

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

United States of America,	Plaintiff,)
)
vs.		) NO. 623 CIVIL
)
F. B. Baker,	Defendant.)

ORDER OF DISMISSAL

Now on this 5th day of September, 1941, upon motion of the Plaintiff, United States of America, to dismiss the above entitled action coming on for hearing, and the court being fully advised in the premises finds that said defendant has paid the amount sued for, together with costs in this case, and that therefore said cause of action against said defendant should be dismissed.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that said cause of action be, and the same is hereby dismissed against said defendant, F. B. Baker.

ROYCE H. SAVAGE
JUDGE

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

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
-vs-)
)
One 1941 Ford Coupe Automobile, Motor No. 18-6,439,285, and approximately Sixty-six (66) Gallons of Assorted Taxpaid Intoxicating Liquors seized therein; Fred A. Hurt (alias Fred A. Griffing), Roy Hayes, and the Oklahoma Auto Supply Company of Muskogee, Oklahoma,)
	Claimants.)
		) No. 653 CIVIL

ORDER FOR MONITION

Now on this 6th day of September, 1941, it appearing to the court that the 1941 Model Ford Coupe Automobile, Motor No. 18-649,285, with approximately Sixty-six (66) gallon of intoxicating liquors containing more than four per centum (4%) of alcohol by volume, was seized at a point on the public highway about One and One-half (1½) miles South of the town of Welch, in Craig County, State of Oklahoma, Northern Judicial District of Oklahoma and within the jurisdiction of this court, on July 10, 1941 by Robert A. West and Roy B. Mogridge, Investigators for the Department of Public Safety of the State of Oklahoma, by virtue of authority of their said offices, in accordance with the provisions of law in such case made and provided, while said automobile was used by Fred A. Hurt (alias Fred A. Griffing) for transportation of such intoxicating liquors for

unknown point in the State of Missouri into the State of Oklahoma and to the aforesaid described point of seizure; it further appearing that thereupon said property was appraised at more than Five Hundred Dollars (\$500.00) whereupon libelant has instituted libel action herein and requests issuance of monition notifying claimants Fred A. Hurt (alias Fred A. Griffing), Roy Hayes, and the Oklahoma Auto Supply Company of Muskogee, Oklahoma, and all other interested persons, unless notice thereof be waived, of the pendency of such libel action.

IT IS, THEREFORE, ORDERED that monition issue as prayed for in said libel and that same be served upon Fred A. Hurt (alias Fred A. Griffing), Roy Hayes, and the Oklahoma Auto Supply Company of Muskogee, Oklahoma, unless notice thereof be waived, and any other person that might claim any interest in said automobile and intoxicating liquors, requiring them to appear in said court on or before Twenty (20) days after personal service thereof, and to show cause, if any they have, why said automobile and intoxicating liquors should not be forfeited to libelant under provisions of Section 224, Title 27, U. S. Code Annotated, and in accordance with the provisions of the law relating to seizures, forfeitures and disposition of property and proceeds for violation of the Internal Revenue Laws of the United States.

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

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to September 8, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

MONDAY, SEPTEMBER 8, 1941

On this 8th day of September, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. F. E. Kennamer, Judges, present and presiding.

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

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

MISCELLANEOUS - ADMISSION TO BAR.

On this 8th day of September, A. D. 1941, it being made satisfactorily to appear that John F. Pendleton is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court.

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

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

O R D E R

Now on this 8th day of September, 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 Fred Daniel & Co., rent for month of August, 1941 | \$35.00 |
| 2. Cash for postage | 10.00 |

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

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

Court adjourned to September 9, 1941

On this 9th day of September, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - OATH OF PAUL N. HUMPHREYS, CONCILIATION COMMISSIONER.

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

OATH OF OFFICE

I, Paul N. Humphrey, do solemnly swear that I will administer justice without

respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Conciliation Commissioner, according to the best of my ability and understanding, agreeably to the Constitution and laws of the United States;

SO HELP ME GOD.

PAUL N. HUMPHREYS

Subscribed and sworn to before me this 6 day of September, 1941.

MARTHA COTTER
Notary Public

My commission expires - May 13, 1945
(SEAL)

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

BOND OF CONCILIATION COMMISSIONER.

Know all men by these presents: That we Paul N. Humphrey as principal, and John P. Kennedy and W. O. Dildine of Pawhuska, Okla., as sureties, are held and firmly bound to the United States of America in the sum of FIVE HUNDRED (\$500.00) Dollars, lawful money of the United States, to be paid to the said United States, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally, by these presents:

Signed and sealed this 6 day of September, A. D. 1941.

The condition of this obligation is such that whereas the said Paul N. Humphrey, has been on the 5th day of September, A. D. 1939, re-appointed by the Honorable Royce H. Savage, Judge of the District Court of the United States for the Northern District of Oklahoma, a Conciliation Commissioner under Section 75 of the Bankruptcy Act, in and for the County of Osage in said District;

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

Signed and sealed in the presence of -

Paul N. Humphrey, (L.S.)
JOHN P. KENNEDY (LS)
W. O. DILDINE (LS)

Approved this 9 day of Sept. 1941.

