

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,  
et al.,

Defendants.

ORDER AUTHORIZING RECEIVER TO SELL REAL PROPERTY AND LEASEHOLD  
ESTATE AT PRIVATE SALE

This cause coming on for hearing this date, upon the verified application of  
W. C. TRIMBLE, the duly appointed, qualified and acting Receiver in the above styled and numbered cause,  
praying for an order from this Court authorizing him, as such Receiver, to sell the real property and  
leasehold estate hereinafter described, at private sale.

The Receiver appeared in person and by his counsel, Luther Bohanon and Lynn  
Adams, and the Trustee in Bankruptcy of the Wertzberger Derrick Company, a corporation, a Bankrupt,  
appearing by his counsel, C. Ellis Gable.

The Court finds that W. C. Trimble, as Receiver herein, has received a bid for  
the purchase of the real property and leasehold estate as set out in his verified application, from  
Jacob Fell, in the amount of \$10,250.00; and after hearing the testimony of witnesses sworn and examined  
in open court, and being well and sufficiently advised in the premises, the Court finds that said Re-  
ceiver should be authorized and directed to sell the real estate and leasehold estate hereinafter more  
particularly described to Jacob Fell, for a cash consideration of \$10,250.00, at private sale, and  
without further notice; that it would be for the best interest of said receivership estate, and all  
parties concerned herein, that such sale be made, and there being no objections thereto by the Trustee  
in Bankruptcy, and for good cause shown, it is, by the Court,

ORDERED:

(1) That W. C. TRIMBLE, the duly appointed, qualified and acting Receiver here-  
in and he is hereby, ordered and directed to sell to JACOB FELL, at private sale, for a cash considera-  
tion of \$10,250.00, the following described real estate and leasehold estate situated in Tulsa County,  
Oklahoma, to-wit:

A part of the Southeast Quarter (SE $\frac{1}{4}$ ) of the  
Southwest Quarter (SW $\frac{1}{4}$ ) of Section 28, Township 19  
North, Range 13 East of the Indian Base and Meridian,  
more particularly described as follows, to-wit: Be-  
ginning at a point on the South boundary of said Section  
28, which point is 995.3 feet West of the Southeast corner  
of the Southwest Quarter (SW $\frac{1}{4}$ ) of said Section, said  
point being the intersection of said South Section Line  
with the Northwestern right-of-way line of the St. Louis  
and San Francisco Railroad; thence Northeasterly on said  
right-of-way line a distance of 16.2 feet; thence West and  
parallel with said South Section Line a distance of 75 feet;  
thence North parallel to the West Section Line a distance  
of 200 feet; thence East parallel to the said South Section  
line to the Northeasterly right-of-way line of the St. Louis  
and San Francisco Railroad; thence Southwesterly on said

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right-of-way line to place of beginning, according to the U. S. Survey thereof

together with all and singular the tenements, hereditaments and appurtenances to the above described property belonging or in any wise appertaining, together with the buildings thereon.

That certain lease executed by J. N. Kurn and John G. Lonsdale, Trustees in Bankruptcy of the St. Louis-San Francisco Railway Company, a corporation, Debtor, as Lessors, to the Wertzberger Derrick Company, as Lessee, dated May 23, 1935, and covering the following described real estate lying and situate in Tulsa County, Oklahoma; Beginning at a point in the south line of Section 28, Township 19 North, Range 12 East, Tulsa County, Oklahoma, at Red Fork, 24.5 feet perpendicularly distant in a northwesterly direction from the center line of the westbound main track of the St. Louis-San Francisco Railway Company; thence Northeasterly parallel to the center line of said main track 253 feet; thence Northwesterly at right angles 248.5 feet; thence Northeasterly at right angles 96 feet; thence northwesterly at right angles 27 feet; thence southwesterly at right angles 640 feet; thence easterly 491 feet to point of beginning. Contains 109,787 square feet, more or less.

(2) That T. G. Grant, Arthur Newlin and Oliver Black resident freeholders of Tulsa County, Oklahoma, be and they are hereby, appointed appraisers to view and appraise the premises set out in said application, and file herein their appraisal, duly verified.

ENTERED this the 13th day of October, 1941.

ROYCE H. SAVAGE  
United States District Judge

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

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

RECONSTRUCTION FINANCE CORPORATION, a corporation, )  
Plaintiff, )  
vs. ) NO. 502 Civil  
WERTZBERGER DERRICK COMPANY, a corporation, et al., )  
Defendants. )

ORDER ALLOWING APPRAISERS' FEES

Now on this 17th day of October, 1941, it appearing to the court that T. G. Grant, Arthur Newlin and Oliver Black were appointed to appraise the real estate and leasehold estate involved in the above cause, and are entitled to a reasonable fee for the work performed by them in appraising said property.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that each of the abovesaid parties be and he is hereby allowed the sum of \$10.00 for his services in conducting said proceedings, and fees are directed to be paid by the receiver herein, and the same are hereby assessed as costs in the action.

ROYCE H. SAVAGE  
United States District Judge

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

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

SOUTH PENN OIL COMPANY, a corporation, GARRET  
OIL COMPANY, a corporation, ROSWELL OIL &  
DEVELOPMENT COMPANY, a corporation, KATHLEEN  
C. WILSON and JOHN K. BRIGHT, Plaintiffs,

v.

No. 671 - Civil

PHILLIPS PETROLEUM COMPANY, a corporation, SINCLAIR  
PRAIRIE OIL COMPANY, a corporation, PRAIRIE OIL  
AND GAS COMPANY, a corporation, and CONSOLIDATED  
OIL COMPANY, a corporation, Defendants.

ORDER EXTENDING TIME OF DEFENDANT PHILLIPS  
PETROLEUM COMPANY TO PLEAD

The defendant Phillips Petroleum Company having filed in this cause its sworn verified application for an extension of time in which to plead, said motion was presented by D. E. Hodges, one of the attorneys for said defendant, in the presence of Fay S. Fellows, one of the attorneys for the plaintiffs, on the 13th day of October, 1941. The court, being fully advised in the premises, finds that such extension should be granted.

IT IS, THEREFORE, ORDERED that defendant Phillips Petroleum Company be and it hereby is granted an extension of time in which to plead or answer in the above-entitled cause until and including the 13th day of Dec. 1941.

ROYCE H. SAVAGE  
United States District Judge

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

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Court Reopened to October 14, 1941.

On this 14th day of October, 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 E. Savage, Judge, present and presiding.

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

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

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

EMMA ROGERS WHITE, Plaintiff, )  
vs. ) No. 403 Civil  
The Texas Company, a corporation, et al., Defendants. )

JOURNAL ENTRY OF JUDGMENT

This cause came on for trial in its regular order on the petition or bill of complaint of the Plaintiff and the amendment thereto on file herein and on the answer of the defendant, The Texas Company, thereto, and on the answer and amendment to answer of the defendants, Phillips Petroleum Company and the Keener Oil & Gas Company, on this, the 14th day of October, 1941, said cause having been regularly set for trial for this day; and the plaintiff, Emma Rogers White, appeared in person and by her attorneys, Earl Boyd Pierce and Fort L. Allen; and the defendant, The Texas Company, appeared by its attorney, B. W. Griffith; and the defendants, Phillips Petroleum Company and the Keener Oil & Gas Company, appeared by their attorney, Ed Waite Clark; and, thereupon, the parties announced ready for trial and the trial of said cause proceeded.

AND THEREUPON the plaintiff having introduced her evidence and rested, the defendants demurred to the evidence of the plaintiff and moved the Court for judgment in their favor; and the Court, having heard and considered said demurrer and motion for judgment, finds that the same should be, and they are hereby, sustained.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that judgment be rendered against the plaintiff and in favor of the defendants, and each of them, herein; that the plaintiff take nothing herein as against said defendants, or any of them, and that the plaintiff, Emma Rogers White, have no relief as against said defendants, or any of them, by reason of this action, and that the said defendants go hence without day and that the costs of this suit be assessed against the plaintiff.

ROYCE E. SAVAGE  
Judge of the United States  
District Court in and for the  
Northern District of OKLAHOMA

ENDORSED: Filed Oct 16 1941  
H. P. Warfield, Clerk  
U. S. District Court JS

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
OKLAHOMA

United States of America,

Libelant,

vs.

One 1941 Model Oldsmobile Sedan  
Automobile, Motor No. G-273,879; 2 stills,  
135-gallon capacity, set up, 3750 gallons  
of whiskey mash, 20 fifty-gallon wood barrel  
fermenters, 6 fifty-gallon wood barrels,  
37 fifty-gallon steel drums, 11 kegs,  
80 gallons untaxpaid whiskey, and other  
paraphernalia and materials used in connection  
with such distilleries; Merida Kimber (Mertie) Hughes,  
and the Commercial National Bank of Muskogee,  
Oklahoma,

No. 612 CIVIL

Claimants.

JOURNAL ENTRY OF JUDGMENT

Now on this 14th day of October, A. D. 1941, this cause comes on before the Court, pursuant to regular assignment, libelant appearing by Whit Y. Hanzy, United States Attorney for the Northern District of Oklahoma, and Joe W. Howard, Assistant United States Attorney for said District and the claimant, Merida Kimber (Mertie) Hughes, appears in person and by his attorney, L. A. Justus, and both parties announcing ready for trial, libelant presents its evidence and rests, and the claimant presents his evidence and rests, and the Court being fully advised in the premises, finds that a forfeiture of the 2 stills, 135-gallon capacity, set up, 3750 gallons of whiskey mash, 20 fifty-gallon wood barrel fermenters, 6 fifty-gallon wood barrels, 37 fifty-gallon steel drums, 11 kegs, 80 gallons untaxpaid whiskey, and other paraphernalia and materials used in connection with such distilleries, should be decreed, but that a forfeiture as to the said 1941 Model Oldsmobile Sedan Automobile, Motor No. G-273,879, should be denied.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that a forfeiture herein to and the same is hereby allowed as to the aforesaid described distilleries and other equipment and personal property seized therewith with the exception of said automobile.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that a forfeiture herein to and the same is hereby disallowed as to the said 1941 Model Oldsmobile Sedan Automobile, Motor No. G-273,879, and the United States Marshal for the Northern District of Oklahoma is hereby directed to deliver said automobile over to the claimant, Merida Kimber (Mertie) Hughes, upon his payment of all storage charges and advertising fees incident to such seizure of said automobile.

ROYCE H. SAVAGE  
JUDGE

ENCLOSED: Filed Oct 14 1941  
E. P. Warfield, Clerk  
U. S. District Court LN

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

Nellie Littledeave, now Jumper, Plaintiffs,

vs.

No. 657 CIVIL

Nora Littledeave, et al, Defendants.

United States of America, Intervener.

ORDER APPOINTING GUARDIAN AD LITEM

Now on this the 14 day of October, 1941, the above cause comes on for hearing upon the motion of the plaintiffs for the appointment of a guardian ad litem for Nora Littledeave and Idella Littledeave, minor defendants, and the Court being fully advised in the premises finds that said motion should be granted.

IT IS THEREFORE ORDERED BY THE COURT that W. E. Foltz of Muskogee, Oklahoma, be and he is hereby appointed guardian ad litem for the minor defendants, Nora Littledeave and Idella Littledeave.

ROYCE H. SAVAGE  
United States District Judge

ENDORSED: Filed Oct 14 1941  
H. P. Warfield, Clerk  
U. S. District Court LM

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Court adjourned to October 15, 1941.

On this 15th day of October, 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  
Wm. V. Kasey, United States Attorney  
John P. Logan, United States Marshal

Public proclamation and writs being 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

ROBERT L. WAGNER and JAMES MURRELL, Intervenor  
and for all other persons similarly situated, Complainants, No. 477 Civil  
vs.  
MISSOURI, KANSAS & OKLAHOMA TRAINWAYS, I.C., Defendant.

JAMES MURRELL

Now on this 21st day of August, 1941, the latter comes on before the court

for pretrial conference. Complainants appeared at said conference by their counsel, W. L. Shirey, while the defendant appeared through its counsel, Karl E. Mueller and E. D. Hudson; and the parties having announced ready, the court proceeded to a pretrial hearing.

Thereupon counsel for the respective parties called the court's attention to the fact that this action is brought by Robert W. Wagner and Curtis Murrell, who are mechanics employed by the defendant corporation and that said mechanics are engaged in the service and maintenance of motor equipment used in interstate commerce, and are employed regularly in maintaining said equipment and keeping the same in a safe condition for operation in interstate commerce, and that the action is further maintained by all other persons similarly situated; and

Thereupon counsel for the respective parties agree that the Interstate Commerce Commission did, on the 6th day of March, 1941, in Cause No. MC 2, IN THE MATTER OF MAXIMUM HOURS OF SERVICE OF MOTOR CARRIER EMPLOYEES, EX PARTE, determine and decide that mechanics, such as the complainants above, come within the purview of Section 204 of the Motor Carrier Act of 1935, which is Section 504 of Title 49, U.S.C.A., and that mechanics such as the complainants here do not come within the purview of the Fair Labor Standards Act of 1938.

The court being advised in the premises, and upon the stipulation and agreement of respective counsel to the effect that Robert W. Wagner and Curtis Murrell, complainants, are mechanics employed by the defendant company engaged in mechanical work which is for its accomplishment the making of motor equipment engaged in interstate commerce, safe for travel, the court finds that said named complainants are persons with respect to whom the Interstate Commerce Commission has power to prescribe hours of work, and as such, come within the exemption provided for in Section 13 (B) (1), of said Fair Labor Standards Act of 1938:

And the court further finds, therefore, that the defendant is entitled to a summary judgment, dismissing with prejudice the action of Robert W. Wagner and Curtis Murrell, at the costs of the complainants, and dismissing without prejudice such action as to any other person who might be considered a party plaintiff to said action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECIDED that this act on should be, and the same is hereby dismissed with prejudice as to complainants, Robert W. Wagner and Curtis Murrell, at the costs of the complainants.

It is further ordered that, upon motion of the attorney for complainants, this action should be, and the same is hereby dismissed without prejudice as to any other person who might be considered a party plaintiff to this suit.

ROYCE H. SAVAGE  
U. S. District Judge

ENTERED: Filed Oct 17 1941  
H. P. Warfield, Clerk  
U. S. District Court B

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Court adjourned to October 17, 1941

On this 17th day of October, 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

UNITED STATES OF AMERICA,

Petitioner,

vs.

NO. 653 - CIVIL

JOHN A. NIENHAUS, JR., ET AL.,

Defendants.

JUDGMENT ON DECLARATION OF TAKING - NO. 4

This cause coming on to be heard at this term of court upon the motion of the petitioner, the United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, to enter a judgment on the Declaration of Taking filed in the above entitled cause on the 17th day of October, 1941, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof and of the condemnation petition filed herein, said Declaration of Taking, the statutes in such cases made and provided, and it appearing to the satisfaction of the Court:

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purposes as set out and prayed in said petition;

SECOND: That a petition in condemnation was filed at the request of the Secretary of War, the authority empowered by law to acquire the lands described in said petition, and also under the authority of the Attorney General;

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken, that the Secretary of War is the person duly authorized and empowered by law to acquire lands such as are described in the petition for the purpose of use in connection with the establishment of the Oklahoma Ordnance Plant, said lands to be utilized for the purpose of said Ordnance Plant to meet the needs of Ordnance and of National Defense, as authorized by law and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings;

FOURTH: That a proper description of the lands sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in the lands taken for said public use;

SIXTH: That a plot showing the lands taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said negotiating authority to be a just compensation for said lands, in the amount of Fifty one Thousand Six Hundred Sixty-eight Dollars (\$51,668.00), and that said sum was

deposited in the Registry of said Court, for the use of the persons entitled thereto, upon and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking, that the amount of the ultimate award of compensation, for the taking of said property, in the opinion of the Secretary of War will be within our limits prescribed by Congress as to the price to be paid therefor; it is therefore, the 17th day of October, 1916,

ADJUDGED, ORDERED AND DECREED that the title to 1,992.9 acres, more or less of the 15,500 acres described in said condemnation petition on file herein, which 1,992.9 acres is describe in said Declaration of Taking, filed herein and is located and situated in Hayes County, State of Oklahoma and is, more particularly described as follows, to-wit:

TRACT NO. A-10

South Half (S $\frac{1}{2}$ ) of the Southeast quarter (SE $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) and the East Half (E $\frac{1}{2}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of the Southeast quarter (SE $\frac{1}{4}$ ) of Section Six (6), Twp. Twenty (20) North, Range Nineteen (19) East, Hayes County, Oklahoma, containing 40 acres, more or less.

TRACT NO. A-11

The Southeast quarter (SE $\frac{1}{4}$ ) of Southeast quarter (SE $\frac{1}{4}$ ), Section one (1), Twp. Twenty (20) North, Range Eighteen (18) East, Hayes County, Oklahoma, containing 40 acres, more or less.

TRACT NO. A-12

Northwest quarter (NW $\frac{1}{4}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ) of Section Six (6), Twp. Twenty (20) North, Range Nineteen (19) East, Hayes County, Oklahoma, containing 10 acres, more or less.

TRACT NO. A-17

West Half (W $\frac{1}{2}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ) of Section Five (5), Twp. Twenty (20) North, Range Nineteen (19) East, Hayes County, Oklahoma, containing 20 acres, more or less.

TRACT NO. A-22

The South Half (S $\frac{1}{2}$ ) of the Southeast quarter (SE $\frac{1}{4}$ ) of the Southeast quarter (SE $\frac{1}{4}$ ) of Section Six (6), Twp. Twenty (20) North, Range Nineteen (19) East, Hayes County, Oklahoma, less 1 square acre in Southeast (SE) corner thereof occupied by School District No. 20, containing 40 acres, more or less.

TRACT NO. A-24

The East Half (E $\frac{1}{2}$ ) of Southeast quarter (SE $\frac{1}{4}$ ) of Southwest quarter (SW $\frac{1}{4}$ ) and Southwest quarter (SW $\frac{1}{4}$ ) of Southeast quarter (SE $\frac{1}{4}$ ) of Southwest quarter (SW $\frac{1}{4}$ ) of Section Six (6), Twp. Twenty (20) North, Range Nineteen (19) East, Hayes County, Oklahoma, containing 30 acres, more or less.

TRACT NO. A-30

Northeast quarter ( $NE\frac{1}{4}$ ) Northeast Quarter ( $NE\frac{1}{4}$ ); Northeast quarter ( $NE\frac{1}{4}$ ) Southwest Quarter ( $SW\frac{1}{4}$ ) Northeast Quarter ( $NE\frac{1}{4}$ ); Section Seven (7), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 50 acres, more or less.

TRACT NO. A-30

The North Half ( $N\frac{1}{2}$ ) of the Northeast quarter ( $NE\frac{1}{4}$ ) of Section Eight (8), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 80 acres, more or less.

TRACT NO. A-31

South Half ( $S\frac{1}{2}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) Section Eight (8), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 80 acres, more or less.

TRACT NO. A-32

East Half ( $E\frac{1}{2}$ ) of the Southeast quarter ( $SE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of Section Eight (8), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 80 acres, more or less.

TRACTS NOS. A-34 & A-36

NE 10 acres, and West 24.4 acres of Lot 1; NW 10.2 acres of Lot 2;  $SE\frac{1}{4}$   $SW\frac{1}{4}$   $NE\frac{1}{4}$ ; all in Section 7, Twp. 20 North, Range 19 East, Mayes County, Oklahoma, containing 50.6 acres, more or less.

TRACT NO. A-38

Northwest quarter ( $NW\frac{1}{4}$ ) of the Southwest quarter ( $SW\frac{1}{4}$ ) of Section Eight (8), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 40 acres, more or less.

TRACT NO. A-41

Northwest quarter ( $NW\frac{1}{4}$ ) of the Southeast quarter ( $SE\frac{1}{4}$ ), Section Eight (8), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 40 acres, more or less.

TRACT NO. A-44

The West Half ( $W\frac{1}{2}$ ) Southwest quarter ( $SW\frac{1}{4}$ ) Southeast quarter ( $SE\frac{1}{4}$ ); The East Half ( $E\frac{1}{2}$ ) Southeast quarter ( $SE\frac{1}{4}$ ) Southwest quarter ( $SW\frac{1}{4}$ ), Section Eight (8), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 40 acres, more or less.

TRACT NO. B-5

That part of the West Half ( $\frac{1}{2}$ ) of Lot Four (4), Section Two (2), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, lying east of the creek, containing 3 acres, more or less.

TRACT NO. B-6

Lot Three (3) and East Half ( $\frac{1}{2}$ ) of Lot Four (4) of Section Two (2), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 30 acres, more or less.

TRACT NO. B-44

Northwest quarter ( $\frac{1}{4}$ ) of the Northwest quarter ( $\frac{1}{4}$ ); the North Half ( $\frac{1}{2}$ ) of the Southwest quarter ( $\frac{1}{4}$ ) of the Northwest quarter ( $\frac{1}{4}$ ); the Southwest quarter ( $\frac{1}{4}$ ) of the Southwest quarter ( $\frac{1}{4}$ ) of the Northwest quarter ( $\frac{1}{4}$ ), Section Sixteen (16), Twp. Twenty (20) North, Range Nineteen (19) East; and North Half ( $\frac{1}{2}$ ) of the Southeast quarter ( $\frac{1}{4}$ ) of the Northeast quarter ( $\frac{1}{4}$ ); the Southeast quarter ( $\frac{1}{4}$ ) of the Southeast quarter ( $\frac{1}{4}$ ) of the Northeast quarter ( $\frac{1}{4}$ ); the Northeast quarter ( $\frac{1}{4}$ ) of the Northeast quarter ( $\frac{1}{4}$ ), Section Seventeen (17), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 140 acres, more or less.

TRACT NO. C-2

Northeast quarter ( $\frac{1}{4}$ ) Northeast quarter ( $\frac{1}{4}$ ), Section Thirteen (13), Twp. Twenty (20) North, Range Eighteen (18) East, Mayes County, Oklahoma, containing 40 acres, more or less.

