Section 29, Township 7 North, Range 8 East, containing 41 acres, more or less;

together with a like undivided interest in and to the personal property or equipment located thereon or used or obtained in connection therewith, and together with a like interest in the production therefrom and the proceeds thereof.

2. That on December 19, 1940, after notice thereof had been given pursuant to the order of this court and in conformity with law, this court entered its order authorizing said receiver to sell his above described oil and gas leasehold interest, together with the production therefrom and the proceeds thereof as of December 19, 1940, at private sale to Byron V. Boone and Eli Wilkonson, both of Tulsa, Oklahoma, for a consideration of \$7,000.00 in cash, to be paid upon and subject to confirmation of said sale; and on said date said receiver did sell said property at private sale unto said persons for said cash consideration, they being the highest and best bidders for said property.

3. That on said December 19, 1940, this said court appointed three disinterested persons as appraisers to appraise said property and report their findings to this court on or before January 5, 1941; that on January 2, 1941 said persons executed their oath as said appraisers and appraised said property, and on January 3, 1941 filed their certificate of appraisement thereof, showing that same was, as of December 19, 1940 and as of the date of said certificate, namely, January 3, 1941, of the total appraised value of \$7,500.00. That said property was so appraised as provided by law and that the cash consideration of \$7,000.00 is a fair and reasonable consideration to be paid for said property so sold at private sale and is also in excess of two-thirds of its appraised value.

4. That notice of the hearing on confirmation of said private sale has been given as required by law and the order of this court.

5. That no one has submitted an offer for said property equal to or in excess of a 10% increase of said purchase price above described, and said sale should be confirmed and the Receiver authorized and directed to execute, acknowledge and deliver unto said purchasers a formal conveyance of the property so sold upon receipt of said \$7,000.00 cash consideration;

N O W, T H E R E F O R E,

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

1. That the private sale of December 19, 1940 by Noble C. Hood, Receiver of Seminole Provident Trust, a trust estate, to Byron V. Boone and Eli Wilkonson, both of Tulsa, Oklahoma, of an undivided 22% interest in and to the oil and gas leasehold estate and 7/8ths working interest covering the following described lands situated in Seminole County, Oklahoma, to-wit:

All of Lot 6 and the North 9.76 acres of Lot 7, all in Section 29, Township 7 North, Range 8 East, containing 41 acres, more or less;

together with a like interest in and to the personal property located thereon or used or obtained in connection therewith, and a like interest in the production therefrom and the proceeds thereof as of and from December 19, 1940 at 7:00 o'clock A.M., for a cash consideration and purchase price of \$7,000.00 is hereby confirmed and approved.

style of Central Supply Company, for a consideration of \$3,520.00 in cash, and on said December 3, 1940, said Receiver executed, acknowledged and delivered unto said purchasers in proper form an assignment of said leasehold interest so sold to them and received therefrom the cash consideration of \$3,520.00, which said receiver now holds.

3. That on December 19, 1940 this said court appointed three disinterested persons as appraisers to appraise said property and report their findings to this court on or before January 5, 1941; that on January 2, 1941 said persons executed their oath as said appraisers and appraised said property and on January 3, 1941 filed their certificate of appraisement thereof, showing that same was, as of December 1, 1940, and as of the date of said certificate, namely, January 3, 1941, of the total appraised value of \$3,000.00. That said property was so appraised as provided by law and that the cash consideration of \$3,520.00 is a fair and reasonable consideration to be paid for said property so sold at private sale and is also in excess of two-thirds of its appraised value.

4. That notice of the hearing on confirmation of said private sale has been given as required by law and the order of this court.

5. That no one has submitted an offer for said property equal to or in excess of a 10% increase of said purchase price above described, and said sale should be confirmed and said assignment heretofore executed and delivered confirmed and approved;

N O W, T H E R E F O R E,

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

1. That the private sale of December 3, 1940 by Noble C. Hood, Receiver of Seminole Provident Trust, a trust estate, to Abe Mizel, Morris Mizel and Sam Mazel, all of Tulsa, Oklahoma, co-partners doing business under the name and style of Central Supply Company, of an undivided 44% interest in and to the oil and gas leasehold estate and 7/8ths working interest covering the following described lands situated in Pottawatomie County, Oklahoma, to-wit:

The Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of
Section 32, Township 7 North, Range 4 East, containing 40 acres,
more or less;

together with a like interest in and to the personal property located thereon or used or obtained in connection therewith, and a like interest in the production therefrom and the proceeds thereof as of and from December 1, 1940 at 7:00 o'clock A.M., for a cash consideration and purchase price of \$3,520.00 is hereby confirmed and approved, and said assignment of December 3, 1940 from said Receiver to said purchasers is hereby confirmed and approved.

2. That said Receiver is hereby authorized and directed to execute such transfer and or division orders as may be necessary and required by the pipe line companies or other purchasers of the production of said leasehold interest as will cause the proceeds from said production to which said interest is entitled, as of and from December 1, 1940 at 7:00 o'clock A.M., to be paid direct unto said purchasers, and the transfer order or orders executed by said receiver and delivered unto said purchasers at the time of the execution and delivery of said assignment is hereby confirmed, authorized and approved.

Dated, January 6, 1941, at Tulsa, Oklahoma.

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

ENDORSED: Filed Jan 6 1941
H. P. Warfield, Clerk
U. S. District Court E

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 CONFIRMING SALE OF BRANDENBURG LEASES

Now on this the 6th day of January, 1941, same being a regular judicial day of the January term of the above indicated court, the matter of the confirmation of the private sale by Noble C. Hood, Receiver of Seminole Provident Trust, a trust estate, of said receiver's interest in that is commonly known as the Brandenburg leases, Pottawatomie County, Oklahoma, coming on regularly for hearing and the court having examined the record, being fully advised in the premises and finding:

1. That said Noble C. Hood is the duly appointed, qualified and acting Receiver of Seminole Provident Trust, a trust estate, and as such receiver is the owner and in possession of the following described undivided interests in and to the oil and gas leasehold estates (known as the Brandenburg leases) covering the following described lands situated in Pottawatomie County, Oklahoma, to-wit

Well	Interest	Description
B-1	11%	S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, Twp. 7 N., R. 4 E.
B-2	22%	NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ " " " " " " " " " "
C	22%	SW $\frac{1}{4}$ SE $\frac{1}{4}$ " " " " " " " " " "

together with like interests in and to the personal property and equipment located thereon or used obtained in connection therewith (except that said receiver and said receivership estate owns only an undivided 11% interest in and to the drilling derrick on Well No. 82 above referred to, which is located upon the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Said Sec. 3, Twp. 7 N., Rge. 4 E) together with like interests in the production therefrom and the proceeds thereof.

2. That on August 12, 1940, after notice thereof had been given pursuant to the order of this court and in conformity with law, this court entered its order authorizing said receiver to sell his above described oil and gas leasehold interests, together with the production therefrom and the proceeds thereof, as of June 1, 1940, to Abe Mizel, Morris Mizel and Sam Mizel, all of Tulsa, Oklahoma, co-partners doing business under the name and style of Central Supply Company, for a consideration of \$1943.33 in cash, and on said August 12, 1940 said receiver executed, acknowledged and delivered unto said purchasers in proper form an assignment of said leasehold interest so sold to them and received therefrom the cash consideration of \$1943.33, which said receiver now holds.

3. That on December 19, 1940, this said court appointed three disinterested persons as appraisers to appraise said property and report their findings to this court on or before January 5, 1941; that on January 2, 1941 said persons executed their oath as said appraisers and appraised said property and on January 3, 1941 filed their certificate of appraisal thereof, showing that same was as of June 1, 1940 and as of the date of said certificate, namely, January 3, 1941, of the total appraised value of \$1700.00. That said property was so appraised as provided by law and that the cash consideration of \$1943.33 is a fair and reasonable consideration to be paid for said property so sold at private sale and is also in excess of two-thirds of its appraised value.

4. That notice of the hearing on confirmation of said private sale has been given as required by law and the order of this court.

5. That no one has submitted an offer for said property equal to or in excess of a 10% increase of said purchase price above described, and said sale should be confirmed and said assignment theretofore executed and delivered confirmed and approved;

N O W, THEREFORE,

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

1. That the private sale of August 12, 1940 by Noble C. Hood, Receiver of Seminole Provident Trust, a trust estate, to Abe Mizel, Morris Mizel and Sam mizel, all of Tulsa, Oklahoma, co-partners doing business under the name and style of Central Supply Company, of the following described undivided interests in and to the oil and gas leasehold estates (known as the Brandenburg leases) covering the following described lands situated in Pottawatomie County, Oklahoma, to-wit:

Well	Interest	Description
B-1	11%	S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, T. 7 N., R. 4 E
B-2	22%	NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ " " " " " " " "
C	22%	SW $\frac{1}{4}$ SE $\frac{1}{4}$ " " " " " " " "

together with like interests in and to the personal property and equipment located thereon or used or obtained in connection therewith (except that said receiver and said receivership estate owns only an undivided 11% interest in and to the drilling Derrick on Well No. B-2 above referred to, which is located upon the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Said Sec. 3, Twp. 7 N., Rge. 4E) together with like interests in the production therefrom and the proceeds thereof as of and from June 1, 1940 at 7:00 o'clock A.M., for a cash consideration and purchase price of \$1,943.33, is hereby confirmed and approved, and said assignment of August 12, 1940 from said Receiver to said purchasers is hereby confirmed and approved.

2. That said receiver is hereby authorized and directed to execute such transfer and/or purchase division orders as may be necessary and required by the pipe line companies or other purchasers of the production of said leasehold interest as will cause the proceeds from said production to which said interests are entitled, as of and from June 1, 1940 at 7:00 o'clock A.M., to be paid direct unto said purchasers, and the transfer order or orders executed by said receiver and delivered unto said purchasers at the time of the execution and delivery of said assignment is hereby confirmed, authorized and approved.

Dated, January 6, 1941, at Tulsa, Oklahoma.

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

ENDORSED: Filed Jan 6 1941
H. P. Warfield, Clerk
U. S. District Court H

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

Sammons-Robertson Company, a corporation,)	
	Plaintiff,)
vs.	)	No. 443 - Civil
))
Maseman Construction Company, a)	
corporation, et al,	Defendants.)

ORDER RULING ON DIVERS MOTIONS

On this January 6, 1941, pursuant to due assignment and after the defendant Ray McNaughton is permitted without objection to file and does file amended motion, all motions now pending in this court are heard.

The motions of George W. Schaffer and other members of the Board of GRDA, including Mr. McNaughton, and of Grand River Dam Authority and Holway and Neuffer are presented by R. L. Davidson, their attorney. The motions of Massman Construction Company are presented by R.W. Crim, its attorney, and the motion of the various surety company defendants are presented by Richard L. Whentley, their attorney. The plaintiff is represented by Robert W. Reynolds and Henry G. Snyder, its attorneys, both present.

After argument, and being fully advised, the court, except in the respects and particulars hereinafter stated, overrules and denies all motions of all respective defendants, and allows exceptions to each respective defendants as to each.

The court sustains the motion of the defendants, GRDA McNaughton, Schaffer, Butler, Crouse, Perkins and Eichenberger, and Holway and Neuffer to dismiss the sixth count of the complaint as to them; and upon the motion of the Massman Company and such surety companies respecting the allegations at the bottom of page 26 and the top of page 27, paragraph 49, of such sixth count, require the plaintiff to more particularly state the basis for, and its method of arriving at, the figure stated that "the reasonable value of such work was and is the sum of \$257,404.15". Plaintiff is granted 20 days within which to amend the sixth count of the complaint, and to make the same more definite in the particulars stated, and the defendants are ruled to plead within 10 days, or answer within 20 days, after service of such amendment. If plead to, the answer to the other counts of the complaint is deferred until time to be fixed at hearing and ruling upon pleading to such amendment. If answered, however, the respective defendants are ruled to answer the other counts at the same time as answering the amendment to the sixth count.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 24 1941
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to January 7, 1941

On this 7th day of January, A.D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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 FOR THE NORTHERN DISTRICT OF OKLAHOMA

Caddo Oil Company, a corporation, Plaintiff,)
vs.) No. 342 Civil
The Ohio Oil Company, a corporation, and Ramsey)
Petroleum Corporation, a corporation, Defendants.)

STIPULATION

It is hereby stipulated and agreed by and between the parties hereto that, in view of the fact that title to the oil and gas lease as claimed by plaintiff in this suit, being the principal point of controversy between the parties, was duly assigned to it by defendants subsequent to the institution of this suit, this suit should be and the same hereby is dismissed at the cost of defendants.

Dated this 2nd day of January, 1941.

CADDO OIL COMPANY
By EVERETT PETRY, Its attorney

THE OHIO OIL COMPANY and RAMSEY
PETROLEUM CORPORATION
By H. G. ROSS, Their attorney

Dismissed pursuant to above stipulation. Jan 7, 1941.