ROYCE H. SAVAGE
DISTRICT JUDGE

ENDORSED: filed Sep 9 1941
H. P. Warfield, Clerk
U. S. District Court

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

CLYDE ALEXANDER,	Plaintiff,)	
)	
vs.)	
PHILLIPS PETROLEUM COMPANY, a corporation,	Defendant,)	
)	
and		)	No. 159 Civil
REDA PUMP COMPANY, a corporation,	Defendant and Third Party Plaintiff,)	
)	
vs.)	
C. C. BROWN,	Third Party Defendant)	
)	
S. N. VAN WERT,	Plaintiff,)	
)	
vs.)	
PHILLIPS PETROLEUM COMPANY, a corporation	Defendant,)	
)	
and		)	No. 160 Civil
REDA PUMP COMPANY, a corporation,	Defendant and Third Party Plaintiff)	
)	
vs.)	
C. C. BROWN,	Third Party Defendant.)	

ORDER CONSOLIDATING CAUSES

On this 17th day of February, 1941, these matters coming on for hearing pursuant to regular assignment, all parties being present in person and by their attorneys, it is stipulated by and between all of said parties that the above-entitled causes may be consolidated for purposes of trial, but that separate judgments shall be rendered therein, and the court, being informed that said actions are of like nature, relate to the same questions and may be determined upon the same evidence finds that said causes should be so consolidated.

IT IS, THEREFORE, ORDERED that the above-entitled causes be, and they hereby are, consolidated for purposes of trial in this court; that the orders and proceedings heretofore had in said causes respectively hereby are made orders and proceedings in this cause and that the consolidated cause proceed under the title of "Clyde Alexander, et al., vs. Phillips Petroleum Company, et al.; No. 159-Consolidated Cause"; provided, however, that separate judgments shall be rendered upon conclusion of the trial of said consolidated cause.

ROYCE H. SAVAGE
United States District Judge

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

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

WILKIE F. HAMMIT,	Plaintiff,)
)
vs.		) No. 536
)
DON C. PUTNAM,	Defendant.)

O R D E R

Now on this 9th day of September, 1941, the above matter came on to be heard upon the Motion of the Plaintiff praying for an order shortening the time of answers to be made to Interrogatories propounded to the Defendant by the Plaintiff, pursuant to notice given said plaintiff to said defendant. Plaintiff appeared by his attorney of record, I. H. Cox and Defendant appeared by his attorney of record, W. L. Coffey.

Having had a full hearing on said motion and being fully advised, the Court finds that for good cause shown, the time within which the defendant should be required to answer said interrogatories as provided by Rule 33, Federal Rules of Civil Procedure should be, and the same hereby is fixed at 5 days from this date, and it is accordingly so ordered.

ROYCE H. SAVAGE
District Judge

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

Court adjourned to September 12, 1941

On this 12th day of September, 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

ELIZABETH D. WALLACE, ET AL.,	Complainants,)
)
vs.		) No. 1244 In Equity
)
RICHARD T. DANIEL, JR., ET AL.,	Respondents.)

ORDER APPROVING LEASE CONTRACT

This cause came on to be heard this 12th day of September, 1941, upon the application of Eben L. Taylor, Receiver herein, for approval of lease contract made between said Receiver, as lessor, and Virginia Haveley, as lessee;

And it appearing to the Court, from the evidence offered in support of said application, and from an examination of said contract of lease, a copy of which is attached to the application of said Receiver herein filed, as Exhibit A thereto, that said lease contract provides for the leasing of a ground floor store room at 221 South Boston Avenue in the building known as the Alexander Hotel Building, for a term of one year, beginning October 1, 1941, and ending September 30, 1942, at a monthly rental of \$35.00 per month as provided in said lease contract, and further provided that said lessee shall have the right and option for two successive renewals of said lease for a period of one year each upon the terms and conditions set out in said lease contract at a monthly rental of \$40.00;

And it further appearing that the terms and conditions of said lease contract are fair and reasonable, and that said contract would be of advantage and benefit to said receivership estate;

IT IS ORDERED that the said lease contract entered into between the said Eben L. Taylor, Receiver, and the said Virginia Haveley for the lease of said store room aforesaid, more particularly described in said lease contract, for a term of one year commencing on October 1, 1941 and ending September 30, 1942, the executed duplicate originals of which are this day endorsed "Approved by the undersigned Judge of this Court, be, and the same is in all respects hereby approved, confirmed and declared the valid contract of said Receiver on behalf of said receivership estate.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Sep 12 1941
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to September 15, 1941

On this 15th day of September, 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 - ORDER EMPANELING PETIT JURORS.