TRACT NO. C-3

Southeast quarter ( $\frac{1}{4}$ ) of the Southwest quarter ( $\frac{1}{4}$ ) of the Northeast quarter ( $\frac{1}{4}$ ) Section Seventeen (17), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 10 acres, more or less.

TRACT NO. C-13

Southeast quarter ( $\frac{1}{4}$ ) of the Northeast quarter ( $\frac{1}{4}$ ) of the Southeast quarter ( $\frac{1}{4}$ ), Section Seventeen (17), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma.

TRACT NO. C-17

$\frac{1}{2}$  of the Southeast Quarter ( $\frac{1}{4}$ ) of the Southeast Quarter ( $\frac{1}{4}$ ) of Section Seventeen (17), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 20 acres, more or less.

TRACT NO. C-20

Southeast quarter ( $\frac{1}{4}$ ) of the Northeast quarter ( $\frac{1}{4}$ ) of the Southwest quarter ( $\frac{1}{4}$ ), West Half ( $\frac{1}{2}$ ) of the Northeast quarter

ter ( $NE\frac{1}{4}$ ) of the Southeast quarter ( $SE\frac{1}{4}$ ), East Half ( $E\frac{1}{2}$ ) of the Northwest quarter ( $NW\frac{1}{4}$ ) of the Southeast quarter ( $SE\frac{1}{4}$ ), Section Twenty (20), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 30 acres, more or less.

TRACT NO. D-3

West Half ( $W\frac{1}{2}$ ) of the Northeast quarter ( $NE\frac{1}{4}$ ) of Section Fifteen (15), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 30 acres, more or less.

TRACT NO. D-5

East Half ( $E\frac{1}{2}$ ) Northeast quarter ( $NE\frac{1}{4}$ ) and Northeast Quarter ( $NE\frac{1}{4}$ ) Northeast quarter ( $NE\frac{1}{4}$ ) Southeast quarter ( $SE\frac{1}{4}$ ) less one and one-half ( $1\frac{1}{2}$ ) acres reserved for school purposes in the Northeast ( $NE\frac{1}{4}$ ) corner of Northeast Quarter ( $NE\frac{1}{4}$ ) Northeast Quarter ( $NE\frac{1}{4}$ ) Northeast quarter ( $NE\frac{1}{4}$ ), Section 15, Twp. 20 North, Range 19 East, containing 53 $\frac{1}{2}$  acres, more or less, and being situate in Mayes County, Oklahoma.

TRACT NO. D-7

Lot Four (4); Southwest Quarter ( $SW\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section Eleven (11), Twp. Twenty (20) North, Range Nineteen (19) East; that part of the Northeast quarter ( $NE\frac{1}{4}$ ) of the Northwest quarter ( $NW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) Section Fourteen (14), Twp. Twenty (20) North, Range Nineteen (19) East, which lies east of the center of the channel of Pryor Creek, which said creek runs in a Northerly and Southerly direction through said ten (10) acres; all that part of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) lying East of Pryor Creek;  $NE\frac{1}{4}$   $NW\frac{1}{4}$ ; North Half ( $N\frac{1}{2}$ ) of the Southeast quarter ( $SE\frac{1}{4}$ ) of the Northwest quarter ( $NW\frac{1}{4}$ ); Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southeast quarter ( $SE\frac{1}{4}$ ) of the Northwest quarter ( $NW\frac{1}{4}$ ); North Half ( $N\frac{1}{2}$ ) of the Northwest quarter ( $NW\frac{1}{4}$ ) of the Northeast quarter ( $NE\frac{1}{4}$ ); Lot Two (2), in Section Fourteen (14), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 142.05 acres of land, more or less.

TRACT NO. D-25

Lot 6 and 7 and East Half ( $E\frac{1}{2}$ ) of the West Half ( $W\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ), Section Fourteen (14), and all that part of Lot Six (6), lying in the Northwest quarter ( $NW\frac{1}{4}$ ) of the Northeast quarter ( $NE\frac{1}{4}$ ) of the Southeast quarter ( $SE\frac{1}{4}$ ) (6.90A); West Half ( $W\frac{1}{2}$ ) of the Northeast quarter ( $NE\frac{1}{4}$ ) and Lot Two (2) (12.35 A) and Lot Three (3) (12.30A), Section Twenty-three (23), Township Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 131.75 acres, more or less.

TRACT NO. D-30

The East Half ( $E\frac{1}{2}$ ) of the Northeast quarter ( $NE\frac{1}{4}$ ) of the

Northeast quarter (NE $\frac{1}{4}$ ); and the North Half (N $\frac{1}{2}$ ) of the Southeast quarter (SE $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ); also a strip Thirty-three (33) feet wide off the North (N) side of the Southwest quarter (SW $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of Section Twenty One (21), Township Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 41 acres, more or less.

TRACT NO. D-35

The South Half (S $\frac{1}{2}$ ) of Southeast quarter (SE $\frac{1}{4}$ ) Northwest quarter (NW $\frac{1}{4}$ ); Southeast quarter (SE $\frac{1}{4}$ ) Northwest quarter (NW $\frac{1}{4}$ ); North Half (N $\frac{1}{2}$ ) Southwest quarter (SW $\frac{1}{4}$ ); and North Half (N $\frac{1}{2}$ ) South Half (S $\frac{1}{2}$ ) Southwest quarter (SW $\frac{1}{4}$ ), Section Twenty-two (22), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 180 acres, more or less.

TRACT NO. D-36

The Southeast Quarter (SE $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ); the South Half (S $\frac{1}{2}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ); and the North Half (N $\frac{1}{2}$ ) of the Southeast quarter (SE $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ); and the West Half (W $\frac{1}{2}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of Section Twenty-two (22), Township Twenty (20) North, Range Nineteen (19) East; Mayes County, Oklahoma, containing 70 acres, more or less.

TRACT NO. D-40

North Half (N $\frac{1}{2}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ), Section Twenty-two (22), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 80 acres, more or less.

TRACT NO. D-41

The Southeast quarter (SE $\frac{1}{4}$ ) Southeast Quarter (SE $\frac{1}{4}$ ); and Northeast quarter (NE $\frac{1}{4}$ ) Southwest Quarter (SW $\frac{1}{4}$ ) Southeast quarter (SE $\frac{1}{4}$ ); Section 22, Twp. Twenty (20) North, Range Nineteen (19) East; and the Northwest quarter (NW $\frac{1}{4}$ ) Northeast quarter (NE $\frac{1}{4}$ ) Northeast quarter (NE $\frac{1}{4}$ ), Section Twenty-seven (27), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 60 acres, more or less.

TRACT NO. D-45

South Half (S $\frac{1}{2}$ ) of the South Half (S $\frac{1}{2}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ) of Section Twenty-two (22), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 40 acres, more or less.

TRACT NO. D-44

Northeast quarter (NE $\frac{1}{4}$ ) of the Southeast quarter (SE $\frac{1}{4}$ ) of the Southeast quarter (SE $\frac{1}{4}$ ) of Section Twenty-two (22), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 10 acres, more or less.

TRACE NO. D-48

Northwest quarter (NW 1/4) of the Northeast quarter (NE 1/4); East Half (E 1/2) Northeast quarter (NE 1/4) of the Northwest quarter (NW 1/4) of Section Twenty-seven (27), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 18 acres, more or less.

TRACE NO. D-49

North Half (N 1/2) of the Southeast quarter (SE 1/4) of the Northwest quarter (NW 1/4), (also described as the North Twenty (20) acres of Lot Three (3), Section Twenty-seven (27), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 20 acres, more or less.

TRACE NO. D-51

The Southeast quarter (SE 1/4) Northeast quarter (NE 1/4); Section Twenty-eight (28), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 40 acres, more or less.

in fee simple, except as to existing easements for public roads and public utilities therein, vested in the United States of America upon the filing of said Declaration of Taking and the Deposit in the Registry of this Court of said sum of Fifty One Thousand Six Hundred Sixty-eight Dollars (\$51,668.00) as hereinbefore recited; that said lands are deemed to have been condemned and taken for the use of the United States of America and the right to just compensation for the property taken, upon the filing of the Declaration of Taking and the making of the deposit, vested in the persons entitled thereto and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein pursuant to law, and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States is now entitled to possession of the above-described premises and possession to said property shall be delivered to the United States of America on or before the 22nd day of October, 1941 and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises, and

IT IS FURTHER ORDERED that the United States Marshal for the Northern District of Oklahoma be and he is hereby directed and instructed forthwith to serve a certified copy of this judgment upon any of the defendants now in possession of the above-described premises, or, if no such defendants are found in actual possession of said premises, then he is ordered to post such certified copy at a conspicuous place upon said premises and forthwith make his due return of said service to this Court.

BY THE COURT

ROYCE W. SAVAGE  
JUDGE PRESIDING, United States District  
Court, Northern District of Oklahoma

ENDORSED: Filed 4:30 P.M.,  
Oct 17 1941  
H. P. Warfield, Clerk  
U. S. District Court H

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

The Prudential Insurance Company of America,  
a corporation, Plaintiff,

vs.

T. H. Haugh, guardian of the person and estate  
of Richard Carroon, a minor, Arnold Carroon,  
guardian of the person and estate of Richard F.  
Carroon, a minor, and The Shelby National Bank  
of Shelbyville, Indiana, as guardian of the  
person and property of Richard Francis Carroon,  
a minor, Defendants.

No. 674

JUDGMENT ALLOWING INTERPLEADER, DISCHARGING THE PLAINTIFF, MAKING  
INJUNCTION PERMANENT AND FIXING ATTORNEYS' FEES

Now on the findings of fact and conclusions of law heretofore made in this  
cause, the court finds that the following judgment should be entered, and the clerk is ordered and  
directed to enter the same.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff  
The Prudential Insurance Company of America, is fully and finally released and discharged of and from  
any and all liability arising under and by virtue of the terms of its policy of insurance numbered  
6777923 issued upon the life of Mary F. Carroon, formerly Mary F. Thomas, and that said plaintiff is  
fully and finally released and discharged from any further or other liability to the defendants or  
either of them on account of said policy of insurance or the funds representing the amount due upon  
said policy, which funds are now on deposit with the registry of this court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the defendants  
T. H. Haugh, guardian of the person and estate of Richard Carroon, a minor, Arnold Carroon, guardian of  
the person and estate of Richard F. Carroon, a minor, and The Shelby National Bank of Shelbyville,  
Indiana, as guardian of the person and property of Richard Francis Carroon, a minor, and each of them,  
are perpetually enjoined and restrained from instituting or prosecuting any suit or proceeding in any  
other court on said policy of insurance or on account of said fund due under the terms of said policy,  
and each of said defendants is required to make any claim he may have against said policy of insurance  
or this plaintiff upon the subject of this action against said fund in this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff herein recover  
its costs expended in the amount of Forty Two Dollars Fifty Two Cents (\$42.92) together with a reason-  
able attorney's fee payable to G. Ellis Gable, in the sum of \$150.00 which expenses and attorney's fee  
are hereby ordered to be paid by the clerk hereof to G. Ellis Gable, attorney for the plaintiff, out of  
the funds deposited in the registry of this court, and that the same be charged against said funds.

Dated this 17th day of October, 1941.

ROYCE M. SAVAGE  
United States District Judge

ENDORSED: Filed Oct 17 1941  
H. P. Marfield, Clerk  
U. S. District Court N

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

The Prudential Insurance Company of America, )  
a corporation, ) Plaintiff, )

vs.

NO. 375

T. H. Haugh, administrator of the Estate of Mary  
Frances Carron, deceased, T. H. Haugh, adminis-  
trator of the estate of Harold Carron, deceased,  
and Wilbur F. Pell, administrator of the estate of  
Harold F. Carron, deceased, Defendants.

JUDGMENT ALLOWING INTERPLEADER, DISCHARGING THE PLAINTIFF,  
MAKING INJUNCTION PERMANENT AND FIXING ATTORNEYS'  
FEES

Now on the findings of fact and conclusions of law heretofore made in this case the court finds that the following judgment should be entered, and the clerk is ordered and directed to enter the same.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff The Prudential Insurance Company of America, is fully and finally released and discharged of and from any and all liability arising under and by virtue of the terms of its policy of insurance numbered 4044922 issued upon the life of Harold F. Carron, and that said plaintiff is fully and finally released and discharged from any further or other liability to the defendants or either of them on account of said policy of insurance or the funds representing the amount due upon said policy, which funds are now on deposit with the registry of this court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the defendant T. H. Haugh, administrator of the estate of Mary Frances Carron, deceased, T. H. Haugh, administrator of the estate of Harold Carron, deceased, and Wilbur F. Pell, administrator of the estate of Harold F. Carron, deceased, and each of them, are perpetually enjoined and restrained from instituting or securing any suit or proceeding in any other court on said policy of insurance or on account of said fund due under the terms of said policy, and each of said defendants is required to make any claim he may have against said policy of insurance or this plaintiff upon the subject of this action against said policy in this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff herein recover its costs expended in the amount of Forty Dollars Fifty Nine Cents (\$40.59) together with a reasonable attorney's fee payable to G. Ellis Gable, in the sum of \$100.00 which expenses and attorney's fees are hereby ordered to be paid by the clerk hereof to G. Ellis Gable, attorney for the plaintiff, out of the funds deposited in the registry of this court, and that the same be charged against said funds.

Dated this 17th day of October, 1941.

ROYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

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

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Court adjourned to October 18, 1941

On this 14th day of October, 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 B. Swaine and Hon. E. E. Kennamer, Judges, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Walt Y. Leamy, 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,	Plaintiff,		
vs.		No. 370 CIVIL	Tract No. 4.
Eliza J. Andraic,	Defendant.		
Wesley W. Smith, Administrator of the estate of Lelah F. Smith, deceased,	Intervenor.		

C O R D E R

On this the 14th day of October, 1941, this cause came on for hearing pursuant to assignment in the District Court of the United States for the Northern District of Oklahoma, sitting at Vinita, Oklahoma, within said district, the Hon. Franklin B. Keyser, Judge of said court presiding, said hearing being had upon the application of Eliza J. Andraic and others for distribution of the funds in the hands of said clerk awarded by the commissioners on Tract #4, the same being Lot 3 of the Southwest Quarter of Section 30, Township 27 North, Range 24 East in Ottawa County, Oklahoma. Upon application of Wesley W. Smith, administrator of the estate of Lelah F. Smith, deceased, he is permitted by the court to file his motion in intervention herein, the said Wesley W. Smith, administrator appeared in person and by his attorneys and none of the other parties, claimants to said fund appeared, and make default.

Thereupon the proof was taken in said case and the court finds from the evidence adduced that the said lands were purchased by Lelah F. Smith from Ottawa County, Oklahoma by the County Commissioners of said county on the 27th day of September, 1940 and that her title to said land and to the funds in the hands of the clerk derived from the sale of six-tenths of an acre of the same land condemnation proceeds to the Grand River Dam Authority in the sum of \$45.00 is paramount to the claims of the other claimants to said land and that an order should be made to pay said sum of \$45.00 to Wesley W. Smith, administrator, for the benefit of her estate. The court further finds that Lelah F. Smith departed this life on the 10th day of December, 1940, and that Wesley W. Smith is the duly appointed, qualified and acting administrator of her estate. The court further finds that due notice of this hearing had been given to all persons interested herein.

IT IS THEREFORE BY THE COURT ORDERED that the clerk of this court pay to Wesley W. Smith, administrator of the estate of Lelah F. Smith, deceased, the said sum of \$45.00, taking the receipt of the said Wesley W. Smith, administrator therefor.

E. E. KENNAMER  
JUDGE

ENTERED: Filed Oct 23 1941  
H. P. Warfield, Clerk  
U. S. District Court H

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

HAROLD H. LEWIS,

Plaintiff,

vs.

No. 573

TAYLOR PAPER COMPANY,  
a corporation,

Defendant.

JOURNAL ENTRY

This matter coming on to be heard on the 24th day of October, 1941, before the Honorable F. E. Kemmerer, Judge of the above named court, pursuant to regular setting upon the non-jury docket of said court, and the plaintiff appearing in person and by his attorney, W. L. Spiner, and the defendant corporation being present in person by its officers and agents and its attorney, A.C. Saunders, and said parties having waived trial by jury, the evidence of both plaintiff and defendant having been duly submitted to the court from sworn witnesses and arguments heard, the court thereupon finds the issues for the defendant and makes the following findings of fact and conclusions of law in respect hereto.

FINDINGS OF FACT

1. The court finds that plaintiff was employed by the defendant performing services as such employee between the 24th day of October, 1938, until the 31st day of January, 1941, and that there is no controversy between the parties in respect to wages or hours between October 24, 1938, and October 24, 1939.
2. The court finds that the defendant corporation is engaged in the wholesale paper business in the City of Tulsa, Oklahoma, and engaged in Interstate Commerce within the meaning and intent and purposes thereof under the Fair Labor Standards Act of 1938.
3. The court finds that the plaintiff was employed during the first year of said Act and up to October 18, 1939, at a salary of Ninety Dollars (\$90.00) per month, and that his regular work week during the first year of said Act was 48 hours per week.
4. The court further finds that beginning the second year of said Act to-wit October 24, 1939, the plaintiff entered into a valid agreement and contract with his employer, the defendant corporation, whereby he would be paid for his services thereafter at the rate of .44¢ per hour straight time and the sum of .68¢ per hour for all overtime worked in excess of forty-two hours per week, during the second year of said Act, and the sum of .44¢ per hour for straight time and the sum of .68¢ per hour for all overtime worked over forty hours per week during the third year under said Act beginning October 24, 1940.
5. The court further finds that pursuant to said contract and agreement establishing the rate of pay, the defendant corporation did pay to the plaintiff for all services rendered after October 24, 1939, on the basis of .44¢ per hour straight time and .66¢ per hour for overtime. Overtime between October 24, 1939, and October 24, 1940, being calculated and paid for all hours worked in excess of forty-two hours per week to-wit plaintiff, and likewise from October 24, 1940, until the date of employee's dismissal from defendant's service to-wit January 31, 1941, overtime payments were made for all time worked in excess of forty hours per week. The court further finds that plaintiff kept and used said time card and record furnished him by his employer for that purpose, and that payments were made in accordance with the record of time kept by the plaintiff.
6. The court further finds that full payment has been made to the defendant for all recorded time of said employee, and that all overtime claimed by plaintiff in paragraph 3,

page 4, of this complaint for which he did not receive pay from this defendant was performed for other parties and compensation made to plaintiff by other parties.

7. The court further finds that between October 24, 1939, and January 31, 1941, the plaintiff was in the service of the defendant corporation a total of 3292 hours of which number of hours 2799 hours were for straight time and 493 hours for overtime, and that the straight time was compensated at the rate of .44¢ per hour and all overtime was compensated at the rate of .66¢ per hour or time and one-half. That the plaintiff received and accepted these checks for this period of time, said twice each month, without protest.

8. The court further finds that on October 19, 1939, defendant granted an increase in salary to the plaintiff from \$90.00 per month to \$100.00 per month, and that when the hourly wage agreement was made between plaintiff and defendant on October 24, 1939, defendant corporation suggested to this plaintiff, as well as numerous other employees involved in said readjustment of wage schedule, that an effort would be made by the employer to afford sufficient work that the annual income of this plaintiff and other employees similarly situated would be approximately the same they had received prior to the changeover to the hourly basis. The court finds that there was no guarantee by defendant corporation that the total income would be the same, but the court does find that on the basis of the hours worked and payments made to this plaintiff on the hourly basis, that the compensation of plaintiff so received did approximate the \$100.00 per month salary he was receiving prior to October 24, 1939, although the semi-monthly compensation would vary a few dollars, sometimes less and sometimes more than the prior salary basis.

#### CONCLUSIONS OF LAW

From the foregoing findings of fact, the court makes the following conclusions of law in respect thereto:

A. That the business of the defendant to-wit: wholesale paper, is subject to the Fair Labor Standards Act of 1938 in that said defendant is engaged in Interstate Commerce within the meaning and intent of said Act.

B. That plaintiff and defendant entered into a valid oral contract on or about October 24, 1939, under the terms of which the rate of wages was agreed upon between the parties and said contract has in all respects been fulfilled and performed by the defendant.

C. That under the Fair Labor Standards Act of 1938, the defendant corporation had a right to set the hourly wage of plaintiff for both straight time and for overtime to be effective beginning October 24, 1939, and that the fixing thereof was the result of the exercise of the right of contract between the plaintiff and the defendant, and that the complete performance of said contract and agreement fairly entered into by the parties was not, in violation of the Fair Labor Standards Act of 1939.

D. The court further concludes as a matter of law that under the Fair Labor Standards Act the defendant has a right to reduce his wages or adjust the hours of employment in his business, and that the manner in which plaintiff and defendant dealt did not constitute a subterfuge, nor an adoption of a fictitious rate of pay, nor a device or plan in an effort of defendant to evade compliance with the Fair Labor Standards Act of 1938.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED BY the court that judgment herein be, and the same is rendered for the defendant, and the costs are assessed against the plaintiff.

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

ENDORSED: Filed Oct 18 1941  
H. P. Warfield, Clerk  
U. S. District Court H

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

State of Oklahoma for the use and benefit  
of the Board of County Commissioners of  
Creek County, State of Oklahoma, Plaintiffs,

vs.

E. O. Wolffarth and the Standard Accident  
Insurance Company, Defendants.

No. 583 - Civil

JOURNAL ENTRY OF JUDGMENT

This cause, having come on for hearing on this 8th day of October, 1941, the plaintiffs appearing by the Assistant State Examiner and Inspector, A. B. Miller, and by the Assistant County Attorney of Creek County, Oklahoma, Kenneth Hughes, and the defendant, E. O. Wolffarth not appearing and not having been served and the Standard Accident Insurance Company appearing by its attorneys, Looney, Watts & Fenton, and the parties having announced ready for trial, the court proceeded to hear the evidence of the said A. B. Miller, on behalf of the plaintiff; and, being fully advised, the court finds:

2. That the allegations of plaintiff's petition, except as to the amount of judgment sought from the defendants, are true and correct, and the court finds generally in favor of the plaintiff and against the defendants for the sum of \$2000.00.