ROYCE HL SAVAGE
JUDGE

ENDORSED: Filed Jan 7 1941
H. P. Warfield, Clerk
U. S. District Court H

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

RECONSTRUCTION FINANCE CORPORATION,)
a corporation, Plaintiff,)
)
-vs-) No. 505 - Civil
)
WERTZBERGER DERRICK COMPANY, a corporation,)
and McNAMAR BOILER & TANK COMPANY, a)
corporation, Defendants.)

O R D E R

NOW on this the 7th day of January, 1941, the application of W. W. McClure, Trustee in Bankruptcy for Wertzberger Derrick Company, a corporation, to vacate the order entered herein on the 26th day of December, 1940, appointing M. C. Trimble as Receiver of the assets and property of said Wertzberger Derrick Company, a corporation, came on for hearing before the Honorable Royce H. Savage, Judge of the United States District Court in and for the Northern District of Oklahoma; the plaintiff, Reconstruction Finance Corporation, and M. C. Trimble, Receiver, appearing by their attorney, Luther Bohanon, and W. W. McClure, Trustee in Bankruptcy, appearing by his attorney, G. Ellis Gable, and after argument of counsel, the Court, being well and sufficiently advised in the premises, finds:

- (1) That on the 17th day of December, 1940, the Court granted permission to and authorized the Reconstruction Finance Corporation to file the above entitled and numbered cause, for the purpose of foreclosing mortgages owned by the Reconstruction Finance Corporation as to real and personal property owned by the Wertzberger Derrick Company, a corporation.
- (2) That at the time of the appointment of M. C. Trimble, as Receiver herein, W. W. McClure was, and at all time since has been, in possession of the premises set forth in plaintiff's petition filed herein.

(3) That W. W. McClure, Trustee in Bankruptcy, should have sixty days additional time from and after January 7, 1941, in which to negotiate a sale of the properties and premises of Wertzberger Derrick Company, in order that such sale may produce sufficient revenue to pay the Reconstruction Finance Corporation, its note and mortgage, and all accrued expense; the balance, if any, to apply on claims of common creditors of the Bankrupt.

(4) That the said M. C. Trimble, Receiver heretofore appointed on the 26th day of December, 1940, should not be discharged as such Receiver, but should continue as such; however, said Receiver should not take physical possession of the premises and properties set forth in plaintiff's petition during said sixty-day period.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that W. W. McClure, Trustee in Bankruptcy, shall remain in possession of said premises set forth in plaintiff's petition, for a period of sixty days from and after January 7, 1941, or until March 7, 1941, and said Trustee shall hold, preserve and keep possession of all of said property and equipment owned by Wertzberger Derrick Company, of whatsoever kind or nature, in status quo, and shall make no sale, lease or rental contract of any form, type or kind, without authorization of this Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said M. C. Trimble, Receiver herein shall not be responsible for the care and keep of said premises, properties and equipment during said sixty-day period of time, and he shall not interfere or molest said W. W. McClure in his possession thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that should the said W. W. McClure, Trustee in Bankruptcy, fail to secure a purchaser of said properties and equipment belonging to the Wertzberger Derrick Company, within a period of sixty days from and after January 7, 1941, that he shall automatically and without further order of this Court, turn over, and account for, all of said properties and equipment belonging to the Wertzberger Derrick Company, to the Receiver, M. C. Trimble.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Jan 13 1941
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to January 8, 1941

On this 8th day of January, A.D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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 FOR THE NORTHERN
DISTRICT OF OKLAHOMA

H. C. Hovenden; and the City of Bristow, Oklahoma, a municipal corporation, ex rel, H. C. Hovenden,	Plaintiffs,)	
)	
vs		)	No. 465

R. Cahill; City of Bristow, Oklahoma, a municipal corporation, et al	Defendants.)	
)	
H. C. Hovenden,	Plaintiff,)	
)	
vs.)	No. 340

City of Bristow, Oklahoma, a municipal corporation,	Defendant.)	
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This matter coming on to be heard this 3rd day of January, 1941, and plaintiff appearing by counsel and defendants appearing by counsel, and upon the Court's motion,

It is ORDERED AND ADJUDGED that the above styled actions be consolidated for the purpose of trial only.

ROYCE H. SAVAGE
U. S. District Judge

ENDORSED: Filed Jan 8 1941
H. P. Warfield, Clerk
U. S. District Court H

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

H. C. Hovenden; and the City of Bristow, Oklahoma, a municipal corporation, ex rel, H. C. Hovenden,	Plaintiffs,)	
)	
vs.		)	CIVIL ACTION NO. 465

R. Cahill; City of Bristow, Oklahoma, a municipal corporation, et al,	Defendants.)	
--	-------------	---	--

ORDER OVERRULING MOTION TO DISMISS COMPLAINT

This matter coming on to be heard this 3rd day of January, 1941 on motion to dismiss of defendant City of Bristow, Oklahoma, and both parties appearing by counsel and the court having heard the argument, finds that said motion should be overruled.

IT IS THEREFORE ORDERED AND ADJUDGED that said motion be and the same is hereby overruled, and exception is allowed said defendant, and twenty days from this date is allowed in which answer.

ROYCE H. SAVAGE
U. S. District Judge

ENDORSED: Filed Jan 8 1941
H. P. Warfield, Clerk
U. S. District Court H

On this 10th day of January, 1941, 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 J. H. McBirney, Successor Trustee to the Exchange National Bank of Tulsa, was a note executed by Bertha G. Duga and F. S. Duga, dated June 1, 1931, for the principal sum of Ten Thousand Nine Hundred Dollars (\$10,900.00), upon which there was due the principal sum of Ten Thousand Three Hundred Thirty Nine & 07/100 Dollars (\$10,339.07), said note being secured by a first and prior real estate mortgage covering

Lot Twelve (12) in Block Eleven (11) Maple Park Addition to the City of Tulsa, Tulsa County, Oklahoma;

and it further appearing that because of the inability of the said trustee to collect said indebtedness, he instituted cause No. 58389 in the District Court of Tulsa County, Oklahoma, and obtained judgment therein on September 8, 1936, against Bertha G. Duga and F. S. Duga, for the principal sum of Ten Thousand Three Hundred Thirty Nine & 07/100 (\$10,339.07), together with interest to the date of judgment in the amount of Four Thousand Eight Hundred Forty Two & 10/100 Dollars (\$4,842.10), and the further sum of One Thousand Nine Hundred Seven & 04/100 Dollars (\$1,907.04) advanced for the payment of insurance premiums and taxes, and for the further sum of One Thousand Dollars (\$1,000.00) attorney fees, said judgment being entitled to a credit in the amount of Eight Hundred Twelve & 58/100 Dollars (\$812.88) on account of rents collected from said premises, and for the foreclosure of said real estate mortgage; that thereafter pursuant to appropriate proceedings therefor, said real estate was sold by the Sheriff of Tulsa County, Oklahoma, and was purchased by J. H. McBirney, Successor Trustee, for the sum of Six Thousand Dollars (\$6,000.00), which sum was credited upon said judgment; and it further appearing that the said real estate so sold is

Lot Twelve (12) in Block Eleven (11), Maple Park Addition to the City of Tulsa, Tulsa County, Oklahoma,

and that J. H. McBirney, Successor Trustee, is the present owner and holder of legal title thereto; and it further appearing that the said real estate consists of a lot 50' x 140', and is improved by two apartment buildings, which said buildings are in a good state of repair, except that carpenter work and interior decoration will be required upon the larger of the two buildings within the near future, and that from Five Hundred Dollars (\$500.00) to Seven Hundred Dollars (\$700.00) will be required for said repairs and decorations; that said property produces a rental income of Eighty Dollars (\$80.00) per month; and it further appearing that the said real estate and premises stands as an investment upon the books of said trust in the amount of Ten Thousand Eight Hundred Sixteen & 91/100 Dollars (\$10,816.91); and it further appearing that Hazel Green McCoy has offered to purchase the said real estate and improvements for the sum of Six Thousand Dollars (\$6,000.00) in cash, and that all of the members of the Advisory Committee have been notified by mail of said offer, but that J. B. Diggs, Chairman of the said Advisory Committee, is absent from the City of Tulsa, and has not had actual notice of said offer; that the remaining members of said Advisory Committee, who have had actual notice of said proposal, have considered the same and have approved said offer, and having recommended that your trustee sell said real estate for said cash consideration of Six Thousand Dollars (\$6,000.00); and it further appearing that said trustee has not had a higher or better offer for said real estate and improvements above described; that said trust is in liquidation, and that the trustee has recommended that said real estate and improvements be sold for cash consideration of Six Thousand Dollars (\$6,000.00), even though a financial loss result to said trust by reason of said sale; 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, Oklahoma, who are entitled to compensation for their services in arranging the sale of said real estate in the event said sale is ultimately consummated, and that five per cent (5%) of said consideration, or the sum of Three Hundred Dollars (\$300.00) is reasonable compensation for said services, and for other good cause,

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

Lot Twelve (12) in Block Eleven (11), Maple Park Addition to the City of Tulsa, Tulsa County, Oklahoma,

Kansas, Exhibit "M-7" received in evidence herein.

DATED this 11 day of January, 1941.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed Jan 11 1941
E. P. Warfield, Clerk
U. S. District Court H

Court adjourned to January 13, 1941

On this 13th day of January, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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 - DESIGNATION OF JUDGE F. E. KENNAMER TO NORTHER DISTRICT OF TEXAS.

DESIGNATION OF DISTRICT JUDGE FOR SERVICE IN ANOTHER CIRCUIT

The Senior Circuit Judge of the Fifth Circuit having certified that by reason of the accumulation and urgency of business in the District Court for the Northern District of Texas, in the Fifth Circuit, the district judge of said district are unable to perform speedily the work of that district, and that he (the said Senior Circuit Judge) has found it impractical to designate and assign a sufficient number of district judges of other districts within the Fifth Circuit to relieve the said accumulation and urgency of business; and the Senior Circuit Judge of the Tenth Circuit having consented to the designation and assignment of the Hon. Franklin E. Kennamer, United States District Judge for the Northern District of Oklahoma, in the Tenth Circuit, to hold the District Court for the Northern District of Texas during the period beginning January 13, 1941, and ending July 13, 1941, now, therefore, pursuant to the authority vested in me by Title 28, Section 17, of the Code of Laws of the United States of America, I do hereby designate and assign the said Hon. Franklin E. Kennamer to perform the duties of district judge and hold a district court in the Northern District of Texas within the Fifth Circuit, during the period beginning January 13, 1941, and ending July 13, 1941, and for such further time as may be required to complete unfinished business.

CHARLES E. HUGHES
Chief Justice of the United States

Dated, Washington, D. C.
January 9, 1941

ENDORSED: Filed Jan 13 1941
H. P. Warfield, Clerk
U. S. District Court

MISCELLANEOUS - DESIGNATION OF HON. F. E. KENNAMER TO NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA TENTH JUDICIAL CIRCUIT

In my judgment the public interest requires the designation and appointment of a District Judge to hold District Court of the United States in the Northern District of Oklahoma in the place, or in aid of Honorable Royce H. Savage, District Judge of that District:

I do, therefore, by these presents designate and appoint the Honorable Franklin E. Kennamer, retired District Judge of the Northern District of Oklahoma, and assigned to hold court in the Northern District of Oklahoma, by the Act of Congress of February 16, 1925, 43 Stat. 945, 946, to hold or assist in holding the District Court of the United States for the Northern District of Oklahoma, from January 1, 1941, until December 31, 1941, both inclusive, in place or in aid of the Honorable Royce H. Savage, District Judge for the Northern District of Oklahoma.

Witness my hand this tenth day of January, A. D. 1941.

ORIE L. PHILLIPS
Senior Circuit Judge

ENDORSED: Filed Jan 13 1941
H. P. Warfield, Clerk
U. S. District Court H

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Libelant,)
vs)

One 1940 Ford Business Coupe Automobile, Motor No. 18-5,294,799, and approximately 12 gallons of Assorted Taxpaid Intoxicating Liquors seized therein; Harry H. Miller, D.W. Clemans, and the Universal Credit Company, Claimants.) No. 462 Civil

JOURNAL ENTRY OF JUDGMENT

Now on this 11th day of January, 1941, this matter having come regularly on before the Court, libelant appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Joe W. Howard, and Assistant United States Attorney for said District, and moves the dismissal of this action insofar as the automobile is concerned, and it further appearing that said approximately Twelve (12) gallons of assorted taxpaid intoxicating liquors were seized on July 19, 1940, as alleged in the Libel of Information on file herein, and that neither claimant Harry H. Miller, from whom it was thus seized, nor any person on his behalf has made any claim therefor or asserted any interest therein since that seizure, and the Court being otherwise fully advised in the premises, finds that said intoxicating liquors were transported as alleged herein in violation of Section 223, Title 27, U. S. C. A., and because thereof, same should be forfeited.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that this action be and the same is hereby dismissed as to the said described 1940 Ford Business Coupe Automobile, Motor No. 18-5,294,799, and said described automobile is hereby ordered delivered to the possession of the claimant Universal Credit Company upon its payment of the costs herein and all storage charges.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that forfeiture herein be and the same is hereby allowed as to the said approximately Twelve (12) gallons of assorted taxpaid intoxicating liquors seized as alleged herein on July 19, 1940, which intoxicating liquors were ordered delivered over to the Secretary of the Treasury of the United States for proper and lawful disposition.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 13 1941
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to January 14, 1941

On this 14th day of January, A.D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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

HENRIETTA LULA RAMSEY,

Plaintiff,)

vs.)