On this 15th day of September, A. D. 1941, comes the Marshal and makes return on the Venire heretofore issued out of this court for Petit Jurors for this Regular January 1941 Term of Court, at Tulsa, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

Morris Perry	Jack Looney
J. A. Williams	S. S. Taylor
Fred S. Whitaker	Ralph Nichols
Geo. Williams	Elbert Henson
Lloyd Newton	Jake May
J. P. Gwin	Bonnie Fry
Earl Hare	Frank Welsh
J. C. Wilkinson	W. R. Zimmerman
J. C. Wickham	Clarence Hamner
R. H. Grinstead	Roy Wood
Mell Hart	A. M. Mains
Ed Harrell	Stanley I. Smith
Geo. E. Heape	Carl M. Brown
Frank Watson	Ray Wilkinson
L. N. Walker	W. J. Fraley
J. Ward McCague	J. Noble Thompson
C. Miller	Clyde M. Frasier
J. A. McCool	Gilbert Lawson
H. F. Uhl	Floyd Gudgel
Stanley S. Learned	Oscar Rush
S. J. Waller	John Bowman
Raymond L. Carter	Earl Duff
	J. B. Howles

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

Morris Perry	Bonnie Fry
Fred S. Whitaker	Frank Welsh
J. P. Gwin	W. R. Zimmerman
Earl Hare	Roy Wood
J. C. Wickham	Stanley I. Smith
Ed Harrell	Carl M. Brown
L. N. Walker	Clyde M. Frasier
J. A. McCool	Gilbert Lawson
Jack Looney	Floyd Gudgel
S. S. Taylor	

are excused from service as Jurors for the term.

And thereupon, it is ordered by the Court that the following names of those who were not served,
Lloyd Newton C. Miller
be, and they are, hereby stricken from the jury roll.

Thereupon, the balance of said array are accepted as Petit Jurors for this Regular January 1941 Term of Court.

ENDORSED: Filed In Open Court
Sep 15 1941
H. P. Warfield, Clerk
U. S. District Court

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

J. O. Williams, et al, Plaintiffs,)
vs.) No. 114 Civil
Jewel Tea Co. Inc., a corporation, Defendant.)

O R D E R

It appearing to the Court that on this 7th day of May, 1941, that a judgment has been rendered in the Circuit Court of Appeals for the Tenth Circuit of the United States reversing the judgment of the lower court in the above entitled cause and ordering that said cause be dismissed with prejudice at cost of plaintiffs and that said defendant have judgment against said plaintiffs for the costs of said action,

IT IS, THEREFORE, ORDERED that said cause be dismissed with prejudice at cost of plaintiff and that said defendant, Jewel Tea Co. Inc., have judgment against said plaintiffs, J. O. Williams, Carl Ransdell and S.W. Mead, and each of them for the amount of \$270.30 being the costs of said action.

ROYCE H. SAVAGE
JUDGE

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

IN THE UNITED STATES COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

M. P. PERRY, TRUSTEE,	Plaintiff,)
)
vs.		) No. 285 Civil
)
ASSOCIATED PETROLEUM PROPERTIES, a Trust)
Estate, et al.,	Defendants.)

ORDER PERMITTING TAKING OF DEPOSITION

JOE MCGRAW, RECEIVER, of Associated Petroleum Properties, having this day presented to the court his application for permission to take deposition, accompanied by a stipulation for the taking of same, said stipulation containing a waiver of notice of the time and place of the taking of said deposition, and waiver of notice of the name of the Notary before whom same may be taken. And the court having considered said application and said stipulation,

IT IS ORDERED by the court that Joe McGraw, Receiver of Associated Petroleum Properties, be and he is hereby permitted to take the deposition of Kenneth Baker, the witness named in said stipulation, in accordance with the terms and provisions of said deposition, and that when taken said deposition shall be transmitted to and filed by the Clerk of this court for use in the trial of the claim mentioned in said stipulation.

Dated this 15th day of September, 1941.

F. E. KENNAMER
District Judge

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

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

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

O R D E R

Now, on this 15th day of September, 1941, this matter coming on for hearing before me, upon application of the Receiver, Joseph R. McGraw, and no adverse interest appearing;

IT IS ORDERED that the Receiver, Joseph R. McGraw, be, and he is hereby, authorized to pay the sum of Two Thousand Five Hundred Fifty-eight Dollars and Thirteen Cents (\$2558.13) as his share of the cleaning out job on the Schillings Well #1, in the Oklahoma City field, said payment to be made to Blackwell Oil & Gas Company, who has heretofore paid the entire statement of S. E. Frogge Well Servicing Company for services rendered on said well.

F. E. KENNAMER
JUDGE

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

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

J. M. KUEN and JOHN G. LONSDALE,)
 Trustees of St. Louis-San Francisco)
 Railway Company, a corporation,)
 Complainants,) No. 519 Civil

-vs-

Tulsa Cotton Oil Company, a)
 Corporation)
 Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this 2d day of September, 1941, the above entitled cause being regular assigned for trial comes on for hearing before the Court, a jury being waived; plaintiffs and defendant being present by their attorneys; and at the conclusion of the evidence on behalf of the plaintiffs the parties rested.

The Court finds the issues are in favor of the plaintiffs, and that the plaintiffs should have judgment as prayed for.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED, AND DECREED by the Court that the plaintiffs, J. M. Kurn and John G. Lonsdale, Trustees of St. Louis-San Francisco Railway Company, a corporation, do have and receive judgment against the defendant, Tulsa Cotton Oil Company, a corporation, in the sum of \$164.43, together with all accrued and accruing costs; for which let execution issue.