3. That the said sum of \$2000.00 includes specific items of shortage in the accounts of E. O. Wolffarth, as court clerk of Creek County, Oklahoma, as follows:

- |   |           |
|---|-----------|
| (a) In the accounts of the Drumright division of the court clerk's office               | \$953.46- |
| (b) In the marriage license account of the Probate Division of the court clerk's office | 906.85    |
| (c) An overpayment of witness fees in case #19794                                       | 79.35     |

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have judgment and recover from the defendant, Standard Accident Insurance Company the sum of \$2000.00, for which let execution issue.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Oct 18 1941  
H. P. Warfield, Clerk  
U. S. District Court H

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

BROOKER ENGINEERING COMPANY,  
a Michigan Corporation,

Plaintiff,

-vs-

Grand River Dam Authority, a corporation,  
organized under the laws of Oklahoma, et al.,

Defendants.

CIVIL NO. 646

ORDER ENLARGING TIME WITHIN WHICH THE DEFENDANT, GRAND RIVER DAM AUTHORITY, MAY PLEAD TO THE PLAINTIFF'S PETITION

NOW, on this 18 day of October, 1941, upon the request of the defendant, Grand River Dam Authority, a public corporation, and for good cause shown, IT IS ORDERED by the Court that said defendant be, and it is hereby, allowed until and including the 22nd day of November, 1941, within which to plead to the plaintiff's petition in the above styled cause.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Oct 18 1941  
H. P. Warfield, Clerk  
U. S. District Court H

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Court adjourned to October 20, 1941

On this 20th day of October, 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 UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

M. P. PERRY TRUSTEE,

Plaintiff,

vs

ASSOCIATED PETROLEUM PROPERTIES,  
a Trust Estate, et al.,

Defendants.

No. 285 - Civil

SUPPLEMENTAL ORDER DENYING CLAIM OF OKLAHOMA TAX COMMISSION

This matter comes on for hearing before me, the undersigned Judge of this court on the 20th day of October, 1941, and it appearing to me that on the 13th day of October, 1941, there



and possession of said defendant, The Western and Southern Life Insurance Company, in the said premises be, and the same is hereby, forever settled and quieted in the defendant, as against all claims or demands by the said plaintiffs and those claiming or attempting to claim under them or any of them; that the option for the purchase of real estate executed by and between C. C. Stayman and H. R. Ketchum dated October 22, 1941, and filed for record in the office of the County Clerk of Tulsa County, Oklahoma, on March 18, 1932, and recorded in book 1017, at pages 74, 75 and 76, be, and the same is hereby cancelled and removed as a cloud on the title of said defendant, The Western and Southern Life Insurance Company, in and to the said described premises.

And it is further ADJUDGED, ORDERED AND DECREED that the said plaintiffs H. R. Ketchum and The Ketchum Hotel Company, a corporation, and those claiming through, by or under them, or either of them, be, and they are hereby, perpetually enjoined and forbidden to claim any right, title, interest or estate, in or to said premises, by reason of any deed, instrument or interest prior to the date hereof; and the said H. R. Ketchum and The Ketchum Hotel Company, and those claiming under them or either of them, are hereby perpetually forbidden and enjoined from commencing any suit to disturb the said defendant in its possession and title to said premises, from setting up any claim or interest adverse to the defendant herein, and from disturbing defendant in its peaceful or quiet enjoyment of said described premises.

And it is further adjudged that the defendant have and recover its costs from plaintiffs.

ROYCE H. SAVAGE  
United States District Judge

ENDORSED: Filed Oct 20 1941  
H. P. Warfield, Clerk  
U. S. District Court B

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

H. R. KETCHUM and The Ketchum Hotel Company, )  
a corporation, Plaintiffs, )  
vs. ) No. 509 Civil  
The Western and Southern Life Insurance )  
Company, a corporation, Defendant. )

J U D G M E N T

The plaintiffs, and each of them, having filed herein a written dismissal with prejudice of their petition and of their counterclaim, and said dismissal with prejudice having been signed by the attorney for plaintiffs and by each of the said plaintiffs;

IT IS ORDERED that the petition of the plaintiffs and the counterclaim of plaintiffs and the causes of action set forth therein, be, and the same are hereby, dismissed with prejudice.

ROYCE H. SAVAGE  
United States District Judge

ENDORSED: Filed Oct 20 1941  
H. P. Warfield, Clerk  
U. S. District Court B  
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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

LARDA CORPORATION, Incorporated,	Plaintiff,	)	
		)	
vs.		)	No. 517 Civil
		)	
GRAND RIVER DAM AUTHORITY, a		)	
corporation,	Defendant.	)	

O R D E R

THIS CAUSE COMING on to be heard on this the 20th day of October, 1941, on the application of Larda Corporation, plaintiff in the above entitled cause for an order authorizing, directing and empowering said plaintiff to submit written interrogatories to Clive L. Mansur, the witness of the Grand River Dam Authority, the defendant in this cause, on the 10th day of Nov., 1941, before Louis L. Billar, United States Court Reporter, at 306 United States Court House, Phoenix, Arizona, and plaintiff appearing by its counsel, Gavin & Barnes, and the Court having read said application and finding that it has jurisdiction to entertain the same and enter an order thereon and being fully advised in the premises finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED, that said application of plaintiff in the above entitled case be and the same is hereby sustained; and

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that the said Clive L. Mansur, the witness of the defendant, Grand River Dam Authority, appear before Louis L. Billar, United States Court Reporter, United States Court House, Phoenix, Arizona on the 10th day of Nov., 1941, to answer the written interrogatories and cross interrogatories, if any, a copy of which are attached hereto and a copy of this order is hereby directed to be delivered to Q. D. Boydston, counsel for Grand River Dam Authority, and the receipt of a copy of this order is deemed to be full and complete notice of the taking of said interrogatories.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Oct 20 1941  
H. P. Warfield, Clerk  
U. S. District Court AC

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

Jack R. Duvall, Harold J. Duvall, and George	)	
W. Smith, in person, and for all other	)	
persons similarly situated,	Complainants,	)
		)
vs.		)
		)
Banfield Brothers Packing Company, a		)
corporation,	Defendant.	)

JOURNAL ENTRY AND JUDGMENT

Now, on this October 20, 1941, the above action comes on for trial before the undersigned, F. E. Kennamer, one of the judges of the above named court, the complainants appear in

person and by their attorneys, W. L. Shirey and Ned Warren, the defendant appears by its attorney, W. J. Otjen and Martin and Spradling, and the parties then announce to the Court that they had entered into a stipulation whereby they had adjusted and settled their differences if it met with the approval of the Court, and that they desired the Court to enter its judgment and decree thereon. The Court then examined said stipulation and the parties with reference thereto and being fully advised thereon, finds that said stipulation and compromise settlement should be approved and judgment entered pursuant thereto.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the stipulation and compromise settlement of the parties hereto this day exhibited to the Court and filed in said action be and the same is hereby approved.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the complainant, Harold J. Duvall, be and he is hereby awarded judgment against the defendant, Banfield Brothers Packing Company, in the sum of (\$125.00) One Hundred Twenty-five Dollars.

IT IS FURTHER ORDERED ADJUDGED AND DECREED by the Court that the complainant, George W. Smith be, and he is hereby awarded judgment against the defendant, Banfield Brothers Packing Company, in the sum of (\$75.00) Seventy-five dollars.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that W. L. Shirey and Ned Warren, attorneys of record, for the complainants, be and they are hereby awarded judgment against the defendant, Banfield Brothers Packing Company, in the sum of (\$100.00) One Hundred Dollars as attorneys fees for the complainants herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the costs of this action be taxed equally between the complainants and the defendant.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that upon the payment by the defendant of the foregoing amounts that the complainants be and they are forever barred and precluded from asserting any claim or cause of action against the defendant on the factual situation herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the dismissal of the complainants, Jack R. Duvall, heretofore filed herein, be approved and that his cause of action and complaint be and the same is hereby dismissed.

F. EL KENNAMER  
JUDGE

ENDORSED: Filed Oct 20 1941  
H. P. Warfield, Clerk  
U. S. District Court ME

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

Evelyn Seber, otherwise known as )  
Osharsha John, Plaintiff, )  
vs. ) No. 624 Civil  
Board of County Commissioners, )  
County of Creek, State of Oklahoma, )  
Defendant. )

D E C R E E

This cause comes on to be heard on this 20 day of October, 1941; the plaintiff appearing by her attorney of record, George H. Jennings, and the defendant appearing by the Hon. Ever

S. Collins, County Attorney of the County of Creek, State of Oklahoma, and by Kenneth S. Hughes, Asst. County Attorney, and the Court having examined the agreed statement of facts and being fully advised in the premises, finds the issues in favor of the plaintiff and against the defendant.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

That the following described real estate belonging to the plaintiff, to-wit:

The East Half (E2) of the Northwest Quarter (NW4), and the Northwest Quarter (NW4) of the Northwest Quarter (NW4), Section Twenty-two (22), Township Eighteen (18) North, Range Eleven (11) East;

The West Half (W2) of the Southwest Quarter (SW4) of the Northeast Quarter (NE4), and the East Half (E2) of the Southeast Quarter (SE4) of the Northwest Quarter (NW4), Section Five (5), Township Fourteen (14) North, Range Nine (9) East;

are decreed to be tax exempt restricted Indian Lands, and that such lands have never been subject to advalorem taxation by the County of Creek, State of Oklahoma, and its municipal sub-division of government, and will continue to be exempt from subsequent tax levies by said County and its municipal sub-divisions so long as such lands are owned by the plaintiff or her restricted heirs, and until restrictions against alienation are removed therefrom, in the manner provided by law.

That the resale tax deed issued by the County Treasurer of the County of Creek, State of Oklahoma, on the 19th day of May, 1940, purporting to convey to the Chairman of the Board of County Commissioners of the County of Creek, State of Oklahoma the tract first above described, to-wit:

The East Half (E2) of the Northwest Quarter (NW4) and the Northwest Quarter (NW4) of the Northwest Quarter (NW4), Section Twenty-two (22), Township Eighteen (18) North, Range Eleven (11) East;

and that the same is hereby cancelled, set aside and held for naught, and the title of the plaintiff in and to said lands is hereby approved and confirmed, and the defendant, its officers, agents and employees are hereby perpetually restrained from asserting or claiming any right, title or interest in and to said lands by virtue of the deed adverse to the title of the plaintiff herein.

That an injunction issue herein perpetually enjoining the defendant, its officers and employees, from extending, or attempting to extend the lands and premises of plaintiff above described upon the assessment rolls or tax rolls of the County of Creek, State of Oklahoma, and from levying, or attempting to levy advalorem taxes against the same, so long as such lands belong to the plaintiff or her restricted heirs, and until the restrictions against alienation have been removed from said lands in the manner provided by law.

That the plaintiff have and recover her costs herein.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Oct 20 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. 652 - CIVIL
		)	
JOHN M. NIEHAUS, Jr., et al,	Defendants.	)	

JUDGMENT ON THE DECLARATION OF TAKING NO. 5

This cause coming on to be heard at this term of court upon the motion of the petitioner, the United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, to enter a judgment on the Declaration of Taking filed in the above entitled cause on the 6th day of October, 1941, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof and of the condemnation petition filed herein, said Declaration of Taking, the statutes in such cases made and provided, and it appearing to the satisfaction of the Court:

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purposes as set out and prayed in said petition;

SECOND: That a petition in condemnation was filed at the request of the Secretary of War, the authority empowered by law to acquire the lands described in said petition, and also under the authority of the Attorney General of the United States;

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken, that the Secretary of War is the person duly authorized and empowered by law to acquire lands such as are described in the petition for the purpose of use in connection with the establishment of the Oklahoma Ordnance Plant, said lands to be utilized for the purpose of said Ordnance Plant to meet the needs of Ordnance and of National Defense, as authorized by law and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings;

FOURTH: That a proper description of the lands sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking.

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in the lands taken for said public use.

SIXTH: That a plat showing the lands taken is incorporated in said Declaration of Taking.

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands, in the amount of Seventy-nine Thousand Four Hundred Ninety Dollars (\$79,490.00), and that said sum was deposited in the Registry of this Court, for the use of the persons entitled thereto, upon and at the time of the filing of the said Declaration of Taking.

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation, for the taking of said property, in the opinion of the Secretary of War will be within any limits prescribed by Congress as to the price to be paid therefor; it is therefore, this 20th day of October, 1941,

ADJUDGED, ORDERED AND DECREED that the title to 2224.77 acres, more or less, of the 15,500 acres described in said condemnation petition on filed herein, which 2224.77 acres, is described in said Declaration of Taking filed herein and is located and situated in Mayes County,

State of Oklahoma and is more particularly described as follows, to-wit:

TRACT NO. A-8

SW $\frac{1}{4}$  NW $\frac{1}{4}$  and NE $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , all in Section 5, Twp. 20 N., Range 19 E., Mayes County, Oklahoma, containing 50 acres, more or less.

TRACT NO. A-14

That part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 1, Twp. 20 N., Range 18 E., Mayes County, Oklahoma, lying East of United States Highway No. 69, containing 6 acres, more or less.

TRACT NO. A-25

That part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 12, Twp. 20 N., Range 18 E., Mayes County, Oklahoma, which lies East of U. S. Highway No. 69, more particularly described as follows:

Beginning at the SE corner of said NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 12; thence West 607 feet to the East line of the highway right-of-way; thence in a Northeasterly direction along said highway 1350.5 feet to a point on the North line of said Section 12; thence East 376 feet to the NE corner of said NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 12; thence South 80 rods to the point of beginning, containing 13.3 acres, more or less.

TRACT NO. A-37

South twenty and two-tenths acres (20.2) Lot 2; Lot 3; Section 7, Twp. 20 North, Range 19 E., Mayes County, Oklahoma, containing 60.60 acres, more or less.

TRACT NO. B-20

West Half (W $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ), Section Eleven (11), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 20 acres, more or less.

TRACT NO. B-21

NW $\frac{1}{4}$  NW $\frac{1}{4}$ , and E $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 11; and S $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 10; all in Twp. 20 North, Range 19 E., Mayes County, Oklahoma, containing 80 acres, more or less.

TRACT NO. B-46

W $\frac{1}{2}$  NE $\frac{1}{4}$ , E $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , all in Section 16, Twp. 20 N., Range 19 E., Mayes County, Oklahoma, containing 110 acres, more or less.

TRACT NO. C-7

The South Half (S $\frac{1}{2}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Seventeen (17), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 80 acres, more or less.

TRACT NO. C-9

North Half (N $\frac{1}{2}$ ) of Lot Three (3), Section Eighteen (18), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 20 acres, more or less.

TRACT NO. C-10

NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 18, Twp. 20 N., Range 19 East, Mayes County, Oklahoma, containing 40 acres, more or less.

TRACT NO. C-21

West 20.60 acres of Lot One (1), less road and East 20 Acres of Lot One (1), Section Nineteen (19) Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 39.58 acres, more or less.

TRACT NO. C-26

Southwest Quarter (SW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ); North Half (N $\frac{1}{2}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ); Southwest Quarter (SW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twenty (20), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 70 acres, more or less.

TRACT NO. C-28

Northeast Quarter (NE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ); North Half (N $\frac{1}{2}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ), Section Nineteen (19) Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 60 acres, more or less.

TRACT NO. C-29

N $\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , N $\frac{1}{2}$  S $\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , N $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , W $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , all in Section 20 Twp. 20 North, Range 19 E., Mayes County, Oklahoma, containing 110 acres, more or less.

TRACT NO. C-32

East Half (E $\frac{1}{2}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) Section Twenty (20), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 20 acres, more or less.

TRACT NO. C-33

The Northwest Quarter (NW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ); and the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Twenty (20) of Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 20 acres, more or less.

TRACT NO. C-35

Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Nineteen (19), Twp. Twenty (20) North Range Nineteen (19) East, Mayes County, Oklahoma, containing 40 acres, more or less.

TRACT NO. C-36

The West Half (W $\frac{1}{2}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) in Section Twenty-four (24), Twp. Twenty (20) North, Range Eighteen (18) East, in Mayes County, Oklahoma, containing 20 acres, more or less.

TRACT NO. C-46

E $\frac{1}{2}$  NE $\frac{1}{4}$ ; SW $\frac{1}{4}$  NE $\frac{1}{4}$ ; S $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ ; NE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; W $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  lying North and East of the highway; all the above described land being in Section Thirty (30), Twp. Twenty (20) N., Range Nineteen (19) E., Mayes County, Oklahoma, containing 204.62 acres, more or less.

TRACT NO. C-47

Southeast Quarter (SE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ), Section Thirty (30) Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 10 acres, more or less.

TRACT NO. C-50

The North Half ( $N\frac{1}{2}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ), Section Twenty-five (25), Twp. Twenty (20) North, Range Eighteen (18) East, Mayes County, Oklahoma, containing 2 acres, more or less.

TRACT NO. C-55

Beginning at a point 3.165 chains South and 3.165 chains West of the Quarter Section Corner between Sections Twenty-eight (28) and Twenty-nine (29), Twp. Twenty (20) North, Range Nineteen (19) East; thence West. 3.165 chains, thence South 3.165 chains; thence East 3.165 chains; thence North 3.165 chains to the point of beginning in Section Twenty-nine (29), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 1.02 acres, more or less.

TRACT NO. D-8

$S\frac{1}{2}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$ ;  $NW\frac{1}{4}$   $SW\frac{1}{4}$   $NE\frac{1}{4}$ ;  $W\frac{1}{2}$   $NE\frac{1}{4}$   $SW\frac{1}{4}$   $NE\frac{1}{4}$ ;  $SE\frac{1}{4}$   $SW\frac{1}{4}$   $NE\frac{1}{4}$ ; all in Section Fourteen (14), Twp. Twenty (20) N., Range Nineteen (19) E., Mayes County, Oklahoma, containing 44 acres, more or less.

TRACT NO. D-18

Southwest Quarter ( $SW\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ); East Half ( $E\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ); all in Section Fifteen (15) Twp., Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 15 acres, more or less.

TRACT NO. D-21

That part of the  $E\frac{1}{2}$   $SE\frac{1}{4}$   $SW\frac{1}{4}$  lying West of Pryor Creek, in Section Fourteen (14), Twp. Twenty (20) North Range Nineteen (19) East, Mayes County, Oklahoma, containing 7 acres, more or less.

TRACT NO. D-22

Southwest Quarter ( $SW\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ); West Half ( $W\frac{1}{2}$ ) of the West Half ( $W\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ); Northeast Quarter ( $NE\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ); all that part of the East Half ( $E\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) lying South and East of Pryor Creek and all that part of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) lying South of and East of Pryor Creek, Section Fourteen (14).

East Half ( $E\frac{1}{2}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ); Southwest Quarter ( $SW\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ); North Half ( $N\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ); and all of that part of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) lying South and East of Pryor Creek and all that part of the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) lying South and East of Pryor Creek and all that part of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) lying South and East of Pryor Creek, Section Twenty-three (23);

all the above described lands being in Twp. Twenty (20) N., Range Nineteen (19) E., Mayes County, Oklahoma, and containing 148.5 acres, more or less.

TRACTS NOS. D-26 and D-38

$NW\frac{1}{4}$   $NE\frac{1}{4}$   $NE\frac{1}{4}$ ;  $NW\frac{1}{4}$   $NE\frac{1}{4}$ ;  $NE\frac{1}{4}$   $NE\frac{1}{4}$   $NW\frac{1}{4}$ ;  $NW\frac{1}{4}$   $SE\frac{1}{4}$   $NE\frac{1}{4}$ ; all in Section Twenty-two (22), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 70 acres, more or less.

TRACT NO. D-28

North Half ( $N\frac{1}{2}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ), Section Twenty-two (22) Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 20 acres, more or less.

TRACT NO. D-31

Southwest Quarter ( $SW\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) and the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of Section Twenty-one (21) Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 20 acres, more or less.

TRACT NO. D-33

Northeast Quarter ( $NE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of Section Twenty-one (21), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 10 acres more or less.

TRACT NO. D-39

$W\frac{1}{2}$   $W\frac{1}{2}$   $SE\frac{1}{4}$   $NW\frac{1}{4}$   $NW\frac{1}{4}$ ;  $W\frac{1}{2}$   $W\frac{1}{2}$   $NE\frac{1}{4}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$ ;  $SW\frac{1}{2}$  less  $NW\frac{1}{4}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$ ;  $SE\frac{1}{4}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$ ;  $S\frac{1}{2}$   $SE\frac{1}{4}$   $NW\frac{1}{4}$ ;  $NW\frac{1}{4}$   $SE\frac{1}{4}$ ; South 3.9 acres of Lot 6; Lot 7; containing 260.75 acres, more or less, in Section 23;  $NW\frac{1}{4}$   $NW\frac{1}{4}$ ; Lot 3; Lot 4; Lot 5; Lot 7; containing 116.75 acres, more or less, in Section 26, East 9.9 acres of Lot 1;  $E\frac{1}{2}$   $NE\frac{1}{4}$   $NE\frac{1}{4}$ ; containing 29.9 acres, more or less, in Section 27, All being in Twp. Twenty (20) North, Range Nineteen (19) E. Mayes County, Oklahoma, containing 407.4 acres, more or less.

TRACT NO. D-45

Northwest Quarter ( $NW\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ); South Half ( $S\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) Section Twenty-one (21), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 30 acres, more or less.

TRACT NO. D-47

The Northeast Quarter ( $NE\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of Section Twenty-eight (28), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 40 acres, more or less.

TRACT NO. D-50

The Southwest Quarter ( $SW\frac{1}{4}$ ) Northeast Quarter ( $NE\frac{1}{4}$ ) Northeast Quarter ( $NE\frac{1}{4}$ ); and West Half ( $W\frac{1}{2}$ ) Northeast Quarter ( $NE\frac{1}{4}$ ) Northwest Quarter ( $NW\frac{1}{4}$ ); and West Half ( $W\frac{1}{2}$ ) Northwest Quarter ( $NW\frac{1}{4}$ ); and West 11.80 acres of Lot 1 and all of Lot 2; South 19.10 acres of Lot 3; all of Lot 4 and all of Lot 9; and South Half ( $S\frac{1}{2}$ ) Northwest Quarter ( $NW\frac{1}{4}$ ) Southwest Quarter ( $SW\frac{1}{4}$ ); all in Section Twenty-seven (27), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 237.75 acres, more or less.