No. 442 Civil)

SEARS, ROEBUCK AND COMPANY, a
corporation,

Defendant.)

J U D G M E N T

On this 14th day of January, 1941, there came on for hearing the motion of the defendant, Sears, Roebuck and Company, for a directed verdict and for judgment notwithstanding the verdict of the jury rendered in this cause on December 18, 1940 and plaintiff appearing by her attorneys, Baile E. Bell and J. A. Rowles, and defendant appearing by its attorneys, Harper, Williams & Boesche, and the court having considered said motion and the briefs submitted by counsel finds that said motion should be sustained and judgment entered for the defendant, Sears, Roebuck and Company.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the motion of the defendant, Sears, Roebuck and Company, for a directed verdict and for judgment notwithstanding the verdict of the jury rendered in this cause on December 18, 1940 be and the same hereby is sustained and judgment is entered in this cause in favor of the defendant, Sears, Roebuck and Company, and against the plaintiff, Henrietta Lula Ramsey, and the plaintiff, Henrietta Lula Ramsey, is adjudged to have and recover nothing in this action against the defendant, Sears, Roebuck and Company.

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.		) NO. 323 - CIVIL
)
ATCHISON, TOPEKA and SANTA FE RAILWAY COMPANY, a corporation,	Defendants..)

C R D E R

This matter coming on for hearing this 15th day of January, 1941, upon the defendant's motion to dismiss and motion for summary judgment and the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the Osage Tribe of Indians appearing by special counsel, Ralph Barney and Henry R. Duncan, and the defendant, Atchison, Topeka and Santa Fe Railway Company, appearing by Geo. M. Green and the court being fully advised in the premises, upon application of the United States, allows and permits the United States to amend its complaint by interlineation by adding to paragraph VIII of the complaint of the following words to-wit: "And the Act of Congress of February 28, 1902 (32 Stat. 43)" with the reservation that the United States may, if it so desires, file and amended complaint and the court, after being further advised in the premises, finds that the motion to dismiss and the motion for summary judgment should be continued for further hearing.

IT IS THE ORDER OF THE COURT that the United States be and it hereby is granted thirty (30) days from this date in which to file an amended complaint, if it so desires, and it is the further order of the court that the defendant be and it hereby is granted fifteen (15) days from the date of the filing of said amended complaint to plead to the same.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Jan 15 1941
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. 354 - CIVIL
)
MISSOURI, KANSAS, TEXAS RAILROAD COMPANY, a corporation,	Defendant.)

C R D E R

This matter coming on for hearing this 15th day of January, 1941, upon the defendant's motion to dismiss and motion for summary judgment and the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the Osage Tribe of Indians appearing by special counsel, Ralph Barney and Henry R. Duncan, and the defendant, Missouri, Kansas, Texas Railroad Company, a Corporation, appearing by M. D. Green and the court being fully advised in the premises, upon application of the United States, allows and permits the United States to amend its

complaint by interlineation by adding to paragraph VIII of the complaint the following words, to-wit: "And the Act of Congress of February 28, 1902 (32 Stat. 43)" with the reservation that the United States may, if it so desires, file an amended complaint and the court, after being further advised in the premises, finds that the motion to dismiss and the motion for summary judgment should be continued for further hearing.

IT IS THE ORDER OF THE COURT that the United States be and it hereby is granted thirty (30) days from this date in which to file an amended complaint, if it so desires, and it is the further order of the court that the defendant be and it hereby is granted fifteen (15) days from the date of the filing of said amended complaint to plead to the same.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Jan 15 1941
H. P. Warfield, Clerk
U. S. District Court H

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

JOHN E. MILLER, Administrator of the Estate)
of Paul T. Miller, Deceased, Plaintiff,)

-vs-

No. 487 Civil

Oklahoma Power and Water Co., a corporation,)
Defendant.)

DISMISSAL WITHOUT PREJUDICE

Comes now the above named plaintiff, and dismisses his cause of action against the above named defendant without prejudice.

G. K. SUTHERLAND
BAILEY E. BELL
Attorneys for Plaintiff

DISMISSED WITH MY CONSENT

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 15 1941
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to January 17, 1941

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that said interpleader be allowed and the plaintiff, The Prudential Insurance Company of America, is hereby discharged and released from any further liability upon its policy No. 83443180 on the life of William Mervin Cardin now deceased, and that it be further released and discharged from any further liability to the defendants herein on account of matters pertaining to this action or otherwise.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the stipulation heretofore entered into and filed in this cause be and the same is hereby approved and Georgia R. Cardin and W. O. Cardin are hereby given judgment against the fund paid into the registry of this court in the sum of Three Hundred Fifty Dollars (\$350.00) and that Alberta Cardin, Administratrix of the Estate of William Mervin Cardin, deceased, is hereby given judgment against the fund in the registry of this court in the sum of \$1202.78, and the clerk of this court is hereby ordered to make disbursements of these amounts to said parties, and upon receipt of the same said defendants shall have no further rights in regard to said policy or the fund in the registry of this court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that Alberta Cardin, Guardian of Carl William Cardin and Robert George Cardin, take nothing in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that G. Ellis Gable be and he is hereby allowed an attorney's fee of \$150.00 to be paid out of the funds in the registry of this court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that G. Ellis Gable be reimbursed for court cost deposit made by him in the amount of Twenty Five Dollars (\$25.00), the same, together with the clerk's fees, to be paid from the funds in the registry of this court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the disbursement of the funds by the Clerk of this court that the judgment in this case be released by said clerk.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 17 1941
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to January 20, 1941.

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 20, 1941

On this 20th day of January, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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 FOR THE NORTHERN DISTRICT OF
OKLAHOMA

Simon Jewelry Company, Inc.
a corporation,

Plaintiff,

vs

Saint Paul Fire and Marine Insurance
Company of Saint Paul, Minnesota, a
corporation,

Defendant.

No. 455 Civil

O R D E R

Now on this 20th day of January, 1941, on application of the plaintiff above
named duly made in open court:

IT IS ORDERED that Plaintiff have leave to file instanter an amended complaint herein
and that the defendant shall have 15 days from date of service of amended complaint to plead there-
unto.

IT IS FURTHER ORDERED that in case defendant shall fail to plead specifically within
said period of time that the amended answer herein filed shall be treated and considered as the answer
to the amended complaint.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 20 1941
H. P. Warfield, Clerk
U. S. District Court JS

Court adjourned to January 21, 1941

On this 21st day of January, A.D. 1941, the District Court of the United States for
the Northern District of Oklahoma, sitting in Regular January 1941 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

In the matter of the
Appointment of United States Commissioner,
Vinita, Oklahoma

O R D E R

A vacancy having occurred in the United States Commissioner's office at Vinita, Oklah

* * * * *

"It is therefore ordered, adjudged and decreed by the court that a forfeiture herein be and the same is hereby allowed as to the said described 1937 LaSalle Sedan Automobile, Motor, No. 2,234,769, in so far as the interest and rights of claimant John L. Enochs are concerned.

"It is further ordered, adjudged and decreed by the court that forfeiture herein be and the same is hereby allowed as to the said described one 55 gallon iron drum distillery set up, 30 gallons of untaxpaid whiskey, 750 gallons of mash, sixteen 50-gallon barrels, four 10-gallon kegs, fifteen 1-gallon jugs, four 4 1/2-lb. cans of malt extract, and other paraphernalia and materials used in connection with such distillery seized with said described automobile, which personal property is ordered destroyed in the manner provided by law.

"It is further ordered, adjudged and decreed by the court that the claim of the Interstate Securities Company be and the same is hereby allowed, upon payment of the sum of One Hundred Twenty-five Dollars (\$125.00), and all storage charges and the cost of any instruments filed herein by said claimant, Interstate Securities Company, and the United States Marshal for the Northern District of Oklahoma is directed to deliver over to said Interstate Securities Company in Tulsa, Oklahoma, said described automobile upon its furnishing receipts reflecting such payments and the application for delivery of said automobile to the Treasury Department for the use of the Bureau of Internal Revenue in the enforcement of the Internal Revenue Laws, pursuant to Section 304 of the Liquor Law Repeal & Enforcement Act, is and the same is hereby denied, to which ruling of the court libellant excepts."

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby reversed and the cause remanded with instructions to modify the judgment so as to deny mitigation to the Securities Company and award forfeiture of the automobile to the United States; and that United States of America, appellant, have and recover of and from Interstate Securities Company, a corporation, its costs herein and have execution therefor.

- - December 14, 1940.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 20th day of January, in the year of our lord one thousand nine hundred and forty-one.

COSTS OF	APPELLANT;	
Clerk	27.45	
Printing Record	48.35	
Attorney	20.00	
	<u>\$95.80</u>	

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

UNITED STATES CIRCUIT COURT OF APPEALS
TENTH CIRCUIT

Costs taxed in favor of appellant in the case of United States of America vs. One 1937 LaSalle Sedan Automobile etc., et al,		No. 2170	5 00
Filing record and docketing cause			
Filing copies of printed record			-- --

Filing and entering 1 appearance for appellant	50
Filing and entering appearance for	-----
Clerk, preparing record for printer, etc.,	8 25
Printer, for printing record	48 35
Filing 7 papers	1 75
Entering 1 order, 1 folio	20
Filing brief for appellant	5 00
Filing briefs for	
Filing opinion	25
Filing and entering judgment or decree	1 25
Filing petition for a rehearing	
Issuing mandate to District Court	5 00
Filing receipt for mandate	25
Filing receipt for balance of deposit	
Attorney's docket fee	20 00
	<hr/>
	95 80

ATTEST:

ROBERT B. CARTWRIGHT
Clerk U. S. Circuit Court of Appeals,
Tenth Circuit

ENDORSED: Filed Jan 22 1941
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. 372 - Civil
)	
MARGARET MASHUNKASHEY, NOW BRADSHAW,	Defendant,)	

C O R D E R

This cause coming on for hearing upon this 22nd day of January, 1941, upon the Application of the defendant for Ten (10) days additional time in which to file an answer in the above entitled cause, and the Court, being fully advised in the premises, finds that said application should be allowed.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendant be and is hereby allowed up to and including February 3, 1941 in which to file an answer in the above entitled cause.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 22 1941
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.		)	Civil Action No. 396
)	
J. A. FRATES, JR.,	Defendant,)	

O R D E R

For good cause shown, the defendant is granted an extension of time of thirty (30) days from the date hereof within which to file his answer in the above entitled cause.

ROYCE H. SAVAGE
Judge

ENDORSED: Filed Jan 22 1941
H. P. Warfield, Clerk
U. S. District Court

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

INTERSTATE COMMERCE COMMISSION,	Plaintiff,)	
)	
vs.		)	Civil Action No. 503
)	
OKLAHOMA TRUCK LINE, INC., a corporation,	Defendant,)	

CONSENT DECREE

This cause coming on this day to be heard before the Honorable Royce H. Savage, Judge of the United States District Court in and for the Northern District of Oklahoma, and the plaintiff appearing by its attorney, Whit Y. Mauzy, United States Attorney, and the defendant, Oklahoma Truck Line Inc., a corporation domiciled in Sapulpa, Oklahoma, represented by T. H. Cooper, its president, and S. F. Goldwyn, its attorney; and it appearing that the defendant has filed in this cause an entry of appearance, and has consented in writing to the rendition of a final decree granting an injunction as prayed for in the complaint filed in this cause;

And it further appearing that the defendant has also in open court consented that such final decree may be so entered; and further, that this Court has full and complete jurisdiction in the premises to render such final decree;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED: That the defendant, Oklahoma Truck Line, Inc., its agents, employees and representatives and all others acting by or under its direction, supervision, consent or authority and all persons in active concert or participating with it, be and they are hereby permanently enjoined and restrained from in any manner or by any device, directly or indirectly,

(A) transporting or holding itself out to transport property for the general public in interstate commerce by motor vehicle for compensation on public highways, and engaging in interstate operations as a common carrier, by motor vehicle, unless and until such time, if at all, as

(1) There is in force with respect to said Oklahoma Truck Line, Inc., a certificate of

IT IS THEREFORE ORDERED that the receiver herein is hereby authorized and directed to pay to each the said A. C. Saunders and Font L. Allen the balance unpaid on said monthly allowance of \$25.00 per month to each of said attorneys from the 9th day of May, 1940 to January 1, 1941 as soon as funds are available for such purpose, and that from and after said date of January 1, 1941 that no further monthly compensation be paid to said attorneys, or either of them, unless otherwise ordered by the court, and that said order of June 18, 1940 in so far as same fixes a monthly allowance of \$25.00 to each of said attorneys from the funds accruing to the receivership estate by vacated and set aside as of January 1, 1941.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Jan 22 1941
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to January 23, 1941

On this 23rd day of January, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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 - OATH OF FRANK L. HAYMES, U. S. COMMISSIONER

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

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

I, Frank L. Haymes, do solemnly swear that I will administer justice without respect to persons, and do equal right to the rich and to the poor, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a United States Commissioner, agreeable to the Constitution and Laws of the United States.