ROYCE H. SAVAGE
United States District Judge

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

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

MRS. H. S. ADKINS, Plaintiff,)
)
 -vs-) No. 554 - Civil
)
 PRUDENTIAL INSURANCE COMPANY OF)
 AMERICAN, a corporation, Defendant.)

O R D E R

Now on this 15 day of September, 1941, this matter coming on to be heard upon the motion of the plaintiff to dismiss the above cause with prejudice and the plaintiff appearing by her attorneys and the defendant appearing by its attorneys and the Court being fully advised in the premises finds that the said cause has been fully settled and compromised and should be dismissed.

IT IS, THEREFORE, BY THE COURT ORDERED that the said cause be, and the same is hereby dismissed with prejudice, to the right of the plaintiff to bring further action on the same subject matter, at th cost of the defendant.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

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

Court adjourned to September 16, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

TUESDAY, SEPTEMBER 16, 1941

On this 16th day of September, 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

H. C. Hovenden,	Plaintiff,)
)
vs.)
)
The City of Bristow, Oklahoma, a municipal corporation,	Defendant.)
)
)
)
H. C. Hovenden, and the City of Bristow, Oklahoma, a municipal corporation, ex rel, H. C. Hovenden,	Plaintiff)
)
vs.)
)
R. Cahill, et al,	Defendants.)

No. 340 Civil

Consolidated

No. 465 Civil

JOURNAL ENTRY OF JUDGMENT

This matter coming on for final hearing on this 18th day of August, 1941, in Civil Action No. 340, and the 33rd cause of action in Civil Action No. 465, said cases having been consolidated for trial by order of this Court as to the defendant, City of Bristow, the plaintiff appearing by his attorney, Arnold T. Fleig, and the defendant, City of Bristow, Oklahoma, appearing by Joe Brewster, City Attorney of Bristow Oklahoma; and the Court having heard the testimony of witnesses duly sworn, and being fully advised, finds:

That the plaintiff is the owner of Bonds Nos. 30 to 37, inclusive, in Street Improvement District No. 30, Bristow, Oklahoma, as alleged in his complaint; that the City of Bristow, Oklahoma, is the owner of the following described property, as set out in plaintiff's complaint:

- Tract #1: The W 140 feet of the N $\frac{1}{2}$ of Block 14,
Johnson Addition to the City of Bristow;
- Tract #2: The E 120 feet of the N $\frac{1}{2}$ of Block 14,
Johnson Addition to the City of Bristow;
- Tract #3: The E 120 feet of the S $\frac{1}{2}$ of Block 15,
Johnson Addition to the City of Bristow;
- Tract #4: The E 120 feet of the N $\frac{1}{2}$ of Block 15,
Johnson Addition to the City of Bristow;
- Tract #5: The W 210 feet of the N $\frac{1}{2}$ of Block 15,
Johnson Addition to the City of Bristow;
- Tract #6: The W 210 feet of the S $\frac{1}{2}$ of Block 15,
Johnson Addition to the City of Bristow;

and was the owner of said property at the time of the creation of Street Improvement District No. 30, City of Bristow, Oklahoma.

THE COURT FURTHER FINDS that said Street Improvement District No. 30 was duly and legally created, and that assessments were duly and legally levied to pay the cost of said improvement against the abutting property, including the property of the City of Bristow, Oklahoma, above described and that said assessments are delinquent and unpaid in the amounts set out in plaintiff's complaint.

THE COURT FURTHER FINDS that Tract #1 and Tract #2 are being used for a public purpose as admitted in defendant's answer, and that on Tracts #3, #4, #5 and #6 there is located a storm sewer, which has been used at all times since the creation of said street improvement district, and is still being used as a storm sewer by the City of Bristow, Oklahoma,

THE COURT FURTHER FINDS that the issues in favor of the plaintiff and against the defendant; that the allegations contained in plaintiff's complaint are true and correct, and that there are delinquent and unpaid assessment instalments against said property in the amounts set out in plaintiff's complaint.

THE COURT FURTHER FINDS that this action is brought by H. C. Hovenden as the owner of Bonds Nos. 30 to 37, inclusive, and for the benefit of the outstanding bondholders in said Street Improvement District No. 30, Bristow, Oklahoma.

THE COURT FURTHER FINDS that assessments were duly and legally levied against the property of the City of Bristow, Oklahoma, above described, as set out in plaintiff's complaint, which assessments were payable in ten annual instalments commencing with the year 1928; that a portion of said instalments were paid, leaving unpaid and delinquent the instalments sued on, as hereinafter set out.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment in rem against the defendant, City of Bristow, Oklahoma, on the properties hereinabove described, in the following amounts:

	<u>Tract #1</u>	<u>Tract #2</u>	<u>Tract #3</u>	<u>Tract #4</u>	<u>Tract #5</u>	<u>Tract #6</u>
1933	\$110.12	\$92.58	\$92.58	\$95.01	\$176.12	\$190.65
1934	-	87.72	87.78	-	-	-
1935	98.70	82.98	82.98	85.16	157.86	170.88
1936	92.99	78.18	78.18	80.25	148.72	160.99
1937	87.28	73.38	73.38	75.31	139.59	151.11

together with penalty interest on the amount of each delinquent instalment from the first day of September of the year within which same became payable at the rate of 12% per annum until paid.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the amount of said judgments when paid shall be paid to the City Treasurer of Bristow, Oklahoma, to be placed to the credit of Street Improvement District No. 30, Bristow, Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the jurisdiction of this Court is retained for such other and further action as may be necessary to effectuate this judgment.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Sep 16 1941
H. P. Warfield, Clerk
U. S. District Court B

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

H. C. Hovenden and the City of Bristow,)
Oklahoma, a municipal corporation, ex rel,)
H. C. Hovenden, Plaintiffs,) No. 465 - Civil
vs.)
R. Cahill, et al, Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 18th day of August, 1941, the above styled cause coming on for trial pursuant to regular assignment, the plaintiff appearing by his attorney, Arnold T. Fleig; the defendants, R. Cahill, Marion Cahill, W. L. Arthurs, Bristow Building and Loan Association, a corporation, Community State Bank of Bristow, Oklahoma, a corporation, Grace Lamons, Emmett R. Taylor, Henry F. Lamons, Odessa Felaktu, Harry Felaktu, Del Arrowood, E. E. Mount and Blanche Mount, appearing by their attorneys, Cheatham & Smith; the defendant, American National Bank of Bristow, Oklahoma, a corporation, appearing by its attorneys, Johnson & Jones; and the defendants, W. C. Brown, Ellen Kennedy, Frank H. Kernan, Verde V. Hardcastle, Dahl R. Hardcastle, James D. Curtis, J. Dyle Carman, M. M. Cahill, Sue Burnett, Board of County Commissioners of Creek County, Oklahoma, Gertie McEwen, C. A. Mullens, Manzo E. Machlan, Ara Thompson, A. D. Dyer, and J. M. Gillett, C. C. Roberts, Fred W. Insull, Charles E. Lamon, A. L. Farmer, Joseph E. Washington, Ora E. Upp and J. W. Sloan, as Directors of United Realty Company, a cancelled corporation, Oliver W. Webb, and Elsie M. Webb, although three times called in in open court, come not but make default; and the Court finds:

That the defendants, W. C. Brown, Ellen Kennedy, Frank H. Kernan, Verde V. Hardcastle, Dahl R. Hardcastle, James D. Curtis, J. Dyle Carman, M. M. Cahill, Sue Burnett, Board of County Commissioners of Creek County, Oklahoma, C. A. Mullens, Manzo E. Machlan, Ara Thompson, A. D. Dyer, and J. M. Gillett, C. C. Roberts, Fred W. Insull, Charles E. Lamon, A. L. Farmer, Joseph E. Washington, Ora E. Upp and J. W. Sloan, as Directors of United Realty Company, a cancelled corporation, Oliver W. Webb and Elsie M. Webb, having been duly served with summons herein, according to law, and having failed to answer, plead or demur to plaintiffs' complaint, are wholly in default; that the defendant, Gertie McEwen, filed here n a motion to dismiss, which was heretofore overruled by this court and said defendant given time within which to answer; that said time has now expired and said defendant, having failed to answer, plead or demur, is in default.

The Court further finds that the defendant, Local Federal Savings and Loan Association a corporation, has heretofore filed herein its disclaimer as to the property described in Cause of Actio

No. 2; that the defendant, American National Bank of Bristow, Oklahoma, has heretofore filed its disclaimer as to the property described in Causes of Action No. 23 and 25; and that the defendant, Southwestern Cotton Oil Company, a corporation, has heretofore filed its disclaimer as to the property described in Cause of Action No. 27 of Plaintiffs' complaint.

And the Court having heard the evidence of witnesses sworn and examined in open court, and being fully advised in the premises, finds the issues in favor of the plaintiff and against the defendants; the Court further finds that this action is also brought to foreclose paving assessments securing bonds issued under the authority of Chapter 173, Session Laws of 1923, and said foreclosure is pursuant to the provisions of said act; that this is an action upon paving assessments levied to pay the street improvement bonds issued by the City of Bristow, Oklahoma, in Street Improvement District No. 30; that plaintiff is the owner and holder of street improvement bonds of said District No. 30, heretofore issued by the City of Bristow Oklahoma, for the paving and otherwise improving of said street improvement district; that the allegations contained in plaintiff's complaint are true and correct; that the assessments as set forth in plaintiffs' complaint on the properties described therein are past due and unpaid, and that said delinquent instalments bear penalty interest at the rate of 12% per annum from September first of the year in which the respective instalments were due to the date of filing this action, to-wit: September 17, 1940.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that plaintiff have and recover judgment against the respective separately described properties for the amount of each and all unpaid and delinquent assessment instalments for the years set forth in plaintiff's complaint, together with penalty interest thereon at the rate of 12% per annum from the respective due dates thereof to the 17th day of September, 1940, when this action was commenced, all of said properties being situated in the City of Bristow, Oklahoma, as follows:

<u>PROPERTY DESCRIPTION</u>	<u>TOTAL DELINQUENT ASSESSMENT INSTALMENTS</u>	<u>TOTAL PENALTY</u>	<u>TOTAL</u>
S $\frac{1}{2}$ Lot 1, Block 103, Original Town	\$337.48	\$274.51	\$611.99
S $\frac{1}{2}$ Lot 2, Block 103, Original Town	318.96	262.45	581.41
S $\frac{1}{2}$ Lot 3, Block 103, Original Town	305.80	284.75	590.55
S $\frac{1}{2}$ Lot 4, Block 103, Original Town	295.18	240.10	535.28
S $\frac{1}{2}$ Lot 5, Block 103, Original Town	289.94	235.83	525.77
E 47 $\frac{1}{2}$ ' of S $\frac{1}{2}$ Lot 6, Block 103, Original Town	351.16	333.19	684.35
W 2 $\frac{1}{2}$ ' of S $\frac{1}{2}$ Lot 6, Block 103, Original Town	17.02	16.06	33.08
W 32' of S $\frac{1}{2}$ Lot 11, Block 103, Original Town	118.41	30.44	148.85
S $\frac{1}{2}$ Lot 12, Block 103, Original Town	184.96	125.69	310.65

S $\frac{1}{2}$ Lot 4, Block 105 Original Town	226.42	168.93	395.35
S $\frac{1}{2}$ Lot 5, Block 105, Original Town	226.42	168.93	395.35
S $\frac{1}{2}$ Lot 6, Block 105, Original Town	226.42	168.93	395.35
S $\frac{1}{2}$ Lot 5, Block 106, Original Town	402.70	354.57	756.27
S $\frac{1}{2}$ Lot 6, Block 106, Original Town	461.92	406.14	868.96
S $\frac{1}{2}$ Lot 1, Block 107, Original Town	387.14	314.91	702.05
S $\frac{1}{2}$ Lot 2, Block 107, Original Town	336.33	273.58	609.91
S $\frac{1}{2}$ Lot 3, Block 107, Original Town	310.87	252.90	563.77
E 43.05' of S $\frac{1}{2}$ Lot 2, Block 108, Original Town	256.86	226.70	483.56
W 6.95' of S $\frac{1}{2}$ Lot 2, Block 108, Original Town	56.25	49.55	105.90
S $\frac{1}{2}$ Lot 3, Block 108, Original Town	416.15	366.79	782.94
S $\frac{1}{2}$ Lot 4, Block 108, Original Town	460.22	405.52	865.74
Lot 13, Block 1 Johnson Addition	234.69	214.09	448.78
Lot 14, Block 1, Johnson Addition	234.69	214.09	448.78
W 85' of W 100' of Lot 1, Block 2, Johnson Addition	96.95	59.55	156.50
W 85' of W 110' of Lot 2, Block 2, Johnson Addition	72.95	44.75	117.70
W 85' of W 110' of Lot 3, Block 2, Johnson Addition	57.30	35.15	92.45
W 85' of W 110' of Lot 4, Block 2, Johnson Addition	44.30	27.16	71.46

E $\frac{1}{2}$ Lot 5, Block 1, Mounts Addition	41.57	33.63	75.20
W $\frac{1}{2}$ Lot 1, Block 1, Mounts Addition	229.02	171.52	400.54
W $\frac{1}{2}$ Lot 2, Block 1, Mounts Addition	165.13	145.52	310.65
W $\frac{1}{2}$ Lot 3, Block 1, Mounts Addition	130.49	114.01	244.50
W $\frac{1}{2}$ Lot 4, Block 1, Mounts Addition	99.90	88.11	188.01
W $\frac{1}{2}$ Lot 5, Block 1, Mounts Addition	89.39	61.12	130.50
Lot 1, Block 2, Mounts Addition	227.69	200.66	428.35
Lot 2, Block 2, Mounts Addition	213.83	188.44	402.27
Lot 3, Block 2, Mounts Addition	199.99	176.52	376.51
Lot 4, Block 2, Mounts Addition	161.96	142.72	304.68
Lot 5, Block 2, Mounts Addition	150.92	132.98	283.90
Lot 6, Block 2, Mounts Addition	139.85	122.23	262.08
Lot 7, Block 2, Mounts Addition	134.39	118.32	252.71
E $\frac{1}{2}$ Lot 8, Block 2, Mounts Addition	65.73	57.89	123.62
W $\frac{1}{2}$ Lot 8, Block 2, Mounts Addition	77.61	72.79	150.40
Lot 9, Block 2, Mounts Addition	138.77	122.18	260.95
Lot 10, Block 2, Mounts Addition	125.51	102.08	227.59
Lot 11, Block 2, Mounts Addition	136.05	111.27	247.32
Lot 12, Block 2, Mounts Addition	147.28	119.96	267.26