TRACT NO. D-58

Southwest Quarter ( $SW\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ); South Half ( $S\frac{1}{2}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ); Northwest Quarter ( $NW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ), Section Twenty-eight (28), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 70 acres, more or less.

TRACT NO. D-59

Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of Section Twenty-eight (28), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 10 acres more or less.





On this 21st day of October, 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

United States of America,	Plaintiff,	)	
		)	
vs		)	NO. 528 CIVIL
		)	
Alfred A. Drummond,	Defendant.	)	

ORDER OF DISMISSAL

Now on this 21st day of October, 1941, this matter coming on for hearing, the United States of America being represented 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 it being moved by said plaintiff and that said action heretofore commenced against said defendant, Alfred A. Drummond, be dismissed, the Court finds that since the filing of said cause of action the said defendant has procured from Waunita James Hatley, now Thompson, in whose behalf said action was instituted, a Warranty Deed executed by her the said Waunita James Hatley to the defendant Alfred A. Drummond said Deed being dated the 12th day of March, 1941, and the Court further finds that the said Waunita James Hatley long prior to said date had been in possession of certificate of competency issued by the Secretary of the Interior removing all restrictions and restrains that might theretofore have existed against her rights to convey said land.

IT IS THEREFORE, THE JUDGMENT, ORDER AND DECREE of this Court that said action be and the same is hereby dismissed against said defendant, without cost.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed In Open Court  
Oct 21 1941  
H. P. Warfield, Clerk  
U. S. District Court LN

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Court adjourned to October 22, 1941



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

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
vs.		)	
		)	
Board of County Commissioners, Tulsa County,		)	No. 634 Civil
State of Oklahoma, Joe T. Parkinson, County		)	
Treasurer of Tulsa County, State of Oklahoma,		)	
Dan Rowe, County Assessor of Tulsa County,		)	
State of Oklahoma, and Atlantic Municipal		)	
Corporation,	Defendants.	)	

JOURNAL ENTRY OF JUDGMENT

Now on this 22nd day of October, 1941, this cause of action coming on before the court pursuant to regular assignment the plaintiff, the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said District, the defendants, Board of County Commissioners for Tulsa County, Oklahoma, Joe T. Parkinson, County Treasurer of Tulsa County, Oklahoma, and Dan Rowe, County Assessor of Tulsa County, Oklahoma, appearing by Dixie Gilmer, County Attorney of Tulsa County, Oklahoma, and John Conway, Assistant County Attorney for Tulsa County, Oklahoma, and the defendant Atlantic Municipal Corporation appearing by its attorney James T. Steil, and all parties announced ready for trial a jury having been heretofore waived, the court heard the testimony of witnesses duly sworn and examined in open court and heard the statements of counsel, and being duly advised in the premises find that there was purchased out of the restricted funds of Lodie Willis, now Baze, on November 26, 1935, the following described property, to-wit:

Lot Seventeen (17), in Block Six (6) Avondale Addition to the City of Tulsa, Oklahoma,

which property is restricted against alienation or incumbrance except with the consent of the Secretary of Interior. That the purchase price for said property was the sum of \$7,500.

The court further finds that although said property was not subject to taxation for the year 1936 the duly constituted authorities of Tulsa County, State of Oklahoma places said property upon the tax rolls for said year and said taxes for the year 1936 in the sum of \$118.11 were paid by Lodie Willis, now Baze, under protest to Joe T. Parkinson, County Treasurer of Tulsa County, Oklahoma.

The court further finds that although said property was not subject to taxation for the year 1937, the duly constituted authorities of Tulsa County, Oklahoma, placed said property upon the tax rolls for said year and taxes were assessed against said property for the year 1937 and a tax certificate issued for said year in the sum of \$183.18. That said tax certificate was purchased by the Atlantic Municipal Corporation for the sum of \$183.18. That although this property was non-taxable, the duly authorized and constituted authorities of Tulsa County, State of Oklahoma, did cause said property to be taxed and carried forward on the tax rolls. That said tax was not paid when due and that the defendant, the Atlantic Municipal Corporation did pay said taxes, penalties, interests and costs in the sum of \$149.81, and endorsed same on the tax sale certificate hereinabove referred to, for the year 1938.

That although this property was non-taxable, the duly authorized and constituted authorities of Tulsa County, State of Oklahoma, did cause said property to be taxed and carried forward on the tax rolls for the year 1939. That said tax was not paid when due and that the defendant, the Atlantic Municipal Corporation did pay said taxes, penalties, interests and costs in the sum of \$124.20, and endorsed same on the tax sale certificate hereinabove referred to for the year 1939.

The court further finds that on August 21, 1940, Lodie Willis, now Baze, filed a certificate designating the above described property as exempt from taxation under the provisions of Section 2 of the Act of Congress of May 19, 1937.

The court further finds that said property hereinabove described is not subject to taxation except the cost thereof exceeding the sum of \$5,000, provided by the Act of Congress of May 19, 1937, and the court further finds that the County Assessor of Tulsa County, Oklahoma, should be restrained and enjoined from assessing such property except a portion of the cost thereof in excess of \$5,000, for the year 1937, and all subsequent years, and that the County Treasurer of Tulsa County, Oklahoma, should be restrained and enjoined from attempting to collect taxes on said property except the taxes thereon for the portion of the cost of said property in excess of \$5,000.

The court further finds that the tax certificate for the year 1937, issued to the Atlantic Municipal Corporation on which are endorsed the taxes for the years 1938 and 1939 should be vacated and cancelled of record and the title to the above described property should be quieted in Lodie Willis, now Baze.

The court further finds that the portion of the cost of said property in excess of \$5,000 is subject to taxation for the years 1937, 1938, 1939, and subsequent years and that said taxes should be paid.

The court further finds that the defendant and cross-petitioner, Atlantic Municipal Corporation, should recover a judgment against the defendants, Board of County Commissioners of Tulsa County, Oklahoma, Joe T. Parkinson, County Treasurer of Tulsa County, State of Oklahoma, and Dan Rowe, County Assessor of Tulsa County, Oklahoma, in the sum of \$460.89, together with interest thereon at the rate of six per cent per annum, from July 7, 1941.

The court further finds that the United States of America should recover judgment against the Board of County Commissioners of Tulsa County, Oklahoma, Joe T. Parkinson, County Treasurer of Tulsa County, Oklahoma, and Dan Rowe, County Assessor of Tulsa County, Oklahoma, in the sum of \$118.11.

IT IS THEREFORE ADJUDGED AND DECREED that the plaintiff, the United States of America have and receive judgment against the Board of County Commissioners of Tulsa County, State of Oklahoma, Joe T. Parkinson, County Treasurer of Tulsa County, State of Oklahoma, and Dan Rowe, County Assessor of Tulsa County, Oklahoma, in the sum of \$118.11.

IT IS THE FURTHER JUDGMENT AND DECREE OF THE COURT that said property hereinabove described is exempt from taxation except the portion of the cost thereof in excess of \$5,000, to-wit, \$2,500 for the year 1937 and all subsequent years.

IT IS THE FURTHER JUDGMENT AND DECREE OF THE COURT that the taxes on the cost of said real estate in excess of \$5,000 for the years 1937, 1938, 1939, and 1940, be paid to Joe T. Parkinson, County Treasurer of Tulsa County, Oklahoma.

IT IS THE FURTHER JUDGMENT AND DECREE OF THE COURT that the defendant and cross-petitioner, Atlantic Municipal Corporation recover judgment against the Board of County Commissioners of Tulsa County, Oklahoma, Joe T. Parkinson, County Treasurer of Tulsa County, Oklahoma, and Dan Rowe, County Assessor of Tulsa County, Oklahoma, in the sum of \$460.89, together with interest thereon at the rate of six per cent per annum from July 7, 1941, until paid, and court costs in the sum of \$5.00 deposited herein by the defendant and cross-petitioner, Atlantic Municipal Corporation.

IT IS THE FURTHER JUDGMENT AND DECREE OF THE COURT that the tax certificate for the year 1937 now owned and held by the defendant, Atlantic Municipal Corporation, on which taxes for the years 1938 and 1939 are endorsed, be and the same hereby is cancelled and vacated of record and the title to the above described property be quieted in the said Lodie Willis, now Baze, and the defendants, Board of County Commissioners of Tulsa County, Oklahoma, Joe T. Parkinson, County Treasurer of



On this 23rd day of October, 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 M. 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, NORTHERN DISTRICT OF OKLAHOMA

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

ORDER CONFIRMING SALE

THIS CAUSE COMING on to be heard on this the 23rd day of October, 1941, it being one of the regular court days of this court, on the motion of T. P. Farmer, as Receiver of Exchange National Company, for an order approving and confirming the sale conducted by him on the 18th day of October, 1941, wherein he sold until William S. Fears, for the consideration of \$3400.00 and the cost of publication and sale, the following described premises, to-wit:

Southwest 9.95 acres of Lot Four (4) Section Nineteen (19) and Lot One (1) and Northwest 9.98 acres of Lot Two (2) Section Thirty (30) Township Seventeen (17) North, Range Twenty-four (24) East, containing 60 acres more or less Adair County, State of Oklahoma

The Northeast Quarter of the Northeast Quarter, and the East Half of the Northwest Quarter of the Northeast Quarter of Section Twenty-five (25) Township Twenty-Five (25) North, Range Twenty-one (21) East of the Indian Base and Meridian, Craig County, State of Oklahoma

North Half of Northeast Quarter of Northwest Quarter and Southwest Quarter of Northeast Quarter of Northwest Quarter of Section Fourteen (14) and Lot Eight (8) Section Eleven (11) Township Ten (10) North, Range Twenty (20) East and Southeast Quarter of Northwest Quarter and Southeast Quarter of Northeast Quarter of Northwest Quarter of Section Fourteen (14) Township Ten (10) North, Range Twenty (20) East, Haskell County, State of Oklahoma

Southwest Quarter of Northwest Quarter and Southeast Quarter of Northwest Quarter of Northwest Quarter of Section Fourteen (14), Township Ten (10) North, Range Twenty (20) East, containing fifty (50) acres, and North Half of Northwest Quarter of Northwest Quarter and Southwest Quarter of Northwest Quarter of Northwest Quarter of Section Fourteen (14) and Lot Seven (7) of Section Eleven (11) and North 11.10 acres of Lot Four (4) of

Section Ten (10) Township Ten (10) North, Range Twenty (20) East, containing 74.17 acres more or less, Haskell County, Oklahoma.

Southeast Quarter of Northeast Quarter of Section Four (4) Township Eight (8) North, Range Twenty-three (23) East, LeFlore County, State of Oklahoma

Lot Three (3) in Section Thirty-one (31) Township Eleven (11) North, Range Fifteen (15) East of the I.B.M. containing 39.06 acres more or less, according to the U. S. Survey thereof, McIntosh County, State of Oklahoma.

The North Half of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter of Section Thirty-five (35) Township Fourteen (14) North, Range Nineteen (19) East, Muskogee County, State of Oklahoma.

North Half of Southeast Quarter of Section Four (4) Township Six (6) North, Range Twelve (12) East of the I.B.M., containing 80 acres more or less, according to the U. S. Survey thereof, Pittsburg County, State of Oklahoma.

The East Half of Southwest Quarter of Section Nine (9) Township Ten (10) North, Range Twenty-five (25) East of the Indian Meridian, Sequoyah County, State of Oklahoma,

Lot Four (4) and Southwest Quarter of Northwest Quarter of Section Three (3) Township Ten (10) North, Range Twenty-four (24) East, Sequoyah County, State of Oklahoma

East Half of Northwest Quarter of Section Thirty-six (36) Township Eleven (11) North, Range Twenty-four (24) East, Sequoyah County, State of Oklahoma.

Northeast Quarter of Southeast Quarter of Section Thirty-one (31) Township Eleven (11) North, Range Twenty-four (24) East of the I.B.M., containing forty (40) acres, more or less, according to the U. S. Survey thereof, Sequoyah County, State of Oklahoma.

Northwest Quarter of Southeast Quarter and South Half of Southwest Quarter of Northeast Quarter and East Half of Northeast Quarter of Southwest Quarter of Section Twenty-seven (27) Township Twelve (12) North, Range Twenty-two (22) East, containing 80 acres more or less, Sequoyah County, State of Oklahoma

Northeast Nine and 89/100 (9.89) acres of Lot Four (4) and South Twenty (20) acres of Lot Four (4) and North Half of Southwest Quarter of Northwest Quarter and Southeast Quarter of Southwest Quarter of Northwest Quarter of Section One (1); and Northeast Quarter of Northeast Quarter and Southeast Twelve and 80/100 (12.80) acres of Lot Two (2); and Northeast Ten (10) acres of Lot Seven (7) Section Two (2); Township Eleven (11) North, Range Twenty-one (21) East; and Northwest Quarter of Northwest Quarter and

Northwest Quarter of Southwest Quarter of Northwest Quarter  
of Section Twenty-one (21) Township Twelve (12) North,  
Range Twenty-two (22) East, containing 172.68 acres, more or  
less, Sequoyah County, State of Oklahoma

Lots One (1) and Four (4) Section Thirteen (13), Township Seventeen (17) Range  
Eighteen (18) East, less highway, situate in Wagoner County, State of Oklahoma  
and it appearing to the Court that the proceedings leading up to said sale have

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

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

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

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

F. E. KENNAMER  
United States District Judge

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

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Court adjourned to October 24, 1941



consideration of \$10,250.00, as heretofore ordered herein under date of October 13, 1941, and it appearing to the Court:

- (1) That said property has been duly appraised, and that the price offered therefor is more than two-thirds of the appraised value;
- (2) That notice of this hearing for final confirmation and approval of said private sale has been duly given as required by the orders of this Court and the statutes; and,
- (3) There being no higher bona fide bid offered,

the Court proceeded to examine the files in said cause, and after hearing the testimony of witnesses sworn and examined in open court, finds that said private sale is in all things, regular and to the best interest of said receivership estate and all parties concerned herein, and that said sale should be approved and confirmed; and there being no objections thereto, and for good cause shown, it is, by the Court,

ORDERED, ADJUDGED AND DECREED:

- (1) That the private sale to Jacob Fell, for a cash consideration of \$10,250.00, of the following described real estate and leasehold estate situated in Tulsa County, Oklahoma, to-wit:

A part of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 28, Township 19 North, Range 12 East of the Indian Base and Meridian, more particularly described as follows, to-wit: Beginning at a point on the South boundary of said Section 28, which point is 995.3 feet West of the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$ ) of said Section, said point being the intersection of said South Section Line with the Northwesterly right-of-way line of the St. Louis and San Francisco Railroad; thence Northeasterly on said right-of-way line a distance of 36.2 feet; thence West and parallel with said South Section Line a distance of 75 feet; thence North parallel to the West Section Line a distance of 200 feet; thence East parallel to the said South Section line to the Northeasterly right-of-way line of the St. Louis and San Francisco Railroad; thence Southwesterly on said right-of-way line to place of beginning, according to the U. S. Survey thereof

together with all and singular the tenements, hereditaments and appurtenances to the above described property belonging or in any wise appertaining, together with the buildings thereon.

That certain lease executed by J. M. Kurn and John G. Lonsdale, Trustees in Bankruptcy of the St. Louis-San Francisco Railroad Company, a corporation, Debtor, as Lessors, to the Wertzberger Derrick Company, as Lessee, dated May 23, 1935, and covering the following described real estate lying and situate in Tulsa County, Oklahoma; Beginning at a point in the south line of Section 28, Township 19 North, Range 12 East, Tulsa County, Oklahoma, at Red Fork, 24.5 feet perpendicularly distant in a northwesterly direction from the center line of the westbound main track of the St. Louis-San Francisco Railway Company;

thence Northeasterly parallel to the center line of said main track 253 feet; thence northwesterly at right angles 248.5 feet; thence northeasterly at right angles 96 feet; thence northwesterly at right angles 27 feet; thence southwesterly at right angles 640 feet; thence easterly 401 feet to point of beginning. Contains 109,787 square feet, more or less.

be, and the same is hereby, in all things, approved and confirmed.

(2) That upon payment of the purchase price therefor, said Receiver shall make, execute and deliver to said Jacob Fell Conveyances and assignments (without warranty) and shall deliver possession of the above described property to said purchasers.

(3) That upon receipt of such purchase price, said Receiver shall report to this Court for the distribution and disbursement thereof.

ENTERED this the 24th day of October, 1941.

ROYCE H. SAVAGE  
United States District Judge

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

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

State of Oklahoma for the use and benefit )  
of the Board of County Commissioners of )  
Creek County, State of Oklahoma, Plaintiff, )  
vs. ) No. 583 - Civil  
E. O. Wolffarth and the Standard )  
Accident Insurance Company, Defendants. )

RECEIPT AND ASSIGNMENT OF JUDGMENT

KNOW ALL MEN BY THESE PRESENTS:

That, for and in consideration of the sum of \$2000.00 in hand paid by the Standard Accident Insurance Company, receipt of which is hereby acknowledged, the undersigned, Board of County Commissioners of Creek County, Oklahoma, does hereby assign, transfer and set over unto the Standard Accident Insurance Company, a certain judgment entered in the above cause, being No. 583-Civil, U. S. District Court for the Northern District of Oklahoma, and agrees that the Standard Accident Insurance Company, assignee, may take, either in its own name, or in the names of the undersigned as plaintiff, such proceedings and actions for the collection of the said judgment as might have been taken by the undersigned.

DATED, October 20, 1941.

BOARD OF COUNTY COMMISSIONERS OF  
CREEK COUNTY, OKLAHOMA  
By C. A. DRESSLER  
Chairman

J. K. WELCH

JNO. DIXON

Members

O.K. EVERETT S. COLLINS, County Attorney  
By Everett S. Collins  
Assistant

ATTEST: W. B. KEY  
County Clerk

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

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Court adjourned to October 27, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

MONDAY, OCTOBER 27, 1941

On this 27th day of October, 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

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

ORDER TO MARSHAL TO OPEN AND ADJOURN COURT

At Tulsa, in said District on this 27th day of October, A. D. 1941, it is Ordered by the Court that the Marshal in and for the Northern District of Oklahoma, be and he is hereby directed to open the Regular November 1941 Term of the United States District Court for the Northern District of Oklahoma at Miami, on Monday, the 3rd day of November, A. D. 1941, at 9:30 o'clock A.M., by proclamation in the manner and form provided by law and the said Marshal adjourn said Court subject to call.

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

ROYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

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

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

GUY M. TROUTMAN,	Plaintiff,	}	No. 571 - Civil
vs.			
J. GARFIELD BUELL,	Defendant.		

JOURNAL ENTRY OF JUDGMENT SUSTAINING IN PART AND OVERRULING IN PART DEFENDANT'S MOTION TO STRIKE

This cause came on to be heard on this 3rd day of October, 1941 upon the defendant's motion to strike certain portions of the plaintiff's complaint. The plaintiff appeared by his attorney, Leroy Cooper, and the defendant appeared by his attorney, Saul A. Yager, After hearing the arguments of counsel, and being fully advised in the premises, NOW, THEREFORE,

IT IS ORDERED:

That Paragraphs 1, 2, 3, and 5 of the defendant's motion be sustained.

That Paragraph 4 of defendant's motion be overruled.

That plaintiff be given (30) days from this date within which to file an amended complaint, and defendant be given (10) days thereafter within which to plead to said amended complaint.

DONE IN OPEN COURT AT TULSA, OKLAHOMA, this 3rd day of October, 1941.

ROYCE H. SAVAGE  
ROYCE H. SAVAGE, United States District  
Judge

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

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

United States of America,	Plaintiff,	}	NO. 638 Civil
vs.			
Albert Coast, et al.,	Defendants.		

O R D E R

Now on this 27th day of October, 1941, this matter coming on before the Court upon application of the Plaintiff herein, United States of America, by Whit Y. Mauzy, United States Attorney in and for the Northern District of Oklahoma, and Wm. Knight Powers, Assistant United States Attorney for said District for an order of dismissal of said cause, and it appearing to the court that the amount sued for in the Complaint heretofore filed in this cause, together with all costs in the case have been paid, and the Court being otherwise fully advised in the premises finds that said cause should be dismissed.



easement for right-of-way to erect, operate and maintain a transmission line for the transmission of electric energy, upon, over and across the above described property by private purchase, and referees should be selected and appointed by the Judge of this Court in said cause; and

It further appearing that all of the defendants, and each of them, have been given notice of the condemnation and appropriation of a perpetual easement, upon, over and across said property, and that due notice has been given to said defendants, and each of them, of this hearing pursuant to law and the orders of the Judge of this Court.

It is therefore CONSIDERED, ORDERED AND ADJUDGED that C. C. Weber, W. L. Mayes, and Elmer Vick each a disinterested resident of the Northern District of Oklahoma, and not interested in any like question, be, and they are hereby selected by Judge of this Court and appointed as referees to inspect said tract of land hereinabove described, and consider the injuries which the defendants as the owners thereof, or having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of a perpetual easement and right-of-way to erect, operate and maintain a transmission line for the transmission of electric energy upon, over and across the tract of land hereinabove described, and said referees shall assess the damages to said tract, which the owners thereof may sustain by reason of such appropriation, irrespective of any benefits from any improvements proposed, and said referees shall forthwith report in writing to the Clerk of this Court, setting forth the quantity and boundaries of said tract and assess the damages and injuries to the owner or owners thereof.

IT IS FURTHER ORDERED that the United States Marshal in and for the Northern District of Oklahoma, be and he is hereby directed to summon, forthwith, each of said referees so appointed, by serving a certified copy of this order upon each of said referees, and that said referees report on the 30th day of Oct., 1941, at the hour of ten o'clock A.M., at the office of the Clerk of the United States District Court in and for the Northern District of Oklahoma, Federal Building, Tulsa, Oklahoma, for the performance of their duties.

IT IS FURTHER ORDERED that the petitioner, Grand River Dam Authority, a public corporation, in addition to the per diem as provided by law, shall pay to the referees appointed herein the necessary mileage and upon the basis of five cents (\$.05) per mile for the actual miles traveled by said referees in the performance of their duties hereunder.