I further solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true allegiance to the same; that I take this obligation freely, without any mental reservation and purpose of evasion; that I will well and faithfully discharge the duties of the office on which I am about to enter. SO HELP ME GOD.

FRANK L. HAYMES

ENDORSED: Filed Jan 23 1941
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to January 24, 1941

On this 24th day of January, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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

CREEK NATION OF INDIANS, by Alex Moon, Principal Chief, Plaintiff,)
vs.) No. 367-Civil

Nancy Barnett, nee Grayson, Sinclair Prairie Oil Company, a corporation, et al, Defendants.)

O R D E R

The motion of defendant, Sinclair Prairie Oil Company, to dismiss this action having been heretofore heard and taken under advisement, the Court is of the opinion that said motion should be sustained for the following reasons:

First: The Plaintiff is without legal capacity or authority to maintain this action.

Second: The matters and things herein involved have heretofore been fully, conclusively and finally adjudicated and determined by the decree of this Court rendered and entered on December 14, 1925, in Cause No. 14 Equity, wherein the United States of America was plaintiff, and defendant Sinclair Prairie Oil Company and others were defendants.

Now on this 22nd day of January 1941, it is ordered that the motion of defendant, Sinclair Prairie Oil Company, a corporation, and all other motions filed by defendants herein to dismiss this action be and the same are hereby sustained and this action is dismissed, to which action of the Court, plaintiff excepts, and exception is allowed.

The motions of various defendants, to dismiss the cross-claim of defendant, Jim Payne Wood, are continued for further consideration and defendants who have filed motions to dismiss said cross-claim of said Jim Payne Woods are allowed ten (10) days from this date in which to file briefs in support of said motions to dismiss and defendant, Jim Payne Woods, is allowed ten (10) days after the service of said briefs in which to file answer brief.

DATED THIS 22nd day of January, 1941.

ROYCE H. SAVAGE
F. E. KENNAMER
Judges

ENDORSED: Filed Jan 24 1941
H. P. Warfield, Clerk
U. S. District Court H

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

Republic Life Insurance Company,
a corporation,

Plaintiff,

-vs-

No. 4 8 2 Civil

Evelyn McGhee and Elisabeth Church Ray,
Defendants.

O R D E R

Upon application of Elisabeth Church Ray, and for good consideration shown, it is ordered and directed by the Court that said defendant, Elisabeth Church Ray, be permitted to take depositions of witnesses in Oklahoma City, Oklahoma, upon two clear days notice of all parties.

Dated this 24 day of January, 1941.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 24 1941
H. P. Warfield, Clerk
U. S. District Court B

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

WALTER REED, JR.,

Plaintiff,)

vs.)

No. 488 Civil)

NASH-KELVINATOR CORPORATION, a
corporation, C. I. T. CORPORATION,
a Corporation, KINNEBREW MOTOR
COMPANY, a corporation,

Defendants.)

EXTENSION OF TIME FOR DEFENDANTS TO PLEAD

On this the 23d day of January, 1941, upon the request of the defendants and for good cause shown:

IT IS ORDERED by this court, that all of the defendants herein be, and they are hereby granted an additional ten (10) days from this date in which to plead.

ROYCE H. SAVAGE
U. S. District Judge

ENDORSED: Filed Jan 24 1941
H. P. Warfield, Clerk
U. S. District Court AC

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

BEN HARRISON, Plaintiff,)
vs.) Civil File No. 500
TEXAS COMPANY, Defendant.)

ORDER REMANDING

On January 24, 1941, it is by the court ordered and decreed that plaintiff's motion to remand this cause of action to the District Court of Osage County, Oklahoma, is sustained. Said cause of action is remanded to the said District Court of Osage County, Oklahoma for further proceedings.

The Clerk is directed to furnish to the court clerk of Osage County, Oklahoma, certified copy of this order.

ROYCE H. SAVAGE
Judge

ENDORSED: Filed Jan 30 1941
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to January 25, 1941

On this 25th day of January, A.D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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

PATERSON-BALLAGH CORPORATION, LTD., Plaintiff,)
a corporation,) CIVIL ACTION NO. 147
vs.)
RUBBER SLEEVE SPECIALITY COMPANY, a Defendants.)
corporation, and R. H. HOWARD,)

J U D G M E N T

THIS CAUSE having come duly on the heard, it is, upon due consideration thereof ORDERED ADJUDGED AND DECREED:

I.

That Patterson-Ballagh Corporation, Ltd., is the owner of the entire right, title and interest in and to United States Letters Patent No. 1,965,876 issued to plaintiff as assignee of William I. Bettis on the 10th day of July, 1934.

II.

That United States Letters Patent No. 1,965,876 are good and valid in law, particularly as to Claims 2 to 9 inclusive.

III.

That the defendants, and each of them, have infringed said Letters Patent No. 1,965,876 and particularly Claims 2 to 9 inclusive thereof, by the manufacture and use of applicators of the vertical or gravity form like Plaintiff's Exhibit No. 7; and that the said defendants, and each of them have infringed said Letters Patent No. 1,965,876, and particularly Claims 2, 3, 5 and 6 thereof; by the manufacture and use of horizontal or hydraulic form of applicators like Defendant's Exhibit No. 4.

IV.

That a perpetual injunction issue out of and under the seal of this Court against said defendants, R. H. Howard and Rubber Sleeve Specialty Company, a corporation, enjoining them, and each of them, their officers, agents, servants, employees and attorneys, and those in active concert or participation with them, and each of them, and all those holding through or under them, and each of them from directly or indirectly manufacturing, using or causing to be used, selling or offering for sale, any applicator which embodies the intentions of Claims 2 to 9 inclusive, or any of them, or Letters Patent No. 1,965,876, and in particular from directly or indirectly manufacturing, using, selling or offering for use or sale any applicators like or similar to Plaintiff's Exhibit No. 7 or Defendants' Exhibit No. 4, utilizing an apertured expansible structure or a plurality of relatively movable members to form a support for the ring to be expanded.

V.

That the plaintiff is entitled to recover of defendants the profits which they have derived from and the damages which plaintiff has sustained by reason of said infringements and that this Court shall hereafter ascertain said profits and damages, or enter an order referring the case to a Special Master to take and state an accounting of said profits and damages and assess the same and report thereon pursuant to the statutes and rules in such case made and provided.

VI.

That defendant R. H. Howard have judgment against plaintiff in the sum of One Hundred Dollars (\$100.00) and that execution thereon, and enforcement thereof, be stayed, and is hereby stayed, until after said accounting has been had, and a judgment has been rendered thereon.

VII.

That each of the parties pay one-half of the costs of court exclusive of witness fees incurred prior to and including the date of the entry of this judgment.

VIII.

The above judgment and the form thereof is hereby approved this 25 day of January, 1941 and the Clerk is directed to enter the same as of this date.

Dated at Tulsa, Oklahoma, this 25 day of January, 1941.

ENDORSED: Filed Jan 25 1941

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

ROYCE H. SAVAGE
United States District Judge

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

CONSOLIDATED CEMENT COMPANY,
a corporation,

Plaintiff,

-vs-

BUILDERS' SUPPLY COMPANY,
a corporation,

Defendant.

No. 201 Civil

O R D E R

On this 25th day of January, 1941 on application of the Receiver and for good cause shown said receiver is authorized to sell bond #363 of the Tulsa Building Corporation, par value \$500.00, for the cash offer of \$275.00.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 25 1941
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to January 27, 1941

On this 27th day of January, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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 - ADMISSION TO BAR.

On this 27th day of January, A. D. 1941, it being made satisfactorily to appear that George P. Fogle 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.

MISCELLANEOUS -- APPOINTMENT OF GEORGE P. FOGLE AS CONCILIATION COMMISSIONER.

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

In the Matter of the Appointment of Conciliation Commissioners for the Various Counties in The
Northern District of Oklahoma

O R D E R

Now on this 27 day of January, A. D. 1941, the Court's attention being called to the
fact that the Conciliation Commissioner for Craig County has heretofore tendered his resignation and
that a successor should be appointed, it is therefore

ORDERED that George P. Fogle of Vinita, Oklahoma, be and he is hereby appointed
Conciliation Commissioner of Craig County for a period of One (1) Year and that he make bond in the
sum of Five Hundred (\$500.00) Dollars.

BOWER BROADDUS
U. S. DISTRICT JUDGE

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

ENDORSED: Filed Jan 27 1941
H. P. Warfield, Clerk
U. S. District Court

OATH OF GEORGE P. FOGLE

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

OATH OF OFFICE

I, George P. Fogle, do solemnly swear that I will administer justice without respect
to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially
discharge and perform all the duties incumbent on me as Conciliation Commissioner, according to
the best of my ability and understanding, agreeably to the Constitution and laws of the United States

SO HELP ME GOD.

GEORGE P. FOGLE

Subscribed and sworn to before me this 27 day of Jan., 1941.

ROYCE H. SAVAGE
U. S. JUDGE

ENDORSED: Filed Jan 27 1941
H. P. Warfield, Clerk
U. S. District Court

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

THOMAS D. TAYLOR,	Plaintiff,)	
)	
vs.		)	CIVIL ACTION NO. 47
)	
TULSA TRIBUNE COMPANY, a corporation,	Defendant.)	

C R D E R

NOW, on this 27th day of January, 1941, for good cause shown, the defendant, TULSA TRIBUNE COMPANY, a corporation, is granted 10 days from this date within which to plead to the amended complaint of the plaintiff filed herein.

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

ENDORSED: Filed Jan 27 1941
H. P. Warfield, Clerk
U. S. District Court JS

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

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

C R D E R

This matter coming on for hearing this 27th day of January, 1941, upon the application of E. B. Arnold, attorney for the plaintiff herein, and the court being fully advised in the premises, finds that the plaintiff is now engaged in the Military service of the United States of America and no objection being made the court finds that the application of the plaintiff to dismiss this action without prejudice should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that this action be and the same hereby is dismissed without prejudice.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Jan 27 1941
H. P. Warfield, Clerk
U. S. District Court H

MISCELLANEOUS - BOND OF GEORGE P. FOGLE, CONCILIATION COMMISSIONER.

FORM NO. 69

Bond No. 380581

BOND OF CONCILIATION COMMISSIONER

Know all men by these presents: That we George P. Fogle of Vinita, Oklahoma as principal, and STANDARD ACCIDENT INSURANCE COMPANY of Detroit, Michigan, as sureties, are held and firmly bound to the United States of America in the sum of FIVE HUNDRED (\$500.00) DOLLARS, lawful money of the United States, to be paid to the said United States, for the payment of which, well and truly to be made we bind ourselves, our heirs, executors, and administrators, jointly and severally, by these presents

Signed and sealed this 28th day of January, A. D. 1941.

The condition of this obligation is such that whereas the said George P. Fogle, has been on the 27th day of January, A. D. 1941, appointed by the Honorable Royce H. Savage, Judge of the district Court of the United States for the Northern District of Oklahoma, a conciliation commissioner under Section 75 of the Bankruptcy Act, in and for the County of Craig in said District:

Now, therefore, if the said George P. Fogle shall well and faithfully discharge and perform all the duties pertaining to the said office of conciliation commissioner, then this obligation to be void; otherwise to remain in full force and virtue.

Signed and sealed in the presence of

GEORGE P. FOGLE (L.S.)
STANDARD ACCIDENT INSURANCE COMPANY
By BENTLEY FRAYSER, (l.s.)
Atty-in-fact

SEAL

Approved this 29 day of January, 1941.

ROYCE H. SAVAGE
DISTRICT JUDGE

ENDORSED: Filed Jan 29 1941
H. P. Warfield, Clerk
U. S. District Court

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

LAWRENCE WELCH, et al,

Plaintiff,)

vs

) NO. 483 CIVIL

JOHN DOE d/b/a SELLS-FLOTO, et al,

Defendants.)

O R D E R

Now, on this 29th day of January, 1941, this matter coming on to be heard upon the application of the defendant Ringling Brothers - Barnum and Bailey Combined Shows, Inc., for leave to supplement by further affidavits its application to reconsider and vacate the order overruling its motion for summary judgment, and for good cause shown,

IT IS HEREBY BY THE COURT ORDERED that the defendant, Ringling Brothers-Barnum and Bailey Combined Shows, Inc., be and is hereby granted leave to supplement its application to reconsider and

vacate by filing instanter the affidavits attached to the said motion.

ROYCE H. SAVAGE
JUDGE.