Lot 13, Block 2, Mounts Addition	160.84	130.82	291.66
Lot 14, Block 2, Mounts Addition	174.40	141.83	316.23
Lot 15, Block 2, Mounts Addition	137.84	152.78	340.62
S 95' Lot 9, Block 1, Johnson Addition	61.92	26.12	88.04
S 95' Lot 10, Block 1, Johnson Addition	158.94	97.53	256.48

and interest on each of said judgments at the rate of six per cent (6%) per annum from the date of the filing of this action, to-wit, September 17, 1940, until paid, and each respective judgment against each respective lot is further adjudged to be a valid, first and prior lien against the respective lots, subject to the sale thereof as hereinafter provided, and subject further to existing general or ad valorem taxes, and special assessments and special assessment instalments not herein foreclosed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the City Clerk is permitted and directed to accept the payment of the judgments rendered herein, which shall be remitted by the City Clerk to the City Treasurer of Bristow, Oklahoma, to the credit of Street Improvement District No. 30. Upon the payment of said judgments, the City Clerk shall mark on his records the satisfaction of the several instalments merged in judgment, and when said instalments have been theretofore certified to the County Treasurer of Creek County, Oklahoma, said City Clerk shall certify to the County Treasurer the payment of said instalments merged in judgment, and the County Treasurer shall mark on his records payment and satisfaction of said instalments.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that said liens be, and the same are hereby foreclosed; and in the event said respective judgments, or any of them, together with interest and prorata court costs, are not paid within six months after the date of rendition thereof, an order of sale shall issue by the Clerk of said Court, directed to a special commissioner to be appointed by the Court, to sell said real estate above described in the manner and form as in the case of sale real estate under execution, subject to existing general or ad valorem taxes and special assessments and special assessment instalments not herein foreclosed; and that the proceeds arising from said sale be apportioned as follows:

1. To the payment of the costs of said sale and of this action.
2. To the payment of the respective judgments hereinafore rendered, which shall be paid to the City Treasurer of Bristow, Oklahoma, to be placed to the credit of Street Improvement District No. 30.
3. The residue, if any, shall be paid to the Clerk of this Court to await the further order of the Court.

and that from and after the sale of said property the said defendants hereinabove named, and all persons claiming under or through said defendants, or any of them, since the commencement of this action, be barred and foreclosed from all right, title or interest in and to said real estate.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the special assessment instalments set out in this judgment against each of the lots or tracts of land above described be, and they are hereby merged in this judgment, and the County Treasurer of Creek County, Oklahoma, is hereby ordered not to accept the special assessment instalments merged in this judgment without requiring the payment of all prorata court costs accrued to the date of such payment of said special assessment instalments.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that from and after the sale of said real estate, or any of same, and the delivery of the net proceeds to the City Treasurer of Bristow, Oklahoma, said City Treasurer shall then certify the receipt of said sums from the sale of each separate lot or tract of land to the City Clerk of Bristow, Oklahoma, and the County Treasurer of Creek County, Oklahoma, and upon receipt of said certified and certified copy of this judgment, said City Clerk and County Treasurer aforesaid are hereby directed to release the lien heretofore entered in their respective offices against the properties herein described and mark their records satisfied and paid and released from the lien of the judgment herein rendered.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that until said property is sold to satisfy the judgments above set out, the County Treasurer of Creek County, Oklahoma, shall not advertise or offer for sale the property herein described at any resale for said paving assessment instalments herein foreclosed; and it is further ordered that upon selling any of the properties herein foreclosed for delinquent ad valorem taxes or other special assessments, said property be sold at said resale for said ad valorem taxes or other special assessments, subject to the paving assessment instalments herein foreclosed and subject to the judgments rendered herein and sales thereunder.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that a reasonable attorney's fee of twenty per cent be paid to Arnold T. Fleig out of the monies accruing for the payment of outstanding bonds and coupons in said Bristow, District No. 30, except Bonds Nos. 30 to 37, inclusive, on which he filed this action on behalf of the plaintiff, and the City Treasurer of Bristow, Oklahoma, is hereby ordered to pay to Arnold T. Fleig as attorney's fees twenty per cent of all monies accruing for the payment of each and every outstanding bond, and the coupons attached thereto, in Bristow District No. 30, except Bonds Nos. 30 to 37, inclusive, and the coupons attached thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the City Treasurer of Bristow, Oklahoma, be, and he is hereby ordered to pay first the outstanding coupons, less attorney's fees, to the owners thereof and then pay the bonds, less attorney's fees, in their numerical order, each with interest at ten per cent after maturity until paid.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that this action be continued as to all lots and tracts of land involved in this action and as to all defendants in this action against whom judgment is not hereby rendered, and against whom judgment has not heretofore been rendered herein; and it is further ordered that this Court retain jurisdiction of this cause to render such other and further orders herein as may be required. To all of which the defendants, and each of them, except, and exception is allowed.

ROYCE H. SAVAGE
Judge of the United States District Court

ENDORSED: Filed Sep 16 1941
H. P. Warfield, Clerk
U. S. District Court B

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
OF OKLAHOMACITY OF TULSA, OKLAHOMA,
a Municipal Corporation, Plaintiff,

-vs-

NO. 603 C.

AARON COHEN, M. W. SMITTLE, EDITH H.
SMITTLE, D. A. BILES, JOHN K. INGRAM,
S. R. LEWIS and WATER IMPROVEMENT
DISTRICT NO. 5, Tulsa County, Oklahoma, a
Municipal Corporation, Defendants.ORDER FOR SUBSTITUTION OF PARTIES

On this 16 day of September, 1941, came on for hearing the motion of Henry Cohen and Jeanette Beck, Executors of the Estate of Aaron Cohen, deceased, for substitution of parties. The Court having read said motion and being fully advised in the premises, finds, that defendant, Aaron Cohen, departed this life on the 7th day of August, 1941; that Henry Cohen and Jeanette Beck are the duly appointed and qualified executors of the estate of said Aaron Cohen and that said executor should and are entitled to be substituted as parties defendant for and instead of defendant, Aaron Cohen now deceased.

IT IS THEREFORE ORDERED that Henry Cohen and Jeanette Beck, Executors of the Estate of Aaron Cohen, deceased, shall be and are hereby made and substituted parties defendant in the above entitled cause for and instead of defendant, Aaron Cohen, now deceased.

ROYCE H. SAVAGE
JUDGEENDORSED: Filed Sep 16 1941
H. P. Warfield, Clerk
U. S. District Court H-----
Court adjourned to September 17, 1941

On this 17th day of September, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 17th day of September, A. D. 1941, it being made satisfactorily to appear that E. Leroy Allen is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court.

MISCELLANEOUS - ORDER FOR ADDITIONAL PETIT JURORS

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

ORDER FOR ADDITIONAL PETIT JURORS

On this 17th day of September, 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 Twelve (12) persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Regular January 1941 Term of this Court 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 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, September 22, 1941, at 9 o'clock A.M., and you are hereby commanded to summon by telephone all parties that can be so reached and the remaining parties to be notified by registered mail to report Monday, September 22, 1941, at 9 O'clock A.M., then and there to serve as petit jurors of the United States in and for the Northern District of Oklahoma at the Regular January 1941 Term of said Court.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

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

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

Evelyn Seber,	Plaintiff,)
)
vs.		) No. 624 Civil
)
Board of County Commissioners of Creek County, Oklahoma,	Defendant.)

O R D E R

Now on this 17th day of September, 1941, this matter coming on before the Court upon the application of the United States of America for additional time to plead in this cause of action, and it appearing to the court that the Superintendent of the Five Civilized Tribes has been served with notice and copies of the pleadings in this case pursuant to the provisions of the Act of Congress of April 12, 1926, and that additional time should be granted in this cause of action for the United States to plead,

IT IS THEREFORE THE ORDER OF THE COURT that the United States be and it is hereby granted thirty (30) days' additional time from September 19, 1941, within which to plead in this cause of action.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Sep 17 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 LEA,	Plaintiff,)
)
vs.		) NO. 663 - CIVIL
)
INDIAN LAND AND TRUST COMPANY, a Corporation, et al,	Defendants.)

O R D E R

NOW, on this 17 day of September, 1941, this matter coming on before the court on the motion of the United States of America for permission to intervene in this cause, and it appearing to the court that this suit involves the question of heirship and quieting title to land allotted to restricted Indians of the Five Civilized Tribes, and that the United States should be permitted to intervene herein;

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

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to September 18, 1941

On this 18th day of September, 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

SOL FREEMAN,	Plaintiff,)	
)	
vs.)	
		)	No. 547 Civil
WILLIAM BROADHURST and FLOYD BROADHURST,	Defendants.)	
husband and wife,)	

ORDER DISMISSING ACTION WITH PREJUDICE

Now on this the 18 day of Sept., A. D. 1941, the same being a regular judicial day of the January Term of the above indicated court, the dismissal and application for order of dismissal of plaintiff in the above entitled cause coming on regularly for hearing and the court being fully advised in the premises and finding that said cause should be dismissed as prayed for; NOW, THEREFORE,

IT IS HEREBY ORDERED that the above entitled cause be dismissed with prejudice to further action at the cost of plaintiff.

Dated this 18 day of Sept., 1941, at Tulsa, Oklahoma.

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

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

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

Lila Gourd Wilson,	Plaintiff,)	
)	
-vs-)	
		)	No. 629 Civil
Looney R. Gourd, et al.,	Defendants.)	
United States of America,	Intervenor.)	

ORDER SUBSTITUTING PARTIES PLAINTIFFS.

Now, on this 18th day of September, 1941, comes Ned Wilson, and comes also Kenney Vann, a minor, by Ned Wilson, his Next Friend, appearing by H. F. Felling, their attorney;

IT IS HEREBY ORDERED AND ADJUDGED that fees to said attorneys be and the same are hereby fixed and allowed in the sum of Seven Hundred Fifty Dollars (\$750.00) in full for all services in this cause, and the receiver appointed herein is hereby authorized and directed forthwith to disburse the same.

Dated at Tulsa, Oklahoma, this 19th day of September, 1941.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Sep 19 1941
H. P. Warfield, Clerk
U. S. District Court JS

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

ARROW DRILLING COMPANY, a
corporation,

Plaintiff,)

v.)

NO. 380 - CIVIL)

SHELL OIL COMPANY, INCORPORATED (formerly
Shell Petroleum Corporation), Defendant.)

O R D E R

Now, on this fifth day of September, 1941, this