ROYCE H. SAVAGE  
J U D G E

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

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

The National Life and Accident Insurance Company, a corporation,	Flaintiff,	)	
		)	No. 651 - Civil
vs		)	
		)	
Joe T. P arkinson, County Treasurer of Tulsa County, Oklahoma, et al.,	Defendants.	)	

O R D E R

Upon application of plaintiff the Clerk is hereby directed to file, instanter,  
the Amendment to Complaint tendered by plaintiff.

Dated this 27 day of October, 1941.

ROYCE H. SAVAGE  
JUDGE

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

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

Lorinda Bushyhead; Myrtle Plunkett nee Spaniard; Iva Ezell nee Spaniard; and Annie Hedson, now Mankiller,	Flaintiffs,	)	
		)	
vs.		)	
		)	NO. 672 - Civil
Charlie Bushyhead, if living, and Jack Spaniard, if living, and if dead their heirs and unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, of Charlie Bushyhead, deceased, and Jack Spaniard, deceased, and the State of Oklahoma,	Defendants.	)	

JOURNAL ENTRY

Now, on this 27 day of October, 1941, come the plaintiffs by H. F. Fulling, their  
attorney, and comes also the United States of America by William Knight Powers, Assistant United States  
Attorney, and the plaintiffs now present their Motion showing that the West Half of the Southwest Quarter  
of the Northeast Quarter of Section 5, Township 27 North, Range 13 East, was inadvertently omitted, but  
should have been included in the Petition and Journal Entry in this cause as part of the allotment of  
Charlie Bushyhead, deceased, and asking permission to amend the Petition and Journal Entry by inter-  
lineation to include said real estate, and the Court being duly advised, finds that said Motion should  
be and is hereby sustained and the plaintiffs are given permission to correct, by interlineation, the  
description in the Petition and Journal Entry to include said description, which is now done by the  
plaintiffs and the Petition and Journal Entry are considered so amended and the description corrected  
thereon, to include said real estate, making the description of the real estate in Washington County,  
Oklahoma, to read, corrected, as follows:

The Northeast Quarter of the Southwest Quarter of the Northeast Quarter; and the West Half of the Southwest Quarter of the Northeast Quarter; and the Southeast 10 acres of Lot 2, and the Southwest 10 acres of Lot 2, and the North 20.85 acres of Lot 2, all in Section 5, in Township 27 North, Range 13 East, containing 70.85 acres, more or less.

And the description of the real estate in Tulsa County, Oklahoma, as it appears in the Petition and Journal Entry, remain as it is, and also all other parts of said Petition and Journal Entry.

ROYCE H. SAVAGE  
United States District Judge

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

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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 COMPROMISE AND SETTLE  
DEFICIENCY JUDGMENTS

On this 27th day of October, 1941, upon the application of J. H. McBirney, Successor Trustee, for authority to settle and compromise the liability of judgment debtors under deficiency judgments; and it appearing that among the assets coming into the hands of the said J. H. McBirney, as Successor Trustee, were three (3) notes executed by Fred W. Steinder and Lois H. Steiner, each being secured by a mortgage upon a separate parcel of real estate; and it appearing that the said trustee was unable to collect said notes and instituted three (3) separate causes of action or suits in the District Court of Tulsa County, Oklahoma, and obtained judgments therein, and that said judgments and the credits thereon are as follows:

Judgment against Fred W. Steiner (jointly with Maurice A. DeVinna and Etta M. DeVinna), in cause No. 60580, for the principal sum of Two Thousand Five Hundred Dollars (\$2,500.00), together with interest to the date of judgment in the amount of One Thousand Twenty Eight & 47/100 Dollars (\$1,028.47), plus the further sum of Two Hundred Fifty Dollars (\$250.00) as attorney fees, together with costs of said action and interest from and after said judgment, to-wit, September 12, 1936, at the rate of ten per cent (10%) per annum, which judgment is subject to the following credits, to-wit: Sixty Four & 75/100 Dollars (\$64.75), the net amount received from rentals from said property, and

Seventy Five Dollars ( \$75.00), the amount paid by the receiver in charge of said property during said foreclosure, plus the sum of Two Thousand Dollars (\$2,000.00), the amount bid for said real estate at Sheriff's sale.

Judgment against Fred W. Steiner and Lois H. Steiner, in cause No. 64081, for the principal sum of Three Thousand Three Hundred Sixty Dollars (\$3,360.00), together with interest to the date of judgment in the amount of Seven Hundred Fifty One & 99/100 Dollars ( \$751.99), plus the sum of Five Hundred Seventy & 25/100 Dollars (\$570.25) advanced for the payment of taxes, and plus the further sum of Three Hundred Thirty Five Dollars (\$335.00) as attorney fees, together with costs of said action and interest from and after said judgment, to-wit, September 12, 1936, at the rate of ten per cent (10%) per annum, which said judgment is subject to the following credits, to-wit: Two Hundred Seventy Nine & 85/100 Dollars (\$279.85). the net amount received from rentals from said property, and Two Hundred Eighty & 88/100 Dollars (\$280.88), the amount paid by the receiver in charge of said property during foreclosure, plus the sum of Two Thousand Seven Hundred Fifty Dollars (\$2,750.00), the amount bid for said real estate at sheriff's sale.

Judgment against Lois H. Steiner and Fred W. Steiner, in cause No. 60478, for the principal sum of Three Thousand Seven Hundred Fifty Dollars (\$3,750.00), together with interest to the date of judgment in the amount of One Thousand Three Hundred Fifty Four & 17/100 Dollars (\$1,354.17), plus the sum of Five Hundred Thirty Six & 61/100 Dollars (\$536.61), advanced for the payment of taxes, and plus the further sum of Three Hundred Seventy Five Dollars (\$375.00), as attorney fees, together with costs of said action and interest from and after said judgment, to-wit: September 10, 1936, at the rate of ten per cent (10%) per annum, which said judgment is subject to the following credits, to-wit: One Hundred Thirty Seven & 70/100 Dollars (\$137.70), the net amount received from rentals from said property, and One Hundred Thirty Two & 70/100 Dollars (\$132.70) the amount paid by the receiver in charge of said property during foreclosure, plus the sum of Three Thousand Dollars (\$3,000.00), the amount bid for said real estate at Sheriff's sale.

And it further appearing that in cause No. 60480, a joint judgment was obtained against Fred W. Steiner, Maurice A. DeVinna and Etta M. DeVinna, but the liability only of Fred W. Steiner is to be affected thereby; and it further appearing that Fred W. Steiner has offered to pay J. H. McBirney, Successor Trustee, the sum of Five Hundred Dollars (\$500.00) as payment and satisfaction in full of his liability;

and the liability of Lois H. Steiner, his wife, under each of said deficiency judgments; and it further appearing that the members of the Advisory Committee have been advised of said offer of settlement of said liability and have considered the same and have approved said offer, and recommended that the said trustee accept said sum of Five Hundred Dollars (\$500.00), in full and complete satisfaction of said liability; and it further appearing that the said trustee has investigated the responsibility of the said Fred W. Steiner, and is informed therefrom that the said Fred W. Steiner is not financially able to pay said judgment in full, and that Lois H. Steiner is the wife of Fred W. Steiner and is without financial responsibility; and it further appearing that the trustee has recommended the acceptance of the sum of Five Hundred Dollars (\$500.00) in satisfaction of the liability of Fred W. Steiner and Lois H. Steiner under each of said judgments, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, accept the sum of Five Hundred Dollars (\$500.00) from Fred W. Steiner as full and complete payment of the liability of Fred W. Steiner and Lois H. Steiner, under judgments rendered against them and each of them, in causes numbered 60480, 60481 and 60478, each in the District Court of Tulsa County, Oklahoma.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, execute and deliver releases in satisfaction of said judgments, in causes No. 60480, 60481 and 60478, insofar as they affect Fred W. Steiner and Lois H. Steiner, upon payment to him by Fred W. Steiner of the sum of Five Hundred Dollars (\$500.00).

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, credit the judgment in cause No. 60480 with one-third (1/3) of the sum of Five Hundred Dollars (\$500.00), being the amount paid in satisfaction of the liability of Fred W. Steiner, and reserve and retain said judgment against Maurice A. DeVinna and Etta M. DeVinna.

F. E. KENNAMER  
United States District Judge

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

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Court adjourned to October 28, 1941.

On this 28th day of October, 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. Mauzyk, 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

WALTER REED, JR.,	Plaintiff,	)
		)
vs.		) No. 488 Civil
		)
Nash-Kelvinator Corporation, a corporation, et al,	Defendants.	)

ORDER EXTENDING TIME WITHIN WHICH TO FILE ANSWER

This matter coming on for hearing on this 28th day of October, 1941, on the request of the defendants for additional time within which to file their answers herein, and an extension of ten (10) days being agreeable to the parties herein.

IT IS ORDERED that the time for defendants to file answers herein be, and the same is, hereby extended ten (10) days from October 30, 1941, or until November 9, 1941.

ROYCE H. SAVAGE  
U. S. District Judge

ENDORSED: Filed Oct 28 1941  
H. P. Warfield, Clerk  
U. S. District Court B

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

WILLIAM T. NEAL,	Plaintiff,	)
		)
vs.		) No. 690 Civil
		)
PETE COZZI, and individual and Pete Cozzi Terrazzo and Mosaic Company, a corp.	Defendants.	)

O R D E R

Now on this 28 day of October, 1941, the court having heard the application of the plaintiff to appoint LeRoy Blackstock to serve the summons in the above captioned case, finds that the same will render a saving of cost to the plaintiff and hereby appoints said LeRoy Blackstock to serve and return the summons in the above captioned case.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Leroy Blackstock be appointed to serve and return summons in the above captioned case.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Oct 28 1941  
H. P. Warfield, Clerk  
U. S. District Court JS

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Court adjourned to October 29, 1941.

On this 29th day of October, 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

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
vs.		)	NO. 652 - Civil
		)	
JOHN M. NIEHAUS, JR., ET AL,	Defendants.	)	

JUDGMENT ON DECLARATION OF TAKING NO. 6

This cause coming on to be heard at this term of court upon the motion of the petitioner, the United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, to enter a judgment on the Declaration of Taking filed in the above entitled cause on the 29th day of October, 1941, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof and of the condemnation petition filed herein, said Declaration of Taking, the statutes in such cases made and provided and it appearing to the satisfaction of the Court;

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purpose as set out and prayed in said petition;

SECOND: That a petition in condemnation was filed at the request of the Secretary of War, the authority empowered by law to acquire the lands described in said petition, and also under the authority of the Attorney General of the United States;

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken, that the Secretary of War is the person duly authorized and empowered by law to acquire lands such as are described in the petition for the purpose of use in connection with the establishment of the Oklahoma Ordnance Plant, said lands to be utilized for the purpose of said Ordnance Plant to meet the needs of Ordnance and of National Defense as authorized by law and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings;

FOURTH: That a proper description the lands sought to be taken, sufficient for identification thereof is set out in said Declaration of Taking.

FIFTH: That said Declaration of Taking contains a statement of the estate of interest in the lands taken for said public use.

SIXTH: That a plat showing the lands taken is incorporated in said Declaration of Taking.

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands, in the amount of Eleven Thousand Three Hundred Thirty Dollars (\$11,330.00), and that said sum was deposited in the Registry of this Court, for the use of the persons entitled thereto, upon and at the time of the filing of the said Declaration of Taking.

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation, for the taking of said property, in the opinion of the Secretary of War will be within any limits prescribed by Congress as to the price to be paid therefor; it is therefore, this 29th day of October, 1941,

ADJUDGED, ORDERED AND DECREED that the title to 329.69 acres, more or less of the 15,500 acres described in said condemnation petition on file herein, which 329.69 acres is described in said Declaration of Taking filed herein and is located and situated in Mayes County, State of Oklahoma and is more particularly described as follows, to-wit:

TRACT NO. A -20

SE $\frac{1}{4}$  SW $\frac{1}{4}$ , and N $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , and SW $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , all in Section 5, Twp. 20 North, Range 19 East, Mayes County, Oklahoma, containing 70 acres, more or less.

TRACT NO. A -20-A

SE $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 5, Twp. 20 North, Range 19 East, Mayes County, Oklahoma, containing 10 acres, more or less.

TRACT NO. A-38

SW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ ; E $\frac{1}{2}$  NW $\frac{1}{4}$ ; NW $\frac{1}{4}$  SE $\frac{1}{4}$ ; E $\frac{1}{2}$  SW $\frac{1}{4}$ ; SW $\frac{1}{4}$  SW $\frac{1}{4}$  (being Lot 4), less .71 acres deeded for State Highway; all in Section 7, Twp. 20 North, Range 19 East, Mayes County, Oklahoma, containing 249.69 acres, more or less.

in fee simple, except as to existing easements for public roads and public utilities therein, vested in the United States of America upon the filing of said Declaration of Taking and the depositing in the Registry of this Court of said sum of Eleven Thousand Three Hundred Thirty Dollars (\$11,330.00) as hereinbefore recited; that said lands are deemed to have been condemned and taken for the use of the United States of America and the right to just compensation for the property taken, upon the filing of the Declaration of Taking and the making of the deposit, vested in the persons entitled thereto and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein pursuant to law, and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States is now entitled to possession of the above described premises and possession to said property shall be delivered to the United States of America on or before the 3rd day of November, 1941, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises, and

IT IS FURTHER ORDERED that the United States Marshal for the Northern District of Oklahoma be and he is hereby directed and instructed forthwith to serve a certified copy of this judgment upon any of the defendants now in possession of the above-described premises, or, if no such defendants are found in actual possession of said premises, then he is ordered to post such certified copy at a conspicuous place upon said premises and forthwith make his due return of said service to the Court.

BY THE COURT

ROYCE H. SAVAGE  
JUDGE PRESIDING, United States District Court,  
Northern District of Oklahoma

ENDORSED: Filed 3:12 P.M.  
Oct. 29 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,	)
		)
vs		) NO. 666 CIVIL
		)
Seaman Dykes,	Defendant.	)

JOURNAL ENTRY OF JUDGMENT

Now on this 29 day of October, 1941, this matter coming on for hearing before the Honorable Royce H. Savage, Judge presiding, the plaintiff appearing by Whit Y. Mauzy, United States Attorney in and for the Northern District of Oklahoma, and Wm. Knight Powers, Assistant United States Attorney in and for said District, and it being shown to the court that the above named defendant Seaman Dykes has been duly and regularly served with summons and copy of the Complaint in this cause of action more than twenty (20) days prior to this date, and it further appearing that said defendant has failed, refused and neglected to answer, demur or otherwise plead herein, and is in default, and it further appearing to the court that the said defendant is now residing near Salina, in Mayes County, Oklahoma as a divilian, and that he is not now engaged in the military or naval service of the United States of America, and that plaintiff is entitled to judgment as demanded in its Complaint in this cause of action,

IT IS THEREFORE THE ORDER AND JUDGMENT OF THE COURT that the plaintiff herein have and recover judgment against the said defendant Seaman Dykes declaring the lien of this plaintiff, upon the following described chattels, to-wit:

- 1 Brown horse, 7 years old, 15.1 hands high
- 1 Iron gray horse, 3 years old, 15.2 hands high
- 1 Set of harness

to be a first lien and barring said defendant from claiming any right, title or interest in and to said personal chattels, and

IT IS THE FURTHER ORDER OF THE COURT that said defendant Seaman Dykes be, and he hereby is ordered and directed to deliver the property and chattels described as

- 1 Brown horse, 7 years old, 15.1 hands high
- 1 Iron gray horse, 3 years old, 15.2 hands high
- 1 Set of harness

or the value of the same in lieu thereof to the plaintiff, the United States of America, and that said plaintiff have and recover its costs in this cause of action.

LET EXECUTION ISSUE.

ROYCE H. SAVAGE  
JUDGE

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

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

United States of America,	Plaintiff,	)
		)
vs.		) NO. 667 CIVIL
		)
SEAMAN DYKES and ADA DYKES,	Defendants.	)

JOURNAL ENTRY OF JUDGMENT

Now on this 29 day of October, 1941, this cause coming on for hearing before the Honorable Royce H. Savage, Judge presiding, the plaintiff appearing by Whit Y. Mauzy, United States Attorney in and for the Northern District of Oklahoma, and Wm. Knight Powers, Assistant United States Attorney in and for said District, and it being shown to the court that the above named defendants Seaman Dykes and Ada Dykes have been duly and regularly served with summons and copy of the Complaint in this cause of action more than twenty (20) days prior to this date, and it further appearing that said defendants and each of them have failed, refused and neglected to answer, demur or otherwise plead herein, and are in default, and it further appearing to the court that the said defendants are now residing near Salina, in Mayes County, Oklahoma, as civilians, and that they are not now engaged in the military or naval service of the United States of America, and that plaintiff is entitled to judgment as demanded in its Complaint in this cause of action.

IT IS THEREFORE THE ORDER AND JUDGMENT OF THE COURT that the plaintiff herein have and recover judgment against the defendants Seaman Dykes and Ada Dykes on its first cause of action in the amount of One Hundred Twelve Dollars and ninety-nine cents (\$112.99), together with interest at the rate of 5% from April 17, 1939 until paid, and

IT IS THE FURTHER JUDGMENT OF THE COURT that plaintiff herein have and recover judgment against said defendants Seaman Dykes and Ada Dykes for Seventy-seven and 83/100 Dollars (\$77.83) plus interest thereon at the rate of 5% from March 31, 1939 until paid, and

IT IS THE FURTHER JUDGMENT of the Court that the lien of the plaintiff herein upon the property and chattels described, be and it is hereby held to be a first lien barring Seaman Dykes and Ada Dykes, and all other persons claiming under them, from asserting any interest in said property, and that said personal property be sold and the proceeds therefrom applied on such judgment, and that said plaintiff have and recover the costs of this action.

LET EXECUTION ISSUE.

ROYCE H. SAVAGE  
JUDGE

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

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

Lorinda Bushyhead; Myrtle Plunkett, nee Spaniard;  
Iva Izell, nee Spaniard; and Annie Nedson, now  
Mankiller, Plaintiffs,

-vs-

Charlie Bushyhead, if living, and Jack Spaniard, if  
living, and if dead the heirs and unknown heirs, ex-  
ecutors, administrators, devisees, trustees and assigns,  
immediate and remote, of Charlie Bushyhead, deceased,  
and Jack Spaniard, deceased; and the State of  
Oklahoma, Defendants.

No. 672 - Civil

JOURNAL ENTRY

Now, on this 29th day of October, 1941, come the plaintiffs, by H. F. Fulling, their attorney, and comes also the United States of America, by William, Knight Powers, Assistant United States Attorney, and it appears, and the Court finds:

That on the 7th day of October, 1941, this Court made an Order for Partition, of the following described real estate in Tulsa County, Oklahoma, to-wit:

The North Half of the Northeast Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of the Northeast Quarter, of Section 32, Township 22 North, Range 13 East, containing 30 acres, more or less;

And also the following described real estate in Washington County, Oklahoma, to-wit:

The Northeast Quarter of the Southwest Quarter of the Northeast Quarter; and the West Half of the Southwest Quarter of the Northeast Quarter; and the Southeast 10 acres of Lot 2, and the Southwest 10 acres of Lot 2, and the North 20.85 acres of Lot 2, of Section 5, Township 27 North, Range 13 East, containing 70.85 acres, more or less;

And it further appears, that in the original Order, the real estate was inadvertently described, but the description of the real estate in the Petition and the Order, was corrected as above set out; and

IT FURTHER APPEARS that the Court appointed J. F. Pickens, W. L. Mayes, and Elmer Vick, as Commissioners, to make Partition; and in accordance with the Order of this Court, said Commissioners took the Oath required by Law, and filed the same in this Court, and thereafter filed their Report, from which it appears that, after taking the Oath, they viewed said real estate and found that the same cannot be divided, and partition, in accordance with the interests of the parties as found by the Court, cannot be made without manifest injury and injustice, and said Commissioners thereon made an appraisal of said real estate and the separate interests of each owner and filed the same with the Clerk of this Court, from which it appears that they appraised the whole said real estate in Tulsa County, Oklahoma, at: \$450.00; and the undivided 1/2 interest of the plaintiff, Lorinda Bushyhead; at: \$225.00; and the undivided 1/8 interest of the plaintiff, Myrtle Plunkett, nee Spaniard, at: \$56.25; and the undivided 1/8 interest of the plaintiff, Iva Ezell, nee Spaniard, at: \$56.25; and the undivided 1/4 interest of the plaintiff, Annie Nedson, now Mankiller, at: \$112.50; and

That they appraised the whole of said real estate in Washington County, Oklahoma,

at: \$3188.25; the undivided 1/2 interest of the plaintiff, Lorinda Bushyhead, at: \$1594.12 $\frac{1}{2}$ ; the undivided 1/3 interest of the plaintiff, Myrtle Plunkett, nee Spaniard, at: \$398.53 1/8; the undivided 1/8 interest of the plaintiff, Iva Ezell, nee Spaniard, at: \$398.53 1/8; the undivided 1/4 interest of the plaintiff, Annie Wedson, now Mankiller, at: \$797.06 $\frac{1}{4}$ ; and

THE COURT FURTHER FINDS, that time should be given for any one of the parties to elect to take said property at its appraise value, if so desired, as provided by law.

IT IS THEREFORE CONSIDERED, adjudged and ordered by the Court, that further action upon the Report of said Commissioners, be, and the same is hereby withheld, and the parties are now given ten (10) days' time, from this date, in which to elect to take said property at its appraised value, as provided by law.

ROYCE H. SAVAGE  
United States District Judge

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

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Court adjourned to October 31, 1941.

On this 31st day of October, 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 UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT  
OF OKLAHOMA

HALLIBURTON OIL WELL CEMENTING )  
COMPANY, a corporation, Plaintiff, )  
 ) No. 284 Civil  
-vs- )  
 )  
DOWELL INCORPORATED, a corporation, Defendant. )

ORDER OF DISMISSAL WITHOUT PREJUDICE

Pursuant to the stipulation filed herein, the Complaint of plaintiff is dismissed without prejudice.