ENDORSED: Filed Jan 29 1941
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to January 31, 1941

On this 31st day of January, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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

JOHN E. RABBIT,	Plaintiff,)	
)	
vs.		)	No. 493 CIVIL
)	
EMMA HOGSHOOTER, ET AL.,	Defendants.)	
)	
United States of America,	Intervener.)	

O R D E R

Now on this 31st day of January, 1941, this matter coming on before the Court on the application of the Intervener herein for permission to file an amended petition in the above entitled cause, and the Court being advised in the premises, finds that said application should be granted.

IT IS THEREFORE THE ORDER of the Court that plaintiff be, and he hereby is permitted to file an amended petition.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 31 1941
H. P. Warfield, Clerk
U. S. District Court H

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

Oliver Byrd,)
Plaintiff,)

-vs-

Oliver Davis Oil Company, a corporation,
Clint Hall, Administrator of the
Estate of Arville E. Hall, deceased,
John Q. Chambers, and Casualty Reciprocal
Exchange, a foreign corporation,
Defendants.)

No. 514 CIVIL

ORDER OF DISMISSAL WITHOUT PREJUDICE AS TO OLIVER DAVIS OIL COMPANY,
A CORPORATION, CLINT HALL, ADMINISTRATOR OF THE ESTATE OF ARVILLE E.
HALL, DECEASED, AND CASUALTY RECIPROCAL EXCHANGE, AN INSURANCE EXCHANGE
COMPOSED OF MANY SUBSCRIBERS, BY AND THROUGH ITS DULY APPOINTED AND
DESIGNATED ATTORNEY IN FACT, BRUCE DODSON, ONLY.

The above entitled cause coming on for hearing upon the dismissal without prejudice as
to certain of the above named defendants, and dismissal filed by the plaintiff, Oliver Byrd, and his
attorneys of record, Bell and Rowles; said dismissal being effective as to Oliver Davis Oil Company,
a corporation, Clint Hall, Administrator of the Estate of Arville E. Hall, deceased, and Casualty
Reciprocal Exchange, an insurance exchange composed of many subscribers, by and through its appointed
and designated Attorney In Fact, Bruce Dodson, only, but not in any way affecting the other defendant,
John Q. Chambers; the plaintiff specifically reserving the right to proceed as to the other defendant,
John Q. Chambers, which right is hereby preserved.

IT IS THEREFORE HEREBY ORDERED that the partial dismissal filed by the plaintiff is
hereby approved and the cause of action is dismissed without prejudice as to the defendants, Oliver
Davis Oil Company, a corporation, Clint Hall, Administrator of the Estate of Arville E. Hall, deceased
and Casualty Reciprocal Exchange, an insurance exchange composed of many subscribers, acting by and
through its duly appointed and designated Attorney in Fact, Bruce Dodson.

Dated this 30th day of January, 1941.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 31 1941
H. P. Warfield, Clerk
U. S. District Court B

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

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

ORDER VACATING AND SETTING ASIDE ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 31st day of January, 1941, upon the motion of J. H. McBirney, Successor Trustee to vacate and set aside the order entered herein on the 29th day of July, 1940, and it appearing that by said order the trustee, J. H. McBirney, was authorized to sell to E. B. Hinkefent the real estate hereinafter described, for the sum of One Thousand Six Hundred Dollars (\$1,600.00); and it appearing that the said E. C. Hinkefent withdrew his offer of purchase because of rejection of title to said real estate, and the inability of the trustee to correct and cure said title within the time required by the said E. C. Hinkefent; and it further appearing that the said E. C. Hinkefent has paid to the said trustee the sum of Sixty Three Dollars (\$63.00) to cover and defray the costs and expenses incurred by said trustee in connection with said transaction; and it further appearing that said E. C. Hinkefent has released the said trustee from any and all liability in connection with said sale, and that the said trustee, J. H. McBirney, has released said E. C. Hinkefent from any liability in connection with his said offer of purchase, and that the sale arrangement is cancelled and terminated, and for other good cause,

IT IS ORDERED that the order entered herein on July 29, 1940, authorizing J. H. McBirney, Successor Trustee to sell to E. C. Hinkefent the following described real estate:

A tract of land in Section Seven (7) Township Eighteen (18) North, Range Fourteen (14) East, described as follows: Beginning at the Southwest corner of Lot Two (2), of said Section Seven (7); thence running East a distance of 635.6 feet; thence North a distance of 2639.83 feet; thence West a distance of 325.7 feet; thence South a distance of 702.8 feet; thence West a distance of 309.9 feet; thence South to the place of beginning, Tulsa County, Oklahoma,

be and the same is hereby vacated and set aside.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Jan 31 1941
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 31st day of January, 1941, 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 Chester L. Mack, Sue Mack and L. P. Thede, for the principal sum of Six Hundred Seventy Dollars (\$670.00), which said note was secured by a first and prior real estate mortgage covering the real estate and premises hereinafter described; and it further appearing that because of the inability of the trustee to collect said note, he instituted cause No. 58388 in the District Court of Tulsa County, Oklahoma, and recovered personal judgment against L. P. Thede, and judgment in rem against Chester L. Mack and Sue Mack, for the principal sum of Six Hundred Seventy Dollars (\$670.00) together with interest to the date of judgment in the amount of Three Hundred Six & 86/100 Dollars (\$306.86), plus the sum of Thirty Five & 73/100 Dollars (\$35.73) advanced for taxes, and the further sum of Sixty Seven Dollars (\$67.00) as attorney fees, together with the costs of the action, and for the foreclosure of the said real estate mortgage; that thereafter, pursuant to appropriate proceedings therefor, the said real estate hereinafter described was sold by the Sheriff of Tulsa County, and purchased by J. H. McBirney, Successor Trustee, the sum bid therefor being credited upon said judgment, and that J. H. McBirney, Successor Trustee is the present owner and holder of legal title in and to said real estate.

The court further finds that the said real estate hereinafter described consists of approximately two and one-quarter ($2\frac{1}{4}$) acres of land, near the junction of Harvard Avenue and the railroad tracks near the City of Tulsa; that the same is unimproved and has not been productive of any income, but the said trustee has been required to pay ad valorem taxes thereon annually.

The court further finds that J. H. McBirney, Trustee, has an offer from Fred B. Williams for the purchase of said real estate for the sum of Five Hundred Dollars (\$500.00), in cash; that said proposed sale was arranged by W. J. Mason a real estate broker in the City of Tulsa, who is entitled to compensation for his said services, and further finds that five per cent (5%) of the said sales price is reasonable compensation therefor, and that the said trustee should pay W. J. Mason the sum of Twenty Five Dollars (\$25.00) as compensation in full for his services in the event the said sale is finally consummated.

The court 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 of said trust, have been duly notified of the offer of Fred B. Williams to purchase the said real estate for the sum of Five Hundred Dollars (\$500.00), and that the said members of the Advisory Committee have approved said offer and have recommended that the said trustee sell said real estate for said cash consideration of Five Hundred Dollars (\$500.00).

The court further finds that the said trust is in liquidation; that the trustee has not had a higher or better offer for the sale of said real estate, and that it is to the best interest of said trust estate and its beneficiaries that said real estate be sold for said cash consideration of Five Hundred Dollars (\$500.00), even though financial loss results to the said trust by reason thereof, it appearing that the books and records of said trust reveal an investment of said trust in said real estate of Nine Hundred Sixty Two & 71/100 Dollars (\$962.71); by reason of the foregoing findings and for other good cause,

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

Lot Eight (8) in Tulsa Garden Acres Subdivision to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, same being a subdivision of South Half ($S\frac{1}{2}$) of North Half ($N\frac{1}{2}$) of Southeast Quarter ($SE\frac{1}{4}$) of Northeast Quarter ($NE\frac{1}{4}$) and South Half ($S\frac{1}{2}$) of Southeast Quarter ($SE\frac{1}{4}$) of Northeast Quarter ($NE\frac{1}{4}$) of Section Thirty Two (32), Township Twenty (20) Range Thirteen (13) East,

for the cash consideration of Five Hundred Dollars (\$500.00).

MISCELLANEOUS - OATH OF LEE NASH, 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, Lee Nash, 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.

LEE NASH

ENDORSED: Filed Feb 1 1941
 H. P. Warfield, Clerk
 U. S. District Court

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

THE CITY OF MIAMI, OKLAHOMA, a municipal corporation, et rel., W. J. MEREDITH,)
 Plaintiff,) Civil Action No. 361
 -vs-)
 LAURA A. WILSON, et al.,)
 Defendants.)

O R D E R

NOW on this 1st day of February, 1941, this matter comes on for hearing on the verified motion of the relator, W. J. Meredith, for an order appointing Ralph Kelly an officer of the Court to make service of summons accompanied by the complaint upon defendant W. O. Kemp and the court being fully advised in the premises finds that Ralph Kelly is a competent and proper person to make such service and that a substantial saving of travel fees will result if said persons be especially appointed by the court to serve the summons and copies of the complaint and amendments thereto upon said defendant and that said motion should be granted.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED by the court that Ralph Kelly be appointed the officer of this court especially for the purpose of making service of summons accompanied by the complaint and all amendments thereto upon defendant W. O. Kemp who resides at Poteau, LeFlore County, Oklahoma. It is further considered ordered, adjudged and decreed by the court that said Ralph Kelly shall make due and lawful service of the summons accompanied by the complaint and all amendments thereto as by law provided and that having made such service he shall make due and lawful return thereof.

ROYCE H. SAVAGE
 UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Feb 1 1941
 H. P. Warfield, Clerk
 U. S. District Court B

County, Oklahoma. It is further considered ordered, adjudged, and decreed by the court that said Ralph Kelly shall make due and lawful service of the summons accompanied by the complaint and all amendments thereto as by law provided and that having made such service he shall make due and lawful return thereof.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Feb 1 1941
H. P. Warfield, Clerk
U. S. District Court B

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

CITY OF MIAMI, OKLAHOMA, a municipal corporation, ex rel., W. J. MEREDITH, Plaintiff,)
vs.) CIVIL ACTION NO. 364
C. W. TURNER, ET AL., Defendants.)

O R D E R

NOW, on this day comes on for hearing the motion of the City of Miami, Oklahoma, ex rel., W. J. Meredith, for an order permitting the filing of the third Amendments to the Complaint in this action joining as parties hereto C. M. Bartlett and Orville Kempf; and

The court having considered said motion and the pleadings in this cause and being duly advised, finds that said motion should be sustained.

It is, therefore, CONSIDERED, ORDERED, ADJUDGED AND DECREED that plaintiff may file Third Amendments to the Complaint in this cause joining and parties defendant C. M. Bartlett and Orville Kempf.

It is further ORDERED that Horace M. Rider be directed, upon request of relator, to make service of the summons, Complaint and all amendments thereto upon said additional parties defendant and to make due and proper return thereof.

DONE at Tulsa, Oklahoma, this 1st day of Feb., A. D. 1941.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Feb 1 1941
H. P. Warfield, Clerk
U. S. District Court B

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

WALTER REED, JR.,	Plaintiff,)	
)	
vs.		)	No. 488 Civil
NASH-KELVINATOR CORPORATION, a corporation,)	
C. I. T. CORPORATION, a Corporation, KINNEBREW)	
MOTOR COMPANY, a Corporation,)	
	Defendants.)	

EXTENSION OF TIME FOR DEFENDANTS TO PLEAD

On this the 1st day of February, 1941, upon the request of the defendants and for good cause shown;

IT IS ORDERED by this court, that all the defendants herein be, and they are hereby granted an additional ten (10) days time from this date in which to plead.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

ENDORSED: Filed Feb 1 1941
H. P. Warfield, Clerk
U. S. District Court JS

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

WALTER REED, JR.,	Plaintiff,)	
)	
vs.		)	No. 488 Civil
NASH-KELVINATOR CORPORATION, a corporation,)	
C. I. T. CORPORATION, a corporation, and)	
KINNEBREW MOTOR COMPANY, a corporation,)	
	Defendants.)	

ORDER ON MOTIONS OF THE DEFENDANTS

On this, the third day of January, 1941, this cause came on for hearing upon the motions under Rule 12 (b) filed by the C. I. T. Corporation, Nash-Kelvinator Corporation and the Kinnebrew Motor Company. All of the parties, plaintiff and defendant appeared, by their representing counsel of record.

The motion of the C. I. T. Corporation was presented to the court only as to paragraph one thereof, the attorney for the said defendant having suggested to the court that plaintiff be required to attach to his petition a copy of the contract which he alleged was made between him and the defendant Nash-Kelvinator Corporation, and that the remaining paragraphs of said defendant's motion be heard after the plaintiff pleaded said contract. After said motion was so granted, and upon the suggestion of the court, the defendant, C. I. T. Corporation waived paragraph one of its motion and entered its appearance.

The defendant, Nash-Kelvinator Corporation, presented paragraph one of its motion and the court having heard same and the argument of counsel is of the opinion that said paragraph

should be overruled.