Dated this 31st day of October, 1941.

ROYCE H. SAVAGE  
United States District Judge

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

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, et al,

Defendants. )

C R D E R

For good cause shown it is hereby ordered that Joseph R. McGraw, the receiver appointed herein, be and he is hereby directed forthwith to propose to the District Court of the United States for the Northern District of Oklahoma situated in bankruptcy, the petition of Associated Petroleum Properties, for leave to reorganize under the terms and provisions of Chapter 10 of the Bankruptcy Laws of the United States.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff, M. P. Perry, and the defendant, S. C. Dedman, be and they are hereby removed and suspended as trustees of Associated Petroleum Properties, and Joseph R. McGraw is hereby nominated, and appointed as sole successor trustee with directions forthwith to join himself as receiver in the petition of Associated Petroleum Properties for leave to reorganize as hereinbefore directed.

IT IS FURTHER ORDERED that Joseph R. McGraw as receiver shall advance all necessary costs for said proceeding out of any funds in his hands and available for the purpose.

Dated at Tulsa, Oklahoma this 30th day of October, 1941.

F. E. KENNAMER  
UNITED STATES DISTRICT JUDGE

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

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Court adjourned to November 1, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

SATURDAY, NOVEMBER 1, 1941

On this 1st day of November, 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,	)
		)
v.		) No. 526 Civil
		)
Joe Thompson and Lucy Smith, nee Thompson, et al.,	Defendants.	)

ORDER EXTENDING TIME FOR LODGING RECORD IN THE CIRCUIT COURT OF APPEALS

Now on this 1st day of November, 1941, this matter coming on before the Court and it appearing to the Court that on September 25, 1941, the United States of America filed a Notice of Appeal to the Circuit Court of Appeals for the Tenth Circuit in this cause of action, and it further appearing to the Court that the forty-day period for lodging of the record in the Circuit Court of Appeals will expire on November 4, 1941, and it further appearing to the Court that said time for preparing said record and lodging the same in the Circuit Court of Appeals should be extended;

IT IS THEREFORE THE ORDER OF THE COURT that time for preparing and lodging the record in this cause of action in the Circuit Court of Appeals for the Tenth Circuit be and hereby is extended to and including December 24, 1941.

ROYCE H. SAVAGE  
JUDGE

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

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

Milo Lofton,	Plaintiff,	)
		)
vs.		) Civil Action No. 573
		)
Seneca Coal & Coke Company, a corporation,	Defendant.	)

O R D E R

For good cause shown and with the consent of the said parties:

IT IS ORDERED by the Court that the plaintiff, Milo Lofton, be granted an extent of time in which to amend his complaint in accordance with the order of the court heretofore entered on the 3rd day of October, 1941, and that such time is extended a period of ten (10) days from the date hereof, and that the defendant, Seneca Coal & Coke Company, be allowed ten (10) days thereafter within which to plead further or twenty (20) days thereafter to file answer to the complaint as it may be so amended.

Dated this 1st day of November, 1941.

ENDORSED: Filed Nov 1 1941  
H. P. Warfield, Clerk  
U. S. District CourtAC

ROYCE H. SAVAGE  
JUDGE

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

NED WILSON, ET AL,	Plaintiffs,	)	
		)	
vs.		)	No. 629 Civil
		)	
Looney R. Gourd, et al.,	Defendants.	)	
		)	
United States of America,	Intervener.	)	

O R D E R

Now on this 1st day of November, 1941, this matter coming on before the court on the application of the United States of America to amend its complaint in intervention herein and it appearing to the court that said application should be granted,

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and it is hereby granted permission to file an amended complaint in intervention in this cause of action.

ROYCE H. SAVAGE  
JUDGE

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

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Court adjourned to November 2, 1941

On this 2nd day of November, 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 Marshal  
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.

It being made satisfactorily to appear that E. C. McMichael, W. A. Woodruff and Mark D. Dunlop are duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorneys are declared admitted to the Bar of the Court.

MISCELLANEOUS - RE: ASSIGNMENT OF JUDGE KENNAMER.

PURSUANT to the authority vested in me by Title 28, Section 375, of the Code of Laws of the United States of America, I hereby designate the Honorable Franklin E. Kennamer, retired District Judge of the United States, for service in the District Court of the United States for the Northern District of Texas, during the period beginning January 1, 1942, and ending December 31, 1942, and for such further time as may be necessary to complete unfinished business, and for that purpose I hereby authorize him to perform all the judicial duties appertaining to a District Judge in that District.

HARLAN F. STONE  
Chief Justice of the United States

Dated, Washington, D. C., October 30, 1941

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

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

CLYDE ALEXANDER,	Plaintiff,	)	
v.		)	No. 159-- Civil
PHILLIPS PETROLEUM COMPANY, a corporation,		)	
and REDA PUMP COMPANY, a corporation,	Defendants.	)	
S. N. VAN WERT,	Plaintiff,	)	
v.		)	No. 160 - Civil
PHILLIPS PETROLEUM COMPANY, a corporation,		)	
and REDA PUMP COMPANY, a corporation,	Defendants.	)	

ORDER GRANTING EXTENSION OF TIME FOR FILING DESIGNATION  
OF RECORD

On this, the 3rd day of Nov., 1941, upon the motion of Phillips Petroleum Company, defendant in the above entitled cause, good cause being shown therefor, the time within which said defendant Phillips Petroleum Company may serve and file either a designation of additional portions of the record, proceedings and evidence to be included in the record on appeal, or a stipulation as to record on appeal is hereby extended for thirty days from this date, or for fifteen days after the day upon which plaintiffs herein serve and file their designation of record and statement of points, whichever period shall be the longer.

ROYCE H. SAVAGE  
United States District Judge

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

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

C. J. LAURISDH, TRUSTEE,	Plaintiff,	)	
		)	
vs.		)	NO. 205 - Civil
		)	
C. T. THOMPSON, ET AL,	Defendants.	)	

O R D E R

Now on this 3rd day of November, 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 County Treasurer, Tulsa County, Intangible Tax for 1940 \$39.11
2. To First National Bank - for bank charge 12.07
3. To Ann Quinn - for stenographic services 10.00
4. To Fred Daniel & Co., office rent for Oct. '41. 35.00
5. To First National Bank for printing and of dividend checks 2.25
6. To George Lessley - for one-half fee for reporting hearing in re Perry v. Associated Petroleum Properties, et al. 5.00
7. To Scott- Rice Company for envelopes 6.63
8. To Cash for postage 18.60

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

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

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

M. P. PERRY, TRUSTEE,

Plaintiff, )

-vs-

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

Defendant. )

No. C-285

O R D E R

Now, on this 3rd day of November, 1941, this matter coming on before me,

IT IS ORDERED that the Receiver, Joseph R. McGraw, do, 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 November, 1941.

F. E. KENNAMER  
JUDGE

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

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Court adjourned to November 4, 1941.

On this 4th day of November, 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

F. C. SWINDELL, as Trustee in Bankruptcy of Joe Liken, Bankrupt, in cause No. 4309-B, in said Court, Plaintiff, )  
 )  
 ) No. 381 - Civil  
 )  
 vs. )  
 )  
 )  
 )  
 A. Greenberg, Defendant. )

J U D G M E N T

NOW on this 20th day of October, 1941, the above entitled cause comes on for trial pursuant to assignment. The plaintiff appears in person and by his attorney, Geo. W. Reed, Jr. The defendant, Anna Greenberg, Administratrix of the estate of A. Greenberg, deceased, appears in person and by her attorneys, Rosenstein & Gore, through C. H. Rosenstein. The plaintiff and the defendant announced ready for trial. Plaintiff thereupon offered his testimony and rested. The defendant, in open court, announced that she desired to offer no testimony and thereupon both parties rested and the testimony in said cause was closed.

THE Court thereupon heard the argument of counsel and after being well and fully advised in the premises, pursuant to Findings of Fact and Conclusions of Law filed herein by the Court, concludes that judgment should be rendered herein in favor of the defendant.

IT IS, THEREFORE, BY THE COURT, CONSIDERED, ORDERED, ADJUDGED AND DECREED that plaintiff have and recover nothing herein; that his complaint be dismissed and that judgment be rendered herein in favor of the defendant upon all issues of fact and law involved in this cause and that the costs in this action be and the same hereby are taxed against the plaintiff.

ROYCE H. SAVAGE  
 District Judge

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

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 IN THE UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF OKLAHOMA

PETER J. DIEDERICH and ROSE DIEDERICH, Plaintiffs, )  
 )  
 ) No. 555 Civil  
 )  
 vs. )  
 )  
 )  
 )  
 AMERICAN NEWS COMPANY, doing business as Osage News Agency, Defendants. )

ORDER EXTENDING TIME

On application of Complainants and for good cause shown and pursuant to Rule 73 of the Federal Rules of Civil Procedure, and the Court finding that not more than ninety days have elapsed since the notice of the appeal, and that the period for filing and docketing, as originally prescribed, has not expired, Complainants are hereby granted thirty days from date hereof



On this 5th day of November, 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

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
vs.		) NO. 140 - CIVIL
		)
GYPSY OIL COMPANY, a Corporation, and		)
GULF OIL CORPORATION, a Corporation,		)
	Defendant.	)

ORDER EXTENDING TIME FOR PREPARING AND LODGING RECORD IN THE CIRCUIT COURT OF APPEALS

NOW, on this 5th day of November, 1941, this matter coming on before the court and it appearing to the court that on the 29th day of September, 1941, the United States of America filed a Notice of Appeal to the Circuit Court of Appeals for the Tenth Circuit in this cause of act on and, it further appearing to the court that the forty (40) days period for preparing and lodging the record in this cause in the Circuit Court of Appeals for the Tenth Circuit will expires on November 8, 1941, and it further appearing to the court that said time for preparing and lodging of said record in the Circuit Court of Appeals for the Tenth Circuit should be extended.

IT IS THEREFORE THE ORDER OF THE COURT that said time for preparing and lodging the record in this cause of action in the Circuit Court of Appeals for the Tenth Circuit be and it is hereby extended to and including November 28, 1941.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE  
PRESIDING JUDGE, United States District Court for the Northern District of Oklahoma

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

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

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 345 - Civil
		)
BARNSDALL OIL COMPANY,	Defendant.	)

ORDER EXTENDING TIME FOR PREPARING AND LODGING  
RECORD IN THE CIRCUIT COURT OF APPEALS

NOW, on this 5th day of November, 1941, this matter coming on before the court and it appearing to the court that on the 29th day of September, 1941, the United States of America filed a Notice of Appeal to the Circuit Court of Appeals for the Tenth Circuit in this cause of action and it further appearing to the court that the forty (40) day period for preparing and lodging the record in this cause in the Circuit Court of Appeals for the Tenth Circuit will expire on November 8, 1941, and it further appearing to the court that said time for preparing and lodging of said record in the Circuit Court of Appeals for the Tenth Circuit should be extended.

IT IS THEREFORE THE ORDER OF THE COURT that said time for preparing and lodging the record in this cause of action in the Circuit Court of Appeal for the Tenth Circuit be and it hereby is extended to and including November 28, 1941.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE  
PRESIDING JUDGE, United States District  
Court for the Northern District of Oklahoma

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

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

CARL R. MATHEWS, NINA MATHEWS, YE OLDE I.R.N., a corporation, and AMERICAN NATIONAL INSURANCE COMPANY, of Galveston, Texas,	Plaintiffs,	)
		)
vs		) NO. 531 - CIVIL
		)
ATLAS ASSURANCE COMPANY, Limited of London, England, HARTFORD FIRE INSURANCE COMPANY of Hartford, Connecticut, and THE PHOENIX INSURANCE COMPANY of Hartford, Connecticut,	Defendants.	)

O R D E R

NOW on this 5th day of November, 1941, on application of the American National Insurance Company, a corporation, and by consent of all the parties in this cause,



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

H. F. Miller and Tressie Zule and )  
Eugene Zule and Irene Zule, Minors, )  
by their guardian Olen Guffey, Plaintiffs, )

vs.

Belloche Wiker, Dora Beaver, Maggie )  
Eagle, nee John, Dora Lee, nee Beaver, )  
John Lee, Mary Wiker, Webber, Richard )  
Webber, George Eagle and Belloche Wiker, ) No. 649 Civil  
commonly known as Bill John, if living, )  
if deceased, their known and unknown heirs, )  
executors, administrators, devisees, trus- )  
tees and assigns, immediate and remote, )  
Marley Wiker and L. P. Gowland, and L. S. )  
Watkins, J. W. Franklin and W. A. Crosby, )  
Defendants.

United States of Amercia, Intervener,

Rex Moore and Nannie E. Miller,  
Additional Parties Defendant.

ORDER MAKING ADDITIONAL PARTIES DEFENDANT

NOW, on this 3rd day of November, 1941, this cause comes on to be heard upon the application of the plaintiff, H. F. Miller, to make Rex Moore and Nannie E. Miller additional parties defendant herein, and for leave to file amended complaint herein, and all parties appearing by their respective counsel, and having waived notice of hearing the motion of the plaintiff aforesaid, the Court being advised, finds that the said Rex Moore and Nannie E. Miller are necessary parties to a full and complete determination of the issues herein, and should be made parties defendant herein;

IT IS THEREFORE ORDERED AND ADJUDGED that the said Rex Moore and Nannie E. Miller be, and they are hereby made additional parties defendants in this cause; and it is ordered and adjudged that plaintiff, H. F. Miller, be permitted to file an amended complaint herein.

ROYCE H. SAVAGE  
JUDGE

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

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

H. F. MILLER and Tressie Zule, and  
Eugne Zule and Irene Zule, Minors,  
by their guardian Glen Guffey, Plaintiff,

vs.

Belloche Wiker, Dora Beaver, Maggie  
Eagle, nee John, Dora Lee, nee Beaver,  
John Lee, Mary Wiker, Webber, Richard  
Webber, George Eagle and Belloche Wiker,  
commonly known as Bill John, if living,  
if deceased, their known and unknown heirs,  
executors, administrators, devisees, trust-  
tees and assigns, immediate and remote,  
Marley Wike and L. P. Gowland, and L. S.  
Watkins, J. W. Franklin and W. A. Crosby,  
Defendants.

No. 649 Civil

United States of America, Intervener.

Rex Moore and Nannie E. Miller,  
Additional Parties, Defendant.

O R D E R

NOW, on this 4 day of November, 1941, this matter comes on to be heard upon the application of the plaintiff, H. F. Miller, for the appointment of Van Albertson, for the purpose of making service of summons upon Rex Moore, additional party defendant herein, and the Court being advised, finds, that it will effect a substantial saving in travelling fees if such appointment be made.

IT IS THEREFORE, ORDERED AND DECREED that Van Albertson, an attorney at law, of Shawnee, Oklahoma, be, and he is hereby appointed as the person to make service of the summons in the above entitled cause upon the additional party defendant, Rex Moore.

ROYCE H. SAVAGE  
JUDGE

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

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Court adjourned to November 6, 1941

On this 6th day of November, 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.

Now on this 6th day of November, A. D. 1941, it being made satisfactorily to appear that Frances L. Evans and Norman E. Reynolds are duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorneys are declared admitted to the Bar of the Court.

MISCELLANEOUS - ORDER FOR PETIT JURY.

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

ORDER FOR PETIT JURY.

On this 6th day of November, A. D. 1941, it is ordered by the Court that there be publicly drawn by the Marshal for the Northern District of Oklahoma, or one of his deputies, in the presence of the Clerk, or one of his deputies, in accordance with the law and the rules of this Court, the names of Fifty (50) persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Regular January 1941 Term of this Court to be held at Tulsa, Oklahoma.

IT IS FURTHER ORDERED by the Court that a Writ of Venire Facias be issued out of this Court, in due form as provided by law, commanding the said Marshal to summon said Petit Jurors drawn as aforesaid, to be and appear before said Court, to be held at Tulsa, Oklahoma, in the Northern District of Oklahoma, on Monday, November 17, 1941, at 9:00 o'clock A.M., then and there to serve as Petit Jurors of the United States in and for said District at the Regular January 1941 Term of said Court.

ROYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

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

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

CITY OF SAPULPA, Oklahoma, ex rel George A. Ritzinger, Brandon Barringer and William W. Allen, Jr.,  
 vs.  
 Plaintiff, No. 490 Civil

MARY L. KNIPP, ET AL.,  
 Defendants.

ORDER APPOINTING PERSON SPECIALLY TO SERVE PROCESS

Comes on for hearing the above styled and numbered cause on this 6 day of Nov. 1941 on the application of plaintiff for the appointment of a person or persons to specially serve additional process in the above styled case, and it appearing to the court that C.C. Taylor, who was heretofore specially appointed to make service of process on defendants in Creek County and Tulsa County, State of Oklahoma, is no longer available to make such additional service, and that it is necessary to serve process on additional defendants residing in Creek County and Tulsa County, State of Oklahoma, and it further appearing to the court that substantial savings can be made in travel fees and in time expended in serving such parties by the appointment of a person or persons specially to serve further summons and process upon the defendants in said cause as hereinafter set out.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the court that Claude Taylor, being a proper person, is hereby appointed to serve all further summons and process, mesne and final, upon the defendants in this case who reside or maintain their places of business in the Counties of Tulsa and Creek, State of Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said appointment aforesaid is a special appointment and is for the sole and only purpose of serving all summons and process, mesne and final, upon the defendants residing within Tulsa County and Creek County, State of Oklahoma as hereinabove set forth and for no other purpose.

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

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

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

City of Sapulpa, Oklahoma ex rel George A. Ritzinger, Brandon Barringer and William W. Allen, Jr.,  
 vs.  
 Plaintiff, No. 490 Civil

Mary L. Knipp et al.,  
 Defendants.

ORDER GRANTING PLAINTIFF LEAVE TO AMEND COMPLAINT AND TO MAKE ADDITIONAL PARTIES DEFENDANT THEREIN

Now on this 6 day of Nov., 1941, comes on regularly for hearing the motion of the plaintiff for an order granting plaintiff leave to amend the complaint filed herein and to make additional parties defendant and upon examination of said motion and after hearing argument of counsel

and being fully advised in the premises, the court finds that said motion is not in any manner prejudicial to the interests of any of the defendants in said action and that no notice of hearing this motion is required to be served on any of the defendants.

The court further finds that in order to obtain a full and complete adjudication of the issues herein and to foreclose the lien of delinquent special improvement assessments against the owners and encumbrancers of the real property and premises in Street Improvement District No. 64 of Sapulpa, Oklahoma, which is the subject of plaintiff's complaint, it is necessary that plaintiff be granted leave to amend the complaint and to make additional parties defendant herein, all as more particularly hereinafter set out.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that plaintiff be and it is hereby granted leave to amend the complaint filed herein and to make additional parties defendant, as follows, to-wit:

I.

Amending the second cause of action of said complaint by setting up therein the estate of John F. Murphy, now deceased, and making additional parties defendant therein, by striking therefrom the last paragraph on page five of said complaint and substituting therefor the following paragraphs, to-wit:

"That the defendants, T. H. Stuart and Gertrude Stuart, husband and wife, are the owners of the above described property; that John F. Murphy is now deceased, and that at the time of his death he was the record owner of the above described property; that he died testate and his will has been duly probated in the County Court of Creek County, Oklahoma, being Case No. 4342; that under and by virtue of the provisions of said will a trust estate was created, and that the above described property is now held in trust by Guy L. Berry, Jr., and R. E. McKernan, as Trustees, and plaintiff therefore joins as parties defendant the said Guy L. Berry, Jr. and R. E. McKernan, as Trustees, and plaintiff is entitled to have judgment against said property for the amount of the delinquent paying taxes owing thereon as aforesaid and to have the same adjudged to be a lien against said real property prior and superior to all other liens, except general or ad valorem taxes and other special assessments and to have said property sold to satisfy said judgment and the costs of this action.

That the defendants, T. H. Stuart, Gertrude Stuart, and Guy L. Berry, Jr. and R. E. McKernan, Trustees, have or claim some right, title, or interest in and to said real estate last above mentioned and described, the exact nature and extent of such claim or interest being unknown to plaintiff, but plaintiff states that whatever right, title, claim or interest the said defendants have or claim in and to said real estate is subordinate and inferior to and lien of said special assessment, and plaintiff prays the court that said defendants be summoned in this case and be required to set up in this suit any claim in and to said real estate or be forever barred and foreclosed from claiming any right, title, or interest in and to said real estate.

## II.

Amending the third cause of action of said complaint by striking therefrom the name of the defendant, Ethel M. Joyce, and substituting therefor the names of Earle Berryhill and Selma Berryhill, husband and wife, as parties defendant and as the owners of the property described in said third cause of action.

## III.

Amending the ninth cause of action of said complaint by making Herbert P. Johnson an additional party defendant therein as one of the owners of the property described in said cause of action and by inserting his name in the first line of the second paragraph on page 12 of said complaint immediately following the word "Martin".

## IV.

Amending the tenth cause of action of said complaint by striking therefrom the name of the defendant, Fred Lozier, and substituting therefor the name of Herbert P. Johnson, as party defendant, and as the owner of the property described in said tenth cause of action.

## V.

Amending the eleventh cause of action of said complaint by striking therefrom the name of the defendant, C. Blaine, and substituting therefor the name of Herbert P. Johnson as party defendant and as the owner of the property described in said eleventh cause of action.

## VI.

Amending the twelfth cause of action of said complaint by making Herbert P. Johnson an additional party defendant therein as one of the owners of the property described in said cause of action and by inserting his name in the first line of the second paragraph on page 15 of said complaint immediately following the words "A single woman".

## VII.

Amending the fourteenth cause of action of said complaint by striking therefrom the name of the defendant, Fred Lozier, and substituting therefor the name of Dan O'Dell as party defendant and as the owner of the property described in the fourteenth cause of action.