The defendant, Kinnebrew Motor Company agreed to the overruling of paragraph one of its motion.

The court having heard and considered the suggestion of the counsel for the defendants that the contract heretofore mentioned be attached to plaintiff's petition as a part thereof, is of the opinion that plaintiff should so plead said contract.

IT IS THEREFORE ORDERED BY THIS COURT that paragraph one of the motion of the Nash-Kelvinator Corporation, be, and the same is hereby overruled, to which ruling said defendant excepts and the exception is allowed.

IT IS FURTHER ORDERED BY THIS COURT that paragraph one of the motion of Kinnebrew Motor Company be and the same is hereby overruled, and no exception allowed.

IT IS FURTHER ORDERED BY THIS COURT that plaintiff attach to his petition or complaint a copy of the contract alleged in said complaint and that said plaintiff be and hereby is allowed fifteen (15) days to attach said contract and to file an amended petition; and that all of the defendants be and they are hereby allowed ten days thereafter to file amendments to their motions if they desire to do so, such amendments and the remaining paragraphs of each of said three motions of the defendants to be heard thereafter.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 1 1941
H. P. Warfield, Clerk
U. S. District Court B

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

CASUALTY RECIPROCAL EXCHANGE, an Insurance
Exchange Composed of many subscribers by and
thru its duly appointed and designated Attorney-
in-fact Bruce Dodson, Plaintiff,

No. 502 Civil

vs

OLIVER BYRD: OLIVER DAVIS OIL CO., a corp,
CLINT HALL Admr. estate of Arville E. Hall,
dec. and JOHN Q. CHAMBERS, Defendants.

ORDER OF DISMISSAL

On this the 1st day of February, 1941, this cause comes on for hearing on the dismissal of the plaintiff and the Court having examined the dismissal on file by the plaintiff, finds this order should be entered and this cause dismissed without prejudice.

BE IT THEREFORE, ORDERED, ADJUDGED AND DECREED that the Complaint of the plaintiff herein be and the same is hereby dismissed without prejudice and at plaintiff's cost.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Feb 1 1941
H. P. Warfield, Clerk
U. S. District Court JS

Court adjourned to February 3, 1941

IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OKLAHOMA

BAKER OIL TOOLS, INC., a corporation,)	
)	
Plaintiff,	)	CIVIL NO. 352
vs.)	
)	
LARKIN PACKER COMPANY, INCL, a corporation,)	
)	
Defendant.)	

WITHDRAWAL AS ATTORNEY

Comes now John H. Bruninga and withdraws as attorney or counsel for defendant in the above entitled cause.

JOHN H. BRUNINGA

The above withdrawal is hereby consented to.

LARKIN PACKER COMPANY, INC.,
By J. J. Larkin
President

It is so ordered, February 3rd, 1941.

ROYCE H. SAVAGE
DISTRICT JUDGE

ENDORSED: Filed Feb 3 1941
H. P. Warfield, Clerk
U. S. District Court B

IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OKLAHOMA

BAKER OIL TOOLS, INC., a corporation,)	
)	
Plaintiff,	)	CIVIL NO. 352
Vs.)	
)	
LARKIN PACKER COMPANY, INC., a corporation,)	
)	
Defendant.)	

FINAL DECREE

The above entitled cause having come on for full hearing on the merits, it is ordered adjudged and decreed:

I

That the plaintiff, Baker Oil Tools, Inc., is the owner of all the right, title and interest in and to Letters Patent in suit No. 1994850 and No. 2150311.

II

That the Plaintiff Baker Oil Tools, Inc., is a corporation of California having a place of business at Huntington Park, California and that Larkin Packer Company, a corporation, is a corporation of Missouri having a place of business at St. Louis, Missouri.

III

That this Court has jurisdiction of this cause and of the parties.

IV

That the Letters Patent in suit No. 1994850 and No. 2150311 are good and valid in law.

V

That United States Letters Patent No. 1994850 have been infringed by the Defendant by the manufacture and sale of device known as Larkin "Up-Whirler Guide Shoe" such device in evidence as Plaintiff's Exhibit No. 9.

VI

That United States Letters Patent No. 2150311 has been infringed by the defendant by the manufacture and sale of devices known as "Down-Whirler Guide Shoe", such device being in evidence as Plaintiff's Exhibit No. 10.

VII

That a permanent injunction issue out of and under the seal of this Court enjoining the Defendant Larkin Packer Company, Inc., its attorneys, officers, employees, agents and all those in privity with it from committing any act of infringement of said Letters Patent of United States No. 1994850 and No. 2150311, except as licensed by Plaintiff.

VIII

That no costs, damages or profits are awarded to either party and that accountings are waived.

Tulsa, Oklahoma, February 3, 1941.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed Feb 3 1941
H. P. Warfield, Clerk
U. S. District Court B

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

Republic Life Insurance Company, a corporation,)	
	)	Plaintiff,
	)	No. 482 Civil
-vs-)	
)	
Evelyn McGhee and Elizabeth Church Ray,)	
	)	Defendants.

JOURNAL ENTRY

This cause came on to be heard upon the 3rd day of February, 1941, pursuant to regular assignment before the Honorable Royce H. Savage, Judge of the United States District Court for the Northern District for the State of Oklahoma, and the plaintiff appearing by Wm. O. Coe, its attorney, and the defendant Evelyn McGhee appearing in person and by Gayle Pickens, her attorney, and the defendant Elisabeth Church Ray appearing in person and by L. Keith Smith, her attorney; whereupon all

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

Republic Life Insurance Company, a corporation,	Plaintiff,)	
		)	No. 482 Civil
-vs-)	
Evelyn McGhee and Elisabeth Church Ray,	Defendants.)	

(Continued)

parties announced ready for trial and agreed that the case should be tried by the Court without the intervention of jury. Witnesses were sworn and examined, and at the conclusion thereof the Court announced that said cause would be kept under the consideration of the Court until Friday, the 7th day of February, 1941.

Now on this 7th day of February, 1941, the Court being fully advised in the premises, finds the issues generally in the favor of the defendant Elisabeth Church Ray, and against the defendant Evelyn McGhee and the plaintiff Republic Life Insurance Company, a corporation. The Court finds that the defendant, Elisabeth Church Ray is the beneficiary of the life insurance policy, the subject matter of this litigation, and is entitled to the benefits thereof.

The Court further finds that the plaintiff, Republic Life Insurance Company, has heretofore paid into the Registry of the Court the sum of \$1,000.00, being the benefits under said life insurance policy, and that said payment discharges said Republic Life Insurance Company from all liability and obligations under said policy of insurance.

The Court further finds that the plaintiff's attorney, Wm. O. Coe, is entitled to receive a reasonable attorney's fee to be paid from said funds deposited by said company with the Registry of the Court, and that the sum of \$100.00 is a reasonable attorney fee, and that in addition thereto said Wm. O. Coe should receive an additional sum of \$37.07 for expense incurred by him in preparation of this suit and attending Court.

The Court further finds that said plaintiff, Republic Life Insurance Company, is entitled to the sum of \$25.00 to be refunded by the Clerk of this Court by reason of the cost deposit made by said plaintiff company.

WHEREFORE IT IS THE ORDER, JUDGMENT, AND DECREE OF THIS COURT that Elisabeth Church Ray be, and she is hereby declared and decreed to be the beneficiary of the life insurance policy involved in this litigation, the same being Policy No. 21,720, with the plaintiff Republic Life Insurance Company.

It is further ordered that the plaintiff, Republic Life Insurance Company, having paid \$1,000.00 into the Registry of the Court, be discharged of any further liability under the terms of said policy; that from the funds deposited by the plaintiff company with the Registry of this Court, the Clerk of this Court is ordered and directed to pay to Wm. O. Coe, attorney for Plaintiff, the sum of \$137.07, as attorney fee and expenses, which is decreed by the Court to be a fair and reasonable amount for the services of said attorney; that the Clerk of this Court is ordered and directed to pay to the plaintiff company the sum of \$25.00, that being the amount of the original cost deposit made by said plaintiff; that Court costs in the amount of \$27.00 be deducted from the funds in the Registry of this Court; that an amount of \$510.00 be impounded by the Court in accordance with the terms of the stipulation and order entered into between the defendant Elisabeth Church Ray and the intervenor, Lane Funeral Home; that the remaining amount of \$325.93 be paid by the Clerk of this Court to the defendant Elisabeth Church Ray.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 24 1941
H. P. Warfield, Clerk
U. S. District Court ME

On this 5th day of February, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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 FOR THE NORTHERN DISTRICT OF OKLAHOMA

Grand River Dam Authority, a public corporation,	Plaintiff,)	No. 263 Civil
vs.)	
A. C. Kephart, United States of America, et al.,	Defendants.)	

O R D E R

Now on this 5th day of February, 1941, this matter comes on for hearing on the application of the United States of America for the disbursement of certain funds now in the hands of the Clerk of this court, applicant appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for the district, and it further appearing to the Court that notice has been given of the filing of said application to Frank Nesbit, attorney, at Miami, Oklahoma, and Q. B. Boydston, Attorney for the Grand River Dam Authority, and no exceptions having been filed, and the Court having examined said application, and being further advised in the premises, finds that plaintiff is a public corporation having power of eminent domain; that the following persons, to-wit: Lucille Ahniwake Miller, Jackson L. Miller, James A. Miller and John Avery Miller are the owners of a one-fourth (1/4) interest each in that part of Tract No. 2 described as follows, to-wit:

NE 10 acres of the W. 23.10 acres of Lot 9; NE 1/4 SW 1/4; W 1/2 NW 1/4 SW 1/4 of Section 13, Township 27N, Range 22 E,

described in plaintiff's petition for condemnation as

Tract No. 2 - 10 GR-D 498
10 GR-D 495.

That plaintiff has determined it to be necessary to acquire the interest of defendant's wards in said land for the purposes of its project, and have taken actual possession thereof. That the Commissioners appointed by this Court have determined the damages suffered by defendant's wards on account of the appropriation of said land above described to be in the sum of \$6,630.00. That plaintiff has paid said amount into the office of the Clerk of this court for the use and benefit of defendant's wards.

The Court further finds that defendant's wards, Lucille Ahniwake Miller, Jackson L. Miller, James A. Miller and John Avery Miller are three-fourths (3/4) blood restricted Cherokee Indians. That the above described land was restricted against alienation and not subject to taxation and was under the supervision and control of the Secretary of the Interior of the United States, by and through the Superintendent of the Five Civilized Tribes.

The Court further finds that the sum of \$6,630.00 should be paid to F. W. Sunderwirth, Disbursing Agent of the Five Civilized Tribes for the use and benefit of defendant's wards above named.

IT IS THEREFORE ORDERED that the Clerk of this court forthwith pay to F. W. ^Sunderwirth, Disbursing Agent for the Five Civilized Tribes, at Muskogee, Oklahoma, for the use and benefit of Lucille Ahniwake Miller, Jackson L. Miller, James A. Miller and John Avery Miller the sum of \$6,630.00.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 5 1941
H. P. Warfield, Clerk
U. S. District Court N

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

United States of America,	Libelant,)	
)	
vs		)	NO. 448 CIVIL
)	
One 1940 Model Buick Sedan Automobile, Motor)	
No. 43,947,015; Thirty-nine Gallons of Taxpaid)	
Intoxicating Liquors; Jack Monroe, and General)	
Motors Acceptance Corporation,	Claimants.)	

JOURNAL ENTRY OF JUDGMENT

Now on this 5th day of February, 1941, this matter coming on for hearing before the Honorable Royce H. Savage, United States District Judge for the Northern District of Oklahoma, pursuant to regular assignment, the libelant appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma and Wm. Knight Powers, Assistant United States Attorney in and for said District; and the claimant Jack Monroe having heretofore filed his disclaimer and waiver of issuance and service of summons herein, such disclaimer disclaiming any interest, right or title in and to such described automobile and tax paid intoxicating liquors, and the claimant General Motors Acceptance Corporation having failed to file any claims or pleadings herein, or make any appearance or claim herein at this time although having personal and reasonable notice of such action by personal service had on the 29th day of August, 1940, whereupon libelant presents its evidence and rests, and the court being fully advised in the premises finds,

That the said 1940 Buick Sedan automobile, Motor No. 43,947,015 was lawfully seized from the said Jack Monroe on July 11, 1940, at a Standard Filling Station located at 301 East Commerce Street in the town of Commerce, Ottawa County, State of Oklahoma, Northern District of Oklahoma, and within the jurisdiction of this court, and

That said intoxicating liquors were then and there seized while thus being unlawfully conveyed in said automobile as alleged in the libel of information filed herein, and

That the United States of America is entitled to a forfeiture of intoxicating liquors and is further entitled to a forfeiture of said automobile by reason of Section 223, Title 27, United States Code Annotated.

IT IS, THEREFORE, THE ORDER AND JUDGMENT OF THE COURT that a forfeiture herein be and the same is hereby allowed as to the said approximate thirty-nine gallons of tax-paid intoxicating liquors defined in the libel of information filed herein, which intoxicating liquors are ordered delivered to the Secretary of the Treasury of the United States of America for proper and lawful disposition.