## VIII.

Amending the fifteenth cause of action of said complaint by making Chas. C. Hall and Lena S. Hall, husband and wife, and Guy Charles and Mrs. Guy Charles, husband and wife, additional parties defendant, as claiming an interest in and to the property in said cause of action, by adding to said cause of action the following paragraph, to-wit:

"That the defendant, Chas. C. Hall and Lena S. Hall husband and wife, and Guy Charles and Mrs. Guy Charles, husband and wife, have or claim some right, title or interest in and to said real estate last above mentioned and described, the exact nature and extent of such claim or interest being unknown to plaintiff, but plaintiff states that whatever right, title, claim or interest the said defendant have or claim in and to said real estate is subordinate and inferior to the lien of said special assessment, and plaintiff prays the court that said defen-

dants be summoned in this case and be required to set up in this suit any right, title or interest which the said defendant may have or claim in and to said real estate or be forever barred and foreclosed from claiming any right title or interest in and to said real estate."

## IX.

Amending the sixteenth cause of action of said complaint by striking therefrom the name of the defendant, Fred Lozier, and substituting therefor the name of Herbert P. Johnson, as party defendant and as the owner of the property described in said sixteenth cause of action.

## X.

Amending the eighteenth cause of action of said complaint by striking therefrom the last paragraph on page 21 of said complaint and substituting therefor the following paragraphs, to-wit:

"That T. M. Gumfory died on or about the \_\_\_\_\_ day of June, 1939; that at the time of his death he was the owner in fee simple of the real property and premises last above mentioned and described; that plaintiff is informed and believes, and therefrom, states the facts to be that he left as his sole and only heirs at law the following named persons:

Gertie Gumfory, his wife,  
Tommy Gumfory, son,  
Billy Gumfory, son of about 16 years.

That there has been no decree of the court having jurisdiction to administer upon the estate of T. M. Gumfory, deceased, wherein it was judicially determined who by name are or were all the particular persons entitled to participate in the distribution of said real property under the law of descent and distribution of the State of Oklahoma, and that the names and individual identify of the particular persons who took or were entitled to take such real property has never been judicially determined, and plaintiff, therefore, joins as parties defendant, the known heirs, as named above, and the unknown heirs, executors, administrators, devisees, trustees, and assigns, immediate and remote of T. M. Gumfory, deceased."

That the State of Oklahoma is joined herein as party defendant under and by virtue of House Bill No. 463, Session Laws of Oklahoma 1937, approved May 29, 1937, and the said State of Oklahoma by and through the Tax Commission should be required to appear and set up whatever right, title or interest it may have or claim in and to the above described real property by virtue of inheritance or transfer taxes, if any, due and owing to the State of Oklahoma from the estate of said deceased.

That plaintiff is entitled to have judgment against the real property last above mentioned and described for the amount of the delinquent paving taxes owing thereon as above set out, and to have the same adjudged to be a lien against said property prior and superior to all other liens except general or ad valorem taxes and other special assessments, if any, not herein sought to be foreclosed, and to have said property sold to satisfy said judgment and the costs of this action.

Plaintiff further states that the defendants, State of Oklahoma, the unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote of T. M. Gumfory, deceased, Gertie Gumfory, Tommy Gumfory and Billy Gumfory have or claim some right, title or interest in and to said real estate last above mentioned and described, the exact nature and extent of such claim or interest being unknown to plaintiff, but plaintiff states that whatever right, title, claim or interest the said defendants have or claim in and to said real estate is subordinate and inferior to the lien of said special assessment, and plaintiff prays the court that said defendants be summoned in this case and be required to set up in this suit any right, title, or interest which the said defendants have or claim in and to said real estate or be forever barred and foreclosed from claiming any right, title, or interest in and to said real estate.

WHEREFORE, plaintiff prays that it have judgment judicially determining the names and individual identity of each and all persons who took or were entitled to take said real property under the law of descent and distribution of the State of Oklahoma and the proportional part thereof that each took as the heirs at law of T. M. Gumfory deceased, and judgment against said real property for the delinquent paying taxes thereon as herein set out in the sum of \$295.11 together with interest at the rate of 6% from the time of the filing of this action until paid, and that the same constitutes a lien on said real property subject and inferior only to existing ad valorem taxes and special assessments not hereby sought to be foreclosed, and if said judgment be not paid in full within six months from the date thereof, a special execution and order of sale issue, commanding the sheriff of the county in which said real property is situate to advertise and sell, as upon execution, with appraisalment, said real property and to apply the proceeds as follows:

First. To the payment of the costs of this action.

Second. To the payment of the delinquent and unpaid instalments of the paving assessments levied against the respective lots and tracts of land as in said petition set out, together with all interest and penalty interest thereon.

Third. That the excess, if any, be paid to the Clerk of this Court, to be held subject to the further order of the court.

That from and after the sale of said lots and tracts of land the said defendant herein and each and all of them, and any person or persons claiming by, through or under them or any of them, since the commencement of this action, be perpetually enjoined and foreclosed of and from having or claiming any right, title or interest in and to said lots and tracts of land adverse to the title of the purchaser or purchasers at such sale, and for the costs of this action, and for such other and further relief as to the court may seem just and equitable.

#### XI.

Amending the nineteenth cause of action of said complaint by making M. F. Oldenhage and Maude H. Oldenhage, husband and wife, additional parties defendant, therein, as claiming an interest in said property described therein, by adding the following paragraph to said cause of action, to-wit:

"That the defendant, M. F. Oldenhage and Maude H. Oldenhage, husband and wife, have or claim some right, title or interest in and to said real estate last above mentioned and described, the exact nature and extent of such claim or interest being unknown to plaintiff, but plaintiff states that whatever right, title, claim or interest the said defendants have or claim in and to said real estate is subordinate and inferior to the lien of said special assessment, and plaintiff prays the court that said defendants be sum-

moned in this case and be required to set up in this suit any right, title or interest which the said defendants may have or claim in and to said real estate or be forever barred and foreclosed from claiming any right, title or interest in and to said real estate."

XII.

Amending the complaint filed herein by striking therefrom the twentieth and twenty-first causes of action in their entirety.

XIII.

Amending the caption of said complaint by adding thereto and substituting therefor the names of the additional parties defendant as set out herein in the respective causes of action

XIV.

Amending said complaint by making an additional affidavit thereto that affirant does not know and with due diligence is unable to ascertain the names of the heirs, executors, administrators, devisees, trustees and assigns, immediate and remote of T. W. Gumfory, deceased, and their residence are unknown to plaintiff except as in said amended complaint set out.

ROYCE H. SAVAGE  
JUDGE OF THE UNITED STATES DISTRICT COURT

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

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

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

ORDER GRANTING PLAINTIFF LEAVE TO AMEND COMPLAINT AND TO MAKE ADDITIONAL PARTIES DEFENDANT THEREIN

Now on this 6 day of Nov., 1941, comes on regularly for hearing the motion of the plaintiff for an order granting plaintiff leave to amend the complaint filed herein and to make additional parties defendant and upon examination of said motion and after hearing argument of counsel and being fully advised in the premises, the court finds that said motion is not in any manner prejudicial to the interests of any of the defendants in said action and that no notice of hearing upon this motion is required to be served on any of the defendants.

The court further finds that in order to obtain a full and complete adjudication of the issues herein and to foreclose the lien of delinquent special improvement assessments against the owners and encumbrances of the real property and premises in Street Improvement District No. 69 of

Sapulpa, Oklahoma, which is the subject of plaintiff's complaint, it is necessary that plaintiff be granted leave to amend the complaint and to make additional parties defendant herein, all as more particularly hereinafter set out.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that plaintiff be and it is hereby granted leave to amend the complaint filed herein and to make additional parties defendant therein as follows, to-wit:

I.

Amending the first cause of action of said complaint by striking therefrom the last paragraph on page 4 of said complaint and substituting therefor the following paragraphs, to-wit:

"That the defendant, Huber Hughes is one of the owners of the above described property.

That D. H. Helser, a widower, died on or about the \_\_\_\_ day of \_\_\_\_\_; that at the time of his death he was the owner in fee simple of the real property and premises last above mentioned and described; that plaintiff is informed and believes, and therefore, states the facts to be that he left as his sole and only heir at law the following named person:

Fred D. Helson, son.

That there has been no decree of the court having jurisdiction to administer upon the estate of D. H. Helser, deceased, wherein it was judicially determined who by name are or were all the particular persons entitled to participate in the distribution of said real estate under the law of descent and distribution of the State of Oklahoma, and that the names and individual identify of the particular persons who took or were entitled to take such real property has never been judicially determined and plaintiff, therefore, joins as parties defendant, the known heir, as named above, and the unknown heirs, executors, administrators, devisees, trustees, and assigns, immediate and remote of D. H. Helser, deceased.

That the State of Oklahoma is joined herein as party defendant under and by virtue of House Bill No. 463, Session Laws of Oklahoma 1937, approved May 29, 1937, and the said State of Oklahoma by and through the Tax Commission should be required to appear and set up whatever right, title, or interest it may have or claim in and to the above described real property by virtue of inheritance or transfer taxes, if any, due and owing to the State of Oklahoma from the estate of said deceased.

That plaintiff is entitled to have judgment against the real property last above mentioned and described for the amount of the delinquent paving taxes owing thereon as above set out, and to have the same adjudged to be a lien against said property prior and superior to all other liens, except general or ad valorem taxes and other special assessments, if any, not herein sought to be foreclosed, and to have said property sold to satisfy said judgment and the costs of this action.

Plaintiff further states that the defendants, State of Oklahoma, the unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote of D. H. Helser deceased, Fred D. Helser, Edith Helser, and Huber Hughes have or claim some right, title or interest in and to said real estate last above mentioned and described, the exact nature and extent of such

claim or interest being unknown to plaintiff, but plaintiff states that whatever right, title, claim or interest the said defendants have or claim in and to said real estate is subordinate and inferior to the lien of said special assessment, and plaintiff prays the court that said defendants be summoned in this case and be required to set up in this suit any right, title, or interest, which the said defendants have or claim in and to said real estate to be forever barred and foreclosed from claiming any right, title, or interest in and to said real estate.

WHEREFORE, Plaintiff prays that it have judgment judicially determining the names and individual identity of each and all persons who took or were entitled to take said real property under the law of descent and distribution of the State of Oklahoma and the proportional part thereof that each took as the heirs of law of D. H. Helser, deceased, and judgment against said real property for the delinquent paving taxes thereon as herein set out in the sum of \$269.72 together with interest at the rate of 6% per annum from the time of the filing of this action until paid, and that the same constitutes a lien on said real property subject and inferior only to existing ad valorem taxes and special assessments not hereby sought to be foreclosed, and if said judgment be not paid in full within six months from the date hereof, a special execution and order of sale issue, commanding the sheriff of the county in which said real property is situate to advertise and sell, as upon execution, with appraisement, said real property and to apply the proceeds as follows:

First. To the payment of the costs of this action.

Second. To the payment of the delinquent and unpaid instalments of the paving assessments levied against the respective lots and tract of land as in said petition, set out, together with all interest and penalty interest thereon.

Third. That the excess, if any, be paid to the Clerk of this Court, to be held subject to the further order of the court.

That from and after the sale of said lots and tracts of land the said defendants herein and each and all of them, and any person or persons claiming by, through or under them or any of them since the commencement of this action, be perpetually enjoined and foreclosed of and from having or claiming any right, title or interest in and to said lots and tracts of land adverse to the title of the purchaser or purchasers at such sale, and for the costs of this action, and for further relief as to the court may seem just and equitable.

## II.

Amending the second cause of action of said complaint by making J. L. Gordon and Carmelitis Gordon, husband and wife, as additional parties defendant therein as owners of Lot 19, Block 7, Frank & Root Addition to the City of Sapulpa, Creek County, Oklahoma, and inserting their names on the first line of the second paragraph on page 5 of the complaint, immediately following the words, "a single man".

Further amending the second cause of action by making C. O. Beaver and Sallie Beaver, husband and wife, additional parties defendant therein as claiming an interest in Lot 17, Block 7, Frank & Root Addition to the City of Sapulpa, Creek County, Oklahoma and by inserting their names in the thirteenth line of the third paragraph on page 5 of said complaint, immediately following the words "a corporation".

## III.

Amending the third cause of action of said complaint by making Emma Gilbert, a widow, an additional party defendant therein as claiming an interest in and to the property described in said cause of action, the exact nature of which is unknown to this plaintiff and by adding to said cause of action the following paragraph:

"That the defendant, Emma Gilbert, a widow, has or claims some right, title or interest in and to said real estate last above mentioned and described, the exact nature and extent of such claim or interest being

unknown to plaintiff, but plaintiff states that whatever right, title, claim or interest the said defendant has or claims in and to said real estate is subordinate and inferior to the lien of said special assessment, and plaintiff prays the court that said defendant be summoned in this case and be required to set up in this suit any right, title or interest which the said defendant has or claims in and to said real estate or be forever barred and foreclosed from claiming any right, title or interest in and to said real estate; "

## IV.

Amending the fourth cause of action of said complaint by making R. C. Booten an additional party defendant as an owner of the property described therein and inserting his name in the first line of the second paragraph on page 7 of said complaint immediately following the words "husband and wife."

Further amending the fourth cause of action, by making E. C. Knight and Rena Knight additional parties defendant therein as claiming some interest in and to the property described therein, the exact nature of which is unknown to plaintiff by adding the following paragraph to said cause of action:

"That the defendant, E. C. Knight and Rena Knight, husband and wife, have or claim some right, title or interest in and to said real estate last above mentioned and described the exact nature and extent of such claim or interest being unknown to plaintiff, but plaintiff states that whatever right, title, claim or interest the said defendants have or claim in and to said real estate is subordinate and inferior to the lien of said special assessment, and plaintiff prays the court that said defendants be summoned in this case and be required to set up in this suit any right, title or interest which the said defendants have or claim in and to said real estate or be forever barred and foreclosed from claiming any right, title or interest in and to said real estate."

## V.

Amending the fifth cause of action of said complaint by making H. P. Johnson who is one and the same person as Herbert P. Johnson, and Helen M. Johnson, additional parties defendant therein as some of the owners of the property described in said cause of action and inserting their names in the first line of the second paragraph on page 8 of said complaint, immediately following words "husband and wife".

Further amending the fifth cause of action by making Rollo Hughes and Loriena Hughes, husband and wife, additional parties defendant therein and claiming an interest in and to the property described therein, the exact nature of which is unknown to this plaintiff and by inserting their names, immediately following the eleventh line in the last paragraph on page 8 of said complaint.

## VI.

By amending the sixth cause of action of said complaint by making R. F. Henshaw as an additional party defendant therein as one of the owners of the property described therein and inserting his name in the second line of the second paragraph on page 9 of said complaint immediately following the words "and wife".

## VII.

By amending the seventh cause of action of said complaint by making Wyley Asher and Hazel Asher, husband and wife, additional parties defendant therein as some of the owners of the property described in said cause of action and inserting their names in the second line of the last paragraph on page 10 of said complaint immediately following the words "husband and wife".

## VIII.

Amending the eighth cause of action by making R. C. Booten an additional party defendant therein as one of the owners of Lot 13, Block 9, Frank & Root Addition to the City of Sapulpa Creek County, Oklahoma; by making L. E. Shanks an additional party therein as one of the owners of Lot 19, Block 9, Frank & Root Addition to the City of Sapulpa Creek County, Oklahoma; by making Herbert P. Johnson an additional party defendant therein as one of the owners of the North 62 feet of Lot 1, block 21, Fife Place Addition to the City of Sapulpa and by inserting their names in the last paragraph on page 11 of said complaint, immediately following the name "F. W. Martin".

## IX.

Amending the ninth cause of action of said complaint by making R. C. Booten an additional party defendant therein as one of the owners of the property described in said cause of action and by inserting his name in the first line of the second paragraph on page 12 of said complaint immediately following the words "a single man."

## X.

Amending the tenth cause of action of said complaint by striking therefrom the name of the defendant, C. Blaine, and substituting therefor the name of R. C. Booten as the owner of Lots 16 and 17, Block 9, Frank & Root Addition to the City of Sapulpa, Creek County, Oklahoma.

Further amending said cause of action by striking therefrom the name of the defendant, C. Blaine, and substituting therefor Herbert P. Johnson as an additional party defendant and as the owner of Lot 6, Block 20, Fife Place Addition to the City of Sapulpa, Creek County, Oklahoma.

## XI.

Amending the eleventh cause of said complaint by making R. F. Henshaw an additional party defendant therein as one of the owners of the property described therein and by inserting his name immediately following the first line of the last paragraph on page 14 of said complaint.

## XII.

Amending the fourteenth cause of action by making L. L. Little and Vernal Little husband and wife, additional parties defendant therein as claiming some interest in and to the property described in said cause of action, the exact nature of which is unknown to plaintiff, by adding to said cause of action the following paragraph, to-wit:

"That the defendants, L. L. Little and Vernal Little, husband and wife, have or claim or some right, title or interest in and to said real estate last above mentioned and described, the exact nature and extent of such claim or interest being unknown to plaintiff, but plaintiff states that whatever right, title, claim or interest the said defendants have or claim in and to said real estate is subordinate and inferior to the lien of said special assessment, and plaintiff prays the court

XIII.

Amending the sixteenth cause of action by making Laura Bell, a widow, an additional party defendant therein as one of the owners of the property described in said cause of action and by inserting her name in the second line of the last paragraph on page 19 of said complaint immediately following the word "Wife".

XIV.

Further amending said complaint by amending the caption thereof by adding to or substituting for the names of all parties who are made additional parties defendant herein with respect to the proper causes of action.

XV.

Amending said complaint by making an additional affidavit thereto that affiant does not know and with due diligence is unable to ascertain the names of the heirs, executors, administrators, devisees, trustees and assigns, immediate and remote of D. H. Helser, deceased, and their residence are unknown to plaintiff except as in said amended complaint set out.

ROYCE H. SAVAGE  
JUDGE OF THE UNITED STATES DISTRICT COURT

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

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IN THE UNITED STATES DISTRICT COURT FOR 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

Comes on for hearing the above styled and numbered cause on this 6 day of Nov., 1941, on the application of plaintiff for the appointment of a person or persons to specially serve additional process in the above styled cause, and it appearing to the court that C. C. Taylor who was heretofore specially appointed to make service of process on defendants in Creek County and Tulsa County, State of Oklahoma, is no longer available to make such additional service, and that it is necessary to serve process on additional defendants residing in Creek County and Tulsa County, State of Oklahoma, and it further appearing to the court that substantial savings can be made in travel fees and in time expended in serving such parties by the appointment of a person or persons specially to serve further summons and process upon the defendants in said cause as hereinafter set out.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the court that Claude Taylor, being a proper person, is hereby appointed to serve all further summons and process, mesne and final, upon the defendants in this case who reside or maintain their places of business in the Counties of Tulsa and Creek, State of Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said appointment aforesaid is a special appointment and is for the sole and only purpose of serving all summons and process, mesne and final, upon the defendants residing within Tulsa County and Creek County, State of Oklahoma as hereinabove set forth and for no other purposes.

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

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

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

City of Sapulpa, Oklahoma ex rel )  
George A. Ritzinger, et al, ) Plaintiff, )  
 ) No. 491 Civil  
vs. )  
 )  
Edith Helser, et al., ) Defendants. )

ORDER OF DISMISSAL

The above cause coming on regularly for hearing on the motion of the plaintiff for an order dismissing its 15th cause of action, and it appearing to the court that the defendant in said cause of action has paid the instalments of paving assessment in Street Improvement District 69 of Sapulpa, Creek County, State of Oklahoma which were the basis of the above numbered cause of action and that said cause of action should be dismissed as to the defendant in the above numbered cause of action at the cost of plaintiff.

IT IS THEREFORE ORDERED that the 15th cause of action of plaintiff's complaint in the within suit be dismissed at the cost of plaintiff and that the following described property to-wit:

Lot 5, Block 21, Fifth Place to the City of Sapulpa, Creek County, Oklahoma,

be released and relieved from any right, claim or lien of the plaintiff and the defendant, The Georgia State Savings Association of Savannah, a corporation, insofar as said 15th cause of action is concerned is released and discharged from plaintiff's suit, and that this action is dismissed with prejudice as to the above numbered cause of action only, and that said defendant shall go hence with its costs; that said action is not dismissed as to the other causes of action contained in said complaint and the defendant or defendants therein named and the property therein described.

Dated this 6 day of Nov., 1941.

ROYCE H. SAVAGE  
United States District Judge.

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

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property described in said cause of action, the exact nature of which is unknown to this plaintiff and by adding to said cause of action the following paragraph:

"That the defendants, Ray Huie and Clyde Huie, husband and wife, have or claim some right, title or interest in and to said real estate last above mentioned and described, the exact nature and extent of such claim or interest being unknown to plaintiff, but plaintiff states that whatever right, title, claim or interest the said defendants have or claim in and to said real estate is subordinate and inferior to the lien of said special assessment, and plaintiff prays the court that said defendants be summoned in this case and be required to set up in this suit any right, title or interest which the said defendants may have or claim in and to said real estate or be forever barred and foreclosed from claiming any right, title, or interest in and to said real estate. "

## IV.

Amending the fourth cause of action by making R. C. Booten an additional party defendant therein as one of the owners of Lot 4, Block 2, Arthox Addition to Sapulpa, Creek County, Oklahoma; by making C. W. Mandler an additional party defendant therein as one of the owners of Lot 6, Block 2, Arthox Addition to Sapulpa, Creek County, Oklahoma; by making C. C. Warren an additional party defendant therein as one of the owners of Lot 7, Block 2, Arthox Addition to Sapulpa, Creek County, Oklahoma; by making W. S. Daly an additional party defendant therein as one of the owners of Lot 8, Block 2, Arthox Addition to Sapulpa, Creek County, Oklahoma, and by inserting their names in the last paragraph on page 7 of said complaint, immediately following the word "wife".

## V.

Amending the fifth cause of said complaint by making R. C. Booten an additional party defendant therein as one of the owners of the property described in said cause of action and by inserting his name in the first line of the second paragraph on page 8 of said complaint, immediately following the word "wife".

## VI.

Amending the sixth cause of action of said complaint by striking therefrom the name of the defendant, P. M. Castanien, and substituting therefor the name of R. C. Booten as the owner of the property described in said cause of action.

## VII.

Amending the seventh cause of action of said complaint by making H. P. Johnson, who is one and the same person as Herbert P. Johnson, and Helen M. Johnson, husband and wife, additional parties defendant therein as some of the owners of the property described in said cause of action, and inserting their names immediately following the word "Trustee" in the second line of the second paragraph on page 10 of said complaint.

Further amending the seventh cause of action of said complaint by making J.W. Cowman and Mary Cowman, husband and wife, additional parties defendant therein as claiming an interest in the property described in said cause of action, by adding to said cause of action the following paragraph, to-wit:

"That the defendants, J. W. Cowman and Mary Cowman, husband and wife, have or claim some right, title or interest in and to said real estate last above mentioned and described, the exact nature and extent of such claim or interest being unknown to plaintiff, but plaintiff states that whatever right, title, claim or interest the said defendants have or claim in and to said real estate is subordinate and inferior to the lien of said special assessment, and plaintiff prays the court that said defendants be summoned in this case and be required to set up in this suit any right, title or interest which the said defendants may have or claim in and to said real estate or be forever barred and foreclosed from claiming any right, title or interest in and to said real estate."

## VIII.

Amending the ninth cause of action of said complaint by making Leslie C. McDaniel and Helen McDaniel, husband and wife, additional parties defendant therein as claiming an interest in the property described in said cause of action, by adding to said cause of action the following paragraph, to-wit:

"That the defendants Leslie C. McDaniel and Helen McDaniel, husband and wife, have or claim some right, title or interest in and to said real estate last above mentioned and described, the exact nature and extent of such claim or interest being unknown to plaintiff, but plaintiff states that whatever right, title, claim or interest the said defendants have or claim in and to said real estate is subordinate and inferior to the lien of said special assessment, and plaintiff prays the court that said defendants be summoned in this case and be required to set up in this suit any right, title, claim or interest which the said defendants may have or claim in and to said real estate or be forever barred and foreclosed from claiming any right, title or interest in and to said real estate."

## IX.

Amending the tenth cause of action of said complaint by making Mrs. Betty W. Smith, an additional party defendant therein as claiming an interest in the property described in said cause of action, by adding to said cause of action the following paragraph, to-wit:

"That the defendant, Mrs. Betty W. Smith, has or claims some right, title or interest in and to said real estate last above mentioned and described, the exact nature and extent of such claim or interest being unknown to plaintiff, but plaintiff states that whatever right, title, claim or interest the said defendant has or claims in and to said real estate is subordinate and inferior to the lien of said special assessment, and plaintiff prays the court that said defendant be summoned in this case and be required to set up in this suit any right, title or interest which the said defendant may have or claim in and to said real estate or be forever barred from claiming any right, title or interest in and to said real estate."

## X.

Amending the eleventh cause of said complaint by making John A. Loden an additional party defendant therein as one of the owners of Lot 5, Block 9, Business Men's Addition to Sapulpa, Creek County, Oklahoma, and by inserting his name in the first line of the second paragraph on page 14 of said complaint immediately following the word "husband".

## XI.

Amending the thirteenth cause of action of said complaint by making Delmar Hodges, and Zilla Hodges, husband and wife, and Ruby Wood, a widow, additional parties defendant therein as claiming an interest in the property described in said cause of action, by adding to said cause of action the following paragraph, to-wit:

"That the defendants, Delmar Hodges and Zilla Hodges, husband and wife, and Ruby Wood, a widow, have or claim some right, title or interest in and to said real estate last above mentioned and described, the exact nature and extent of such claim or interest being unknown to plaintiff, but plaintiff states that whatever right, title, claim or interest the said defendants have or claim in and to said real estate is subordinate and inferior to the lien of said special assessment, and plaintiff prays the court that said defendants be summoned in this case and be required to set up in this suit any right, title, or interest which the said defendants may have or claim in and to said real estate or be forever barred and foreclosed from claiming any right, title or interest in and to said real estate."

## XII.

Amending the fourteeneth cause of action of said complaint by making John Keahey, a single man, an additional party defendant therein as the owner of the property described in said cause of action, and by inserting his name in the twelfth line of the second paragraph on page 17 of said complaint, immediately following the word "corporation".

Further amending the fourteeneth cause of action of said complaint by making Phillip Banks, a single man, an additional party defendant therein as claiming an interest in the property described in said cause of action, by adding the following paragraph to said cause of action, to-wit:

"That the defendant, Phillip Banks, a single man, has or claims some right, title or interest in and to said real estate last above mentioned and described, the exact nature and extent of such claim or interest being unknown to plaintiff, but plaintiff states that whatever right, title, claim or interest the said defendant has or claims in and to said real estate is subordinate and inferior to the lien of said special assessment, and plaintiff prays the court that said defendant be summoned in this case and be required to set up in this suit any right, title or interest which the said defendant may have or claim in and to said real estate or be forever barred and foreclosed from claiming any right, title or interest in and to said real estate."

## XIII.

Amending the seventeenth cause of action of said complaint by making Vernie G.

Hayter and Frances L. Hayter, husband and wife, additional parties defendant therein as claiming an interest in the property described in said cause of action, by adding to said cause of action the following paragraph, to-wit:

"That the defendants, Vernie G. Hayter and Frances L. Hayter, husband and wife, have or claim some right, title or interest in and to said real estate last above mentioned and described, the exact nature and extent of such claim or interest being unknown to plaintiff, but plaintiff states that whatever right, title, claim or interest the said defendants have or claim in and to said real estate is subordinate and inferior to the lien of said special assessment, and plaintiff prays the court that said defendants be summoned in this case and be required to set up in this suit any right, title or interest which the said defendants may have or claim in and to said real estate or be forever barred and foreclosed from claiming any right, title or interest in and to said real estate. "

## XIV

Amending the nineteenth cause of action of said complaint by making Laura L. Gilbert, a widow, an additional party defendant therein as one of the owners of the property described in said cause of action and by inserting between the second and third paragraphs on page 22 of said complaint the following: "That the defendant, Laura L. Gilbert, a widow, is one of the owners of the above described property," and by inserting her name on the fifth line of the third paragraph on page 22A of said complaint immediately following the word "deceased".

## XV.

Amending the twentieth cause of action of said complaint by making Edgar Maggi an additional party defendant therein as being one of the owners of the property described in said cause of action and by inserting his name in the first line of the second paragraph on page 23 of said complaint, immediately following the words "husband and wife".

## XVI.

Amending the twenty-second cause of action of said complaint by making Edw. C. Cowman an additional party defendant therein as one of the owners of the North 40 feet of Lot 3, Block 16, Fife Place Addition to Sapulpa, Creek County, Oklahoma, by inserting the words "and Edw. C. Cowman is one of the owners of the North 40 feet of Lot 3, Block 16, Fife Place Addition, above described, "immediately following the words "are the owners" in the second line of the second paragraph on page 25 of said complaint.

## XVII.

Amending the twenty-fourth cause of action and of said complaint by making J. R. Robertson and A. Arrilla Robertson, husband and wife, additional parties defendant therein as claiming an interest in the property described in said cause of action, by adding to said cause of action the following paragraph, to-wit:

"That the defendants, J. R. Robertson and A. Arrilla Robertson, husband and wife, have or claim some right, title or interest in and to said real estate last above mentioned and described, the exact nature and extent of such claim or interest being unknown to plaintiff, but plaintiff states that whatever right, title, claim or interest the said defendants have

or claim in and to said real estate is subordinate and inferior to the lien of said special assessment, and plaintiff prays the court that said defendants be summoned in this case and be required to set up in this suit any right, title or interest which the said defendants may have or claim in and to said real estate or be forever barred and foreclosed from claiming any right, title or interest in and to said real estate. "

XVIII.

Amending the sixteenth cause of action of said complaint by striking therefrom the name of the defendant, Carl O. O'Hornett, and substituting therefor the name of Harold Whitley as the owner of the property described therein.

XIX.

Amending the caption of complaint by adding thereto and substituting therefor the names of the additional parties defendant as set out in this order in respect to the proper causes of action.

ROYCE H. SAVAGE  
JUDGE OF THE UNITED STATES DISTRICT COURT

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

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

City of Sapulpa, Oklahoma ex rel George A. )  
Ritzinger and Brandon Barringer and William W. )  
Allen, Jr., ) Plaintiff, ) No. 492 Civil  
vs. )  
A. J. Whitfield, et al., ) Defendants. )

ORDER APPOINTING PERSON SPECIALLY TO SERVE PROCESS

Comes on for hearing the above styled and numbered cause on this 6 day of Nov. 1941, on the application of plaintiff for the appointment of a person or persons to specially serve additional process in the above styled case, and it appearing to the court that C. C. Taylor who was heretofore specially appointed to make service of process on defendants in Creek County and Tulsa County, State of Oklahoma, is no longer available to make such additional service, and that it is necessary to serve process on additional defendants residing in Creek County and Tulsa County, State of Oklahoma, and it further appearing to the court that substantial savings can be made in travel fees and in time expended in serving such parties by the appointment of a person or persons specially to serve further summons and process upon the defendants in said cause as hereinafter set out.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the court that Claude Taylor being a proper person, is hereby appointed to serve all further summons and process, mesne and final, upon the defendants in this case who reside or maintain their place of business in the Counties of Tulsa and Creek, State of Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said appointment aforesaid is a special appointment and is for the sole and only purpose of serving all summons and process, mesne and final, upon the defendants residing within Tulsa County and Creek County, State of Oklahoma as hereinafter set forth and for no other purposes.

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

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

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

F. M. RODOLF, )  
Plaintiff, )  
 )  
vs. ) No. 576 Civil  
 )  
Anna (Annie) McKeever, independent )  
Executrix of the Estate of Mary Ellen )  
Hilton, deceased; et al., )  
Defendants. )

O R D E R

Now on this 6 day of November, 1941, upon application of the plaintiff above named, the Court hereby grants the plaintiff leave to withdraw his motion to reand filed in this cause.

Def's given 10 days to plead.

ROYCE H. SAVAGE  
United States District Judge.

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

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

Southwestern Bell Telephone Company, ( )  
a corporation, Plaintiff, )  
 )  
vs. ) No. 632 Civil  
 )  
John D. Bittinis and Eunie Bittinis, Defendants. )

ORDER OF COURT

Now, on this the 13th day of October, 1941, this cause coming on for hearing upon the motion of the defendants to dismiss the complaint herein, and for a more definite statement



of this lease for the space so occupied by lessee.

It is ordered that said amendment to the lease contract entered into between A. C. Saunders, receiver, and said Universal Credit Company, a Delaware Corporation, embodying the terms above stated and effective from November 1, 1941, be, and the same is hereby approved and declared to be the valid contract of tenancy between the receiver and said tenant.

It is the further order of the court that the remaining terms and conditions of the lease contract dated February 24, 1941, be, and the same remain in full force and effect, save only with the exceptions and amendments made and approved by this order.

F. E. KENWAMER  
JUDGE

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

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Court adjourned to November 7, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

FRIDAY, NOVEMBER 7, 1941

On this 7th day of November, 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  
Walt Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 7th day of November, A. D. 1941, it being made satisfactorily to appear that Giles A. Penick, Jr. and John S. Carlson are duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorneys are declared admitted to the Bar of the Court.

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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, )  
Tulsa, Oklahoma. )

C E R D E R

A vacancy having occurred in the United States Commissioner's office at Tulsa, Oklahoma, the Court deems it advisable to appoint his successor and does hereby appoint Edward Crossland of Tulsa, Oklahoma, for discharge of duties of said office as provided by law.

IT IS ORDERED by the Court that said Edward Crossland be, and he is hereby appointed United States Commissioner of Tulsa, Oklahoma, for the term of Four (4) years, commencing the 7th day of November, A. D. 1941, or until the further order of the Court.

ROYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

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

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

OATH OF OFFICE

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

I further do 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 faith and allegiance to the same, and 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 on which I am about to enter;

SO HELP ME GOD.

EDWARD CROSSLAND

Subscribed and sworn to before me this 7th day of November, 1941.

ROYCE H. SAVAGE

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

MISCELLANEOUS - BOND OF H. M. EWING, CHIEF DEPUTY CLERK.BOND -- ASSISTANT DISBURSING OFFICER  
(When surety is a corporation)

KNOW ALL MEN BY THESE PRESENTS:

That we Milam M. Ewing, of Tulsa, Oklahoma, as principal, and Fidelity and Deposit Company of Maryland, of Baltimore, Maryland as surety, are held and firmly bound unto the United States of America in the full and just sum of Two Thousand Five Hundred dollars (\$2,500.00) lawful money of the United States; for which payment, well and truly to be made, we bind ourselves, jointly and severally, our joint and several heirs, executors and administrators, successors and assigns, firmly by these presents.

Sealed with our seals, and dated this 7th day of November, 1941.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the above-bounded principal has been designated assistant disbursing officer to H. P. Warfield, Clerk, U. S. District Court, at Tulsa, Oklahoma, and has accepted said designation:

NOW, THEREFORE, if the said assistant disbursing officer shall at all times during his remaining on duty as assistant disbursing officer faithfully discharge the duties to which he may be assigned, according to the laws of the United States and regulations made in conformity therewith, safely keeping and correctly paying out all sums of public or other money which may come into his custody and/or control from time to time by virtue of his said designation as assistant disbursing officer, without lending, using, depositing in bank, or exchanging for other funds than as allowed by law, and shall render true and correct accounts through the accounts of the said principal disbursing officer and of all such public or other moneys, then this obligation to be void and of no effect; otherwise to remain in full force and virtue.

Signed, sealed, and delivered in the presence of -

(s) BENJAMIN B. BALLENGER  
(Name)  
139 East Newton, Tulsa, Okla.  
(Full address)

(s) HIRSHAN M. WEST  
(Name)  
1524 S. College, Tulsa, Okla.  
(Full address)

MILAM M. EWING (SEAL)  
(Principal)

FIDELITY AND DEPOSIT COMPANY (CORPORATE  
OF MARYLAND SEAL)  
(Surety)

By EVELYN SMYTHE  
Evelyn Smythe - Attorney-in-fact  
Attest: \_\_\_\_\_  
Resident Assistant Secretary

APPROVED: ROYCE H. SAVAGE, JUDGE

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

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

United States of America,	Plaintiff,	)
-vs-		)
		) NO. 591 CIVIL
Jarboe Livestock Commission Company,	Defendant,	)

O R D E R

Now on this 7th day of November, 1941, this matter comes on before the court upon the application of the Plaintiff herein, by Whit Y. Mauzy, United States Attorney in and for the Northern District of Oklahoma, and Wm. Knight Powers, Assistant United States Attorney for said District, for an order of dismissal of said action, and it appearing to the court that Complaint was filed in this court on June 4, 1941, seeking judgment against the defendant Jarboe Livestock Commission in the amount of \$76.96 with interest thereon at the rate of 6% per annum, and for the costs of said action, and it further appearing to the court that the defendant Jarboe Livestock Commission Company has tendered an offer in compromise in the amount of \$38.48, in settlement of this claim, which compromise offer was accepted by the Department of Justice, under date of October 30, 1941, and it further appearing to the court that court costs in the amount of \$17.00 in this cause of action have been paid to the Clerk of this court,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the within action be and the same is hereby dismissed against the Jarboe Livestock Commission Company.

ROYCE H. SAVAGE  
JUDGE

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

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

Florence Draper, De Vedia Spickelmier, Fred G. Draper, George F. Draper, Bill J. Draper, Ellen Shoulders, Ellis W. Draper, John V. Draper, and Hazel Morgan,	PLAINTIFFS,	)
vs.		)
		) No. C - 691.

J. M. Kurn and J. G. Lonsdale, Trustees in Bankruptcy of the Saint Louis-San Francisco Railroad Company, a corporation, and D. Wortman,	DEFENDANTS.	)
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ORDER REMANDING CAUSE TO THE DISTRICT COURT OF CREEK COUNTY, OKLAHOMA

This cause came on to be heard on the 7th day of November, 1941, before the Honorable Royce H. Savage, Judge of the above named court, upon the verified petition for removal from the District Court of Creek County, Oklahoma, filed herein by the defendants, and upon the verified

motion to remand this cause filed herein by plaintiffs, Plaintiffs appeared by their attorneys of record, C. E. Allen and John R. Woodard of Tulsa, Oklahoma. The defendants appeared by their attorneys of record, Cruce, Satterfield & Grigsby of Oklahoma City, Oklahoma, and Doerner, Rhinehart & Stuart of Tulsa, Oklahoma. The court, after hearing said petition for removal and said motion to remand, and being fully advised, finds that this cause should be remanded to the District Court of Creek County, Oklahoma, wherein this cause was originally instituted.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE COURT that this cause be, and the same is hereby remanded to the District Court of Creek County, Oklahoma, and that the costs incurred in the removal proceedings had herein be charged to the defendants.

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

ENDORSED: Filed Nov 9 1941  
H. P. Warfield, Clerk  
U. S. District Court H

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

Harold G. Spickelmier, and De Vedia  
Spickelmier,

PLAINTIFFS,

vs.

No. 692

J. M. Kurn and J. G. Lonsdale, Trustees in  
Bankruptcy of the Saint Louis-San Francisco  
Railroad Company, a corporation, and E. Wortman,  
DEFENDANTS.

ORDER REMANDING CAUSE TO THE DISTRICT COURT OF CREEK  
COUNTY, OKLAHOMA

this cause came on to be heard on the 7th day of November, 1941, before the Honorable Royce H. Savage, Judge of the above named court, upon the verified petition for removal from the District Court of Creek County, Oklahoma, filed herein by the defendants, and upon the verified motion to remand this cause filed herein by the plaintiffs. Plaintiffs appeared by their attorneys of record, C. E. Allen and John R. Woodard, of Tulsa, Oklahoma. The defendants appeared by their attorneys of record, Cruce, Satterfield & Grigsby, of Oklahoma City, Oklahoma, and Doerner, Rhinehart & Stuart, of Tulsa, Oklahoma. The court, after hearing said petition for removal and said motion to remand, and being fully advised, finds that this cause should be remanded to the District Court of Creek County, Oklahoma, wherein this cause was originally instituted.

IT IS THEREFORE ORDERED AND ADJUDGED by the court that this cause be, and the same is hereby remanded to the District Court of Creek County, Oklahoma, and that the costs, incurred in the removal proceedings had herein be charged to the defendant.

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

ENDORSED: Filed Nov 9 1941  
H. P. Warfield, Clerk  
U. S. District Court H

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Court adjourned to November 8, 1941

On this 8th day of November, 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. Manzy, 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

ANNA B. BLAKE,

Plaintiff,

vs.

No. 212 Civil

WHEATLEY BROTHERS PUMP & VALVE  
MANUFACTURERS, a corporation, and  
FRANK WHEATLEY,

Defendants.

C R D E R

Upon the written stipulation of the parties filed in this cause, plaintiff is hereby granted leave to amend, by interlineation, instantler, by changing the word "profits" in the prayer of the original petition, to read "royalties".

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Nov 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. P. MILLER, AND TRESSIE ZULE, AND EUGENE  
ZULE AND IRENE ZULE, MINORS, BY THEIR GUARDIAN,  
OLEN GUFFEY,

Plaintiffs,

vs.

BELLOCHE WIKER, DORA BEAVER, MAGGIE EAGLE NEE JOHN,  
DORA LEE NEE BEAVER, JOHN LEE, MARY WIKER WEBBER,  
RICHARD WEBBER, GEORGE EAGLE AND BELLOCHE WIKER,  
COMMONLY KNOWN AS BILL JOHN, IF LIVING, IF DECEASED,  
THEIR KNOWN AND UNKNOWN HEIRS, EXECUTORS, ADMINIS-  
TRATORS, DEVISEES, TRUSTEES AND ASSIGNS, IMMEDIATE  
AND REMOTE, HARLEY WIKER AND L. P. GOWLAND, L. A.  
WATKINS, J. W. FRANKLIN AND W. A. CROSBY

Defendants  
Intervener

NO. 649 - CIVIL

UNITED STATES OF AMERICA,

ORDER GRANTING LEAVE TO INTERVENE

Now on this 8rd day of November, 1941, this cause comes on to be heard upon the



On this 10th day of November, 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, Honorable Royce H. Savage and Hon. Robert L. Williams, 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 - COMMISSION OF WHITFIELD YL MAUZY, AS UNITED STATES ATTORNEY

FRANKLIN D. ROOSEVELT,  
PRESIDENT OF THE UNITED STATES OF AMERICA.  
to all who shall see these presents greeting:

KNOW YE, That, reposing special trust and confidence in the Integrity, Ability and Learning of WHITFIELD YL MAUZY, of Oklahoma, I HAVE NOMINATED, and, by and with the advice and consent of the Senate, do appoint him Attorney of the United States, in and for the Northern District of Oklahoma, and do authorize and empower him to execute and fulfil the duties of that Office according to law, and to have and to hold the said Office, with all the powers, privileges, emoluments, to the same of right appertaining unto him, the said WHITFIELD Y. MAUZY, for the term of four years, commencing with the date hereof, subject to the conditions prescribed by law.

IN TESTIMONY WHEREOF, I have caused these Letters to be made Patent, and the Seal of the Department of Justice to be hereunto affixed. Done at the City of Washington this thirtieth day of October, in the year of our Lord one thousand nine hundred and forty one, and of the Independence of the United States of America the one hundred and sixty-sixth.

By the President:

FRANCIS BIDDLE, Attorney General. FRANKLIN D. ROOSEVELT

(SEAL)

Endorsed; Filed In Open Court  
Nov 10 1941  
H. P. Warfield, Clerk  
U. S. District Court

OATH OF WHIT Y. MAUZY, UNITED STATES ATTORNEY.

DEPARTMENT OF JUSTICE OATH OF OFFICE UNITED STATES ATTORNEY'S OFFICE

I, Whitfield Y. Mauzy, do solemnly swear (or affirm) 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 on which I am about to enter. SO HELP ME GOD.

WHIT Y. MAUZY

Subscribed and sworn to before me in open court this 10 day of November, A. D. 1941 at Tulsa, Oklahoma.

(SEAL)

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

ENDORSED: Filed In Open Court Nov 10 1941  
H. P. Warfield, Clerk