IT IS FURTHER ORDERED AND DECREED BY THE COURT that a forfeiture herein be and the same is hereby allowed of the 1940 Model Buick Sedan automobile, Motor No. 43,947,015, and the same is hereby ordered delivered to the Treasury Department of the United States for the use of the Bureau of Internal Revenue in the enforcement of internal revenue laws, pursuant to Section 304 of the Liquor Law Repeal

IT IS THE FURTHER ORDER AND JUDGMENT OF THE COURT that the temporary injunction heretofore entered herein, enjoining and restraining said plaintiff from interfering with the possession, management and control of the following described premises, to-wit:

The West Half (W/2) of the Southwest Quarter (SW/4) of Section 27, and the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section 33, and the Northwest Quarter (NW/4) of the Northwest Quarter (NW/4) of Section 34, Township 24 North, Range 6 East, Osage County, Oklahoma,

be and the same is hereby made permanent.

IT IS THE FURTHER ORDER AND JUDGMENT OF THE COURT that the plaintiff herein have and recover all costs of this action, for which let execution issue.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 5 1941
H. P. Warfield, Clerk
U. S. District Court JS

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Plaintiff,)
)
v.		) No. 510 Civil
)
Ross Young, et al,	Defendants.)

EXTENSION OF TIME FOR PLEADING

Now on this 5th day of February, 1941, this matter comes on before the Court, upon application of the defendant, Ross Young, for extension of time to plead herein, and the Court being fully advised, finds that this order should issue.

IT IS, THEREFORE, ORDERED that the defendant, Ross Young, be and he is hereby allowed Sixty (60) days to plead to the Complaint on file herein.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 5 1941
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to February 6, 1941

On this 6th day of February, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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:

MINNIE A. YOUNG,	Plaintiff,)
-vs-)
)
OKLAHOMA NATURAL GAS CO. ET AL,	Defendants.)

No. 196 - Civil

Now on this 6th day of February, A. D. 1941, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above cause, same being in words and figures as follows:

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 Minnie A. Young, plaintiff, and Oklahoma Natural Gas Company, a corporation, and George D. Kile, defendants, No. 196, Civil, the judgment of the said district court in said cause, entered on May 9, 1940, was in the following words, viz:

* * * * *

"It is therefore ordered, adjudged and decreed that the plaintiff have judgment against the defendant in the sum of Nine Hundred (\$900.00) Dollars, with her costs, to all of which exception is allowed to defendant."

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 Oklahoma Natural Gas Company 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 reversed and the cause remanded with instructions to dismiss; and that Oklahoma Natural Gas Company, appellant, have and recover of and from Minnie A. Young, appellee, its costs herein and have execution therefor.

-- December 26, 1940.

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

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

COSTS OF	Appellant	
Clerk,	\$55.40	
Printing Record,	\$125.90	
Attorney,	\$20.00	
	<u>\$201.30</u>	

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

UNITED STATES CIRCUIT COURT OF APPEALS
TENTH CIRCUIT

Costs taxed in favor of appellant in the case of Oklahoma Natural Gas Company vs. Minnie A. Young, No. 2166

Filing record and docketing cause	5	00
Filing copies of printed record	-	--
Filing and entering 1 appearance for appellant	-	50
Filing and entering 1 appearance for appellee	-	50
Clerk, preparing record for printer, etc.,	24	75
Printer, for printing record,	125	90
Filing 9 papers	2	25
Entering 2 orders, 2 folios	-	40
Filing brief for appellant	5	00
Filing brief for appellee	10	00
Filing opinion		25
Filing and entering judgment	1	25
Filing petition for a rehearing	-	--
Issuing mandate to District Court	5	00
Filing receipt for mandate	-	25
Filing duplicate refund statement	-	25
Attorney's docket fee	20	00
		<u>201 30</u>

ATTEST:

ROBERT B. CARTWRIGHT
Clerk, U. S. Circuit Court of Appeals,
Tenth Circuit

ENDORSED: Filed Feb 6 1941
H. P. Warfield, Clerk
U. S. District Court ME

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

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

O R D E R

On this 6th day of February, 1941, this cause came on for hearing upon the citation issued herein against Richard T. Daniel, Jr., requiring him to appear and show cause why he should not be punished for contempt for interference with the receiver of this court, and said Richard T. Daniel, Jr., appearing in person and by his attorney, Harry Seaton, and the receiver herein, Eben L. Taylor, appearing in person, and for good cause shown,

IT IS ORDERED BY THE COURT that the said Richard T. Daniel, Jr., be and he hereby is, restrained and enjoined from going upon the premises herein in receivership, namely the R. T. Daniel Building and Alexander Hotel Building, located at Third and Boston, in the City of Tulsa, Oklahoma, and from interfering with or disturbing the tenants of the receiver in said buildings, and from threatening, disturbing, or in any manner interfering with the said receivership or the building manager, or any other agent of the said receiver, in the management, control and operation of said buildings.

IT IS FURTHER ORDERED BY THE COURT that the hearing on said citation for contempt against the R. T. Daniel, Jr., be and the same is hereby continued until February 18th, 1941, at 9:30 o'clock A.M.

F. E. KENNAMER
DISTRICT JUDGE

ENDORSED: Filed Feb 10 1941
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to February 7, 1941.

On this 7th day of February, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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 7th day of February, A. D. 1941, it being made satisfactorily to appear that C. K. Wetzel 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.

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

ARROW DRILLING COMPANY, a)
corporation,) Plaintiff,)
))
v.) No. 380 - Civil
))
SHELL OIL COMPANY, INCORPORATED,)
a corporation,) Defendant.)

ORDER OVERRULING DEFENDANT'S MOTION TO STRIKE

This matter coming on to be heard on this, the 7th day of February, 1941, before the Honorable Royce H. Savage, Judge of the United States Court for the Northern District of Oklahoma, upon the motion of the defendant, Shell Oil Company, Incorporated, to strike certain portions of plaintiff's amended petition heretofore filed herein, and the motion having been submitted to the Court, and the Court having heard the argument of counsel, finds that said motion is not well taken and should be overruled.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that defendant's motion to strike be, (and the same is hereby, overruled, defendant being allowed an exception to said ruling and being given twenty (20) days from this date to plead further, or thirty (30) days from this date to answer.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 7 1941
H. P. Warfield, Clerk
U. S. District Court H

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

GEORGE H. MILLER,	Plaintiff,)
)
vs.		) No. 382 - Civil
)
WILLIAM E. MEEK and CONTINENTAL CASUALTY COMPANY, a corporation,	Defendants.)

O R D E R

There having come on for hearing before the undersigned Judge of the District Court of the United States for the Northern District of Oklahoma at Tulsa, Oklahoma, on this 7th day of February, 1941, plaintiff appearing by his attorney, Irvine E. Ungerman, and the defendant, William E. Meek, appearing by his attorney, Felix A. Bodovitz, and the defendant, Continental Casualty Company, a corporation, appearing by its attorneys Pierce and Rucker, and the court having considered said motion finds that the same should be sustained.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by this Court that the above styled and numbered action be and the same is hereby dismissed without prejudice and at the cost of the plaintiff.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed In Open Court
Feb 7 1941
H. P. Warfield, Clerk
U. S. District Court B

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

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

O R D E R

Now on this 7th day of February, 1941, this matter comes on for hearing on the application of the United States of America for the disbursement of certain funds now in the hands of the Clerk of this Court, applicant 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 further appearing to the Court that notice of the filing of said application has been given to Q. B. Boydston, Assistant Counsel of the Grand River Dam Authority, and no exceptions having been filed, and the Court having examined said application, and being further advised in the premises, finds that plaintiff is a public corporation having power of eminent domain; that the heirs of Nancy Buzzard, deceased Cherokee Indian, Roll No. M-8477, are the owners of the land described as Map No. 7, Tract no. GR-D 264 in plaintiff's petition for condemnation. That plaintiff has determined it to be necessary to acquire the interest of defendant's wards in said land for the purposes of its project, and have taken actual possession thereof. That the Commissioners appointed

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

Green Patton and Beatrice Patton,	Plaintiffs,)
)
vs.		) No. 446 - Civil
)
Mid-Continent Petroleum Corporation,)
a corporation,	Defendant.)

O R D E R

Now, on this 7th day of February, 1941, the above entitled cause came regularly on for hearing upon the defendant's Motion to Dismiss, plaintiffs appearing by their attorney, J. D. Simms, and the defendant appearing by its attorney, J. P. Greve; and the Court, being fully advised in the premises, finds that said motion should be overruled.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said Motion to Dismiss be, and the same is hereby, overruled and denied, to which ruling of the Court the defendant excepted and its exception is allowed.

It is further ordered, adjudged and decreed that the defendant be given thirty (30) days from this date within which to answer the plaintiffs petition herein.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 7 1941
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. 480 - CIVIL
)
BESS BROWN, et al,	Defendants.)

O R D E R

This matter coming on for hearing this 7th day of February, 1941, upon the application of the United States to dismiss this action as to the defendant, John Holloway, and to file an amended complaint and the United States appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and William K. Powers, Assistant United States Attorney, and the defendant John Holloway, appearing by his attorney, T. F. Dukes, and the defendant, Bess Brown, appearing by her attorney, Ralph Barney, and the court, upon announcement of the United States Attorney for the Northern District of Oklahoma that an actual controversy exists between the United States and the defendant John Holloway, relative to the title to the land described in the complaint, finds that the United States should be given permission to dismiss its action insofar as it pertains to the defendant John Holloway and to file an amended complaint.

The motion of the defendant John Holloway also coming on for hearing, the court finds that it should be overruled.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that the application of the United

The court further finds that the execution of said note heretofore described was and is invalid, insofar as the execution of said note by Beatrice Fish Holloway, is concerned, for the reason that said note is and was a contract for debt within the prohibition of Section 6 of the Act of February 27, 1925 (43 Stat. 1008), and that the said purported note described and referred to in the previous paragraphs contained herein, and was not approved by the Secretary of the Interior as required by law.

The court further finds that on or about May 23, 1940, Bess Brown, the defendant herein, as assignee of the note and mortgage described herein instituted action in the District Court of Osage County, Oklahoma, against the said Beatrice Fish Holloway, said action being styled on the records of the Clerk of said Court No. 17395 District Court, Bess Brown, Plaintiff, vs. Beatrice Holloway, John Holloway and O. L. Hinkle, and that said action is a suit praying and asking for a money judgment and foreclosure of the mortgage described in paragraph 3 herein.

The court further finds that by reason of the facts herein set forth in accordance with such findings, that an actual controversy exists between plaintiff as guardian of this ward, wherein the defendant Bess Brown is asserting and attempting to assert the validity of the note hereinbefore described and set forth, as against plaintiff's ward Beatrice Fish Holloway, when in truth and in fact such note is illegal, invalid, null and void insofar as the execution of the same by Beatrice Fish Holloway is concerned by reason of the laws of the United States of America, and by reason of the lack of approval by the Secretary of the Interior of the United States of America of such note.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the note hereinbefore described is illegal, invalid, null and void insofar as the execution of the same by the said Beatrice Fish Holloway is concerned, and that it be cancelled and held for naught, and that the said Beatrice Fish Holloway be held not personally responsible on said obligation.

IT IS THE FURTHER JUDGMENT AND DECREE OF THIS COURT that the said Bess Brown, defendant herein, be restrained and enjoined from any further proceedings on such note to secure a personal judgment against the said Beatrice Fish Holloway, or to hold the said Beatrice Fish Holloway personally responsible for such obligation.

IT IS THE FURTHER JUDGMENT AND DECREE OF THIS COURT that such invalidity in respect to the execution of such note by the said Beatrice Fish Holloway is in no wise or manner to impair the validity and execution of said note by the said John Holloway; that the findings of this court in no wise or in any manner is to impair or interfere with the legal remedies of said plaintiff against the defendant John Holloway.

IT IS THE FURTHER JUDGMENT AND DECREE OF THIS COURT that the defendant herein pay all costs accrued in this action.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 7, 1941
H. P. Warfield, Clerk
U. S. District Court H

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Plaintiff,)
)
vs.		) No. 489 Civil
)
The First National Bank in Pawhuska,)
	Defendant.)

O R D E R

Now on this 7th day of February, 1941, this matter coming on before the Court on defendant's Motion to dismiss the bill of complaint, plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and the defendant appearing by Robert Stuart, and the Court having heard the arguments of counsel and being fully advised in the premises, finds that said motion to dismiss should be overruled.

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

IT IS THE FURTHER ORDER of the Court that defendant be given twenty days from this date within which to answer.

ROYCE H. SAVAGE
JUDGE

ENDORSED Filed In Open Court
Feb 7 1941
H. P. Warfield, Clerk
U. S. District Court B

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

RECONSTRUCTION FINANCE CORPORATION, a Corporation,	Plaintiff,)
)
vs.		) NO. 505 - CIVIL
)
WERTZBERGER DERRICK COMPANY, a Corporation, et al,	Defendants.)

O R D E R

This matter coming on for hearing this 7th day of February, 1941 upon the motion of the defendant H. C. Jones, Collector of Internal Revenue, and said movant appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the plaintiff, Reconstruction Finance Corporation, a Corporation, appearing by its attorneys, Bohanan and Adams, and the Court being advised in the premises finds that H. C. Jones, Collector of Internal Revenue, has no interest in the subject matter of this action; that he has no lien on the property described in plaintiff's complaint and is not a party in interest therein because the real party in interest as to said lien is the United States of America and that said motion should be sustained.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the motion to dismiss of H. C. Jones, Collector of Internal Revenue, be and it hereby is sustained and this action be and it hereby is dismissed insofar as it pertains to the defendant, H. C. Jones, Collector of Internal Revenue.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Feb 7 1941
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to February 10, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

MONDAY, FEBRUARY 10, 1941

On this 10th day of February, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. F. E. Kennamer, Judge, present and presiding.

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

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

MISCELLANEOUS - ADMISSION TO BAR.

On this 10th day of February, A. D. 1941, it having been made satisfactorily to appear that Clyde T. Patrick is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court.

Court adjourned to February 11, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

TUESDAY, FEBRUARY 11, 1941

On this 11th day of February, A.D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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

CHARLEY THOMPSON,

Plaintiff,)

vs.)

No. 526 CIVIL)

Joe Thompson, Lucy Smith, nee Thompson,
and the unknown heirs, executors, adminis-
trators, devisees, trustees and assigns,
immediate and remote of Nancy Thompson, full-
blood Cherokee No. 29742, deceased, Defendants.)

O R D E R

Now on this 11th day of February, 1941, this matter coming on before the Court on the motion of the United States of America for permission to intervene in this cause, and it appearing to the Court that this suit involves the question of heirship and the partition of land allotted to restricted Indians of the Five Civilized Tribes, and that the United States should be permitted to intervene herein;

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

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 11 1941
H. P. Warfield, Clerk
U. S. District Court JS

Court adjourned to February 12, 1941

On this 12th day of February, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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

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

ORDER SETTING CONFIRMATION OF SALE OF LUCAS LEASE FOR
HEARING

Now on this the 12 day of February, 1941, same being a regular judicial day of the January Term of the above indicated court, the return of sale of the Lucas Lease of Noble C. Hood, Receiver of Seminole Provident Trust, a Trust estate, having been presented to the court and the court having examined the same, being fully advised in the premises, and finding:

1. That on November 4, 1941, pursuant to order of this court in the above entitled cause, said Receiver sold at private sale the properties described in said return to the purchaser therein named for a cash consideration of \$1750.00;
2. That the hearing should be had on the confirmation of said sale at some early date; NOW, THEREFORE,

IT IS HEREBY ORDERED, As follows, to-wit:

1. That confirmation of said sale be set for hearing before this court on February 24, 1941, at 9:30 o'clock A.M., in the court room of this court at the Federal Building, Tulsa, Oklahoma.
2. That Notice of the time, place and purpose of said hearing on confirmation and the terms of said sale shall be given by said Receiver by publication thereof in the Tulsa Daily Legal News, a newspaper of general circulation thereof; said notice to be published in at least ten consecutive issues of said paper, and said first publication to be at least ten days before the date of said sale.
3. That W. W. McClure, A. F. Bourne, and Ben O. Kirkpatrick, all of Tulsa, Oklahoma being three disinterested persons, and are hereby appointed and commissioned as appraisers to appraise the property described in said Receiver's return and being sold hereby and are further authorized and directed to promptly appraise the same and file their verified appraisal and report thereof with the Clerk of this Court on or before February 24, 1941.
4. That anyone desiring to make a bona fide cash offer for said receiver's interest in the property described in said Receiver's return of sale, which shall be equal to or in excess of a 10% increase of the purchase price set forth in said return, may do so at any time prior to the confirmation of said private sale set forth in said return, and said offer will be considered by the Court at said hearing.

Dated, February 12, 1941, at Tulsa, Oklahoma.

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

ENDORSED: Filed Feb 12 1941
H. P. Warfield, Clerk
U. S. District Court JS

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

Now, on this 12 day of February, 1941, this matter coming on before me;

IT IS ORDERED that the Receiver, Joseph R. McGraw, be, and he is hereby authorized and directed to make a regular distribution of 25¢ per unit to all unit-holders of Associated Petroleum Properties and Provident Trust, each a Trust Estate, during the month of February, 1941.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 12 1941
H. P. Warfield, Clerk
U. S. District Court W

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

John E. Rabbit,

Plaintiff,)

vs.)

No. 493 Civil

Emma Hogshooter, Eli Rabbit, et al,

Defendants.)

United States of America,

Intervener.)

O R D E R

Now on this 12th day of February, 1941, this matter coming on before the Court on the application of the Intervener herein for permission to file an amended complaint in intervention in this cause of action, and the Court being fully advised in the premises, finds that said application should be granted.

IT IS THEREFORE THE ORDER of the Court that the Intervener, United States of America, be, and hereby is granted permission to file herein an amended complaint in intervention.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 12 1941
H. P. Warfield, Clerk
U. S. District Court N

Court adjourned to February 13, 1941

On this 13th day of February, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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

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

O R D E R

Now on this 13th day of February, 1941, 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 - For rent for month of December, 1940 | \$ 35.00 |
| 2. To E. W. Jones, Inc. for operating expenses on Banta Lease for month of November, 1940 | 39.71 |
| 3. To the Blackwell Oil & Gas Co., for operating expenses on Ferguson Lease for December, 1940 | 334.76 |
| 4. To Ferne Fulton, Stenographic work | 8.00 |
| 5. To Tulsa Camera Record Company | 2.96 |
| 6. County Treasurer, Tulsa County - 1940 personal property taxes, plus interest and penalty | 6.35 |
| 7. Sheriff, Tulsa County - Tax Warrant #5459 | 3.92 |
| 8. Collector of Internal Revenue, Okla. City
Doc. Stamp Tax 1-26-37 to 1-15-41 | 401.03 |
| 9. Tulsa Daily Legal News - To publishing Notices on Ferguson, Banta and Brandenburg leases | 44.50 |
| 10. Appraisers' fees relative to sale of Ferguson, Banta and Brandenburg Leases: | |
| W. W. McClure | \$15.00 |
| A. F. Bourne | \$15.00 |
| Ben. O. Kirkpatrick | \$15.00 |
| | 45.00 |

DIVISION STREET from the south line of McKinley Avenue to the South line of Cleveland Avenue, in the City of Sapulpa, Oklahoma;

and that said paving ordinance for said district was duly and properly passed as Ordinance No. 558, on April 28, 1924, and that all of the proceedings for the creation of said District and the issuance of said bonds were duly properly and regularly passed in accordance with the statutes of the State of Oklahoma then in force and effect.

That the City of Sapulpa owns the following described property in the City of Sapulpa, State of Oklahoma, which is within the said district known as District No. 62 and on which there are past due and delinquent the following assessments for the respective years as herein set forth:

WOODLAWN ADDITION TO SAPULPA, OKLA.		OWNER: City Hospital (Sapulpa)									
Lot	Block	Prin. 1927	Pen- alty	Prin. 1928	Pen- alty	Prin. 1930	Pen- alty	Prin. 1931	Pen- alty	TOTAL Prin. & Pen.	
13	16	63.40	100.17	60.42	88.21	54.48	66.47	51.49	56.64	541.28	
14	16	54.58	86.24	52.02	75.95	46.89	57.21	44.33	48.76	465.98	
15	16	36.94	58.37	35.21	51.41	31.73	38.71	30.00	33.00	315.37	
16	16	28.12	44.43	26.80	39.13	24.15	29.46	22.83	25.11	240.03	
17	16	28.12	44.43	26.80	39.13	24.15	29.46	22.83	25.11	240.03	
18	16	28.12	44.43	26.80	39.13	24.15	29.46	22.83	25.11	240.03	
										<u>\$2042.72</u>	

That said bonds and the interest due thereon are long past due and delinquent, and that at said delinquencies exist by reason of the failure, refusal and neglect of the defendant herein to pay the assessments due and payable against its property in the amounts and for the years as above set forth.

The court further finds that plaintiff is entitled to a judgment decreeing that the City of Sapulpa, Creek County, Oklahoma, a municipal corporation, is indebted for the delinquencies of the special assessments in the amounts of principal and penalty as above set forth, together with interest thereon at the rate of six percent (6%) per annum from November 15, 1940, until paid.

The court further finds that by agreement the plaintiff is willing that, if and when the city pays the judgment above rendered for delinquent assessments for any one or more years on any one or more lots as above described, the city shall be required to pay the City Treasurer of the City of Sapulpa the principal amount set forth as against any one lot for any one year, together with one-half of the penalty, and interest due at the time of said payment, and said plaintiff, on receipt of said payment from the City Treasurer, agrees to surrender for cancellation sufficient bonds and interest on same to equal the judgment herein rendered for delinquent special assessments against said lot for said year, together with interest thereon, computed as of the date of said payment; and said City Treasurer is to certify to the County Treasurer of Creek County, Oklahoma, the fact of such satisfaction, if and when made, in accordance herewith.

IT IS, THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the plaintiff K. B. Martin, do have and recover a judgment decreeing that the City of Sapulpa, a municipal corporation of Creek County, State of Oklahoma, is indebted in the amount and on the publicly owned property of said municipality as above set forth as to principal and penalty, with interest computed thereon at the rate of six percent (6%) per annum from November 15, 1940, until paid.

That said municipal corporation be required to make the proper levies from time to time in amounts sufficient to pay said delinquencies here ascertained.

That if and when said municipality shall pay to the City Treasurer of said City of Sapulpa, a municipal corporation of the State of Oklahoma, for any one or more years on any one or more lots involved herein and owned by the City of Sapulpa, the amount of the principal due thereon, together with one-half of the penalty and interest thereon computed to the date of payment thereof, the plaintiff

herein, on receipt of said money from the City Treasurer, shall surrender a sufficient amount of bonds and interest on same, owned byher, for cancellation, equal to the judgment rendered herein for delinquent assessments and penalty, with interest, for said lot fos adi year; and said City Treasurer shall certify said satisfaction to the County Treasurer of Creek County, Oklahoma.

This cause is continued as to the other defendants and the foreclosure therein sought.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 13 1941
H. P. Warfield, Clerk
U. S. District Court H

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

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

ORDER AUTHORIZING SALE OF REAL ESTATE

THIS CAUSE COMING on to be heard on this the 13 day of February 1941 on the verified application of T. P. Farmer, as receiver for Exchange National Company for authority to sell the following described premises:

Southeast Quarter of the Northeast Quarter of Section 13,
Township 22 North, Range 12 East, Tulsa County, Oklahoma,

to Bill McCoy and Beryl McCoy, his wife, for the sum of \$400.00 cash and the Court having read said application and being fully advised in the premises and finding it has jurisdiction to entertain said application and entering an order thereon finds that said application should be sustained.

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

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that the said T. P. Farmer as receiver of the Exchange National Company be and he is hereby directed, authorized, and empowered to sell to Bill McCoy and Beryl McCoy, his wife, the above described premises for the sum of \$400.00 cash and the said T. P. Farmer 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.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

ENDORSED: Filed Feb 13 1941
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to February 14, 1941

On this 14th day of February, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 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:

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Libellant,)	
)	
vs.		)	No. 315 Civil
)	
One 1937 LaSalle Sedan Automobile,)	
Motor No. 2,234,789, and the Inter-)	
state Securities Company,	Claimants.)	

JOURNAL ENTRY OF JUDGMENT

Now on this 14 day of Feb., 1941, it appearing to the Court that an appeal was taken from the order of this Court entered herein on April 30, 1940, allowing the claim of the Interstate Securities Company and in mitigation of forfeiture herein directing that said automobile be delivered over to said Interstate Securities Company in Tulsa, Oklahoma, on its compliance with certain conditions therein, and it further appearing to the Court that such appeal has been upheld and that a mandate of the Circuit Court of Appeals has been spread of record, directing that judgment be entered herein, directing the return and delivery of said described automobile, over to the United States of America, libellant herein, and that execution for costs be allowed against said Interstate Securities Company, and the Court being fully advised in the premises, finds in favor of the libellant and against claimant, Interstate Securities Company, accordingly.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that in accordance with the forfeiture entered herein on April 30, 1940, and in conformity with the mandate of the Circuit Court of Appeals, the United States Marshal for the Northern District of Oklahoma be and he is hereby directed to return and deliver over to libellant and the Treasury Department of the United States for the use of the Bureau of Internal Revenue in the enforcement of the Internal Revenue Laws pursuant to Section 304 of the Liquor Law Repeal and Enforcement Act, and execution is allowed against said Interstate Securities Company as of December 14, 1940, for payment of all costs herein.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 14 1941
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to February 15, 1941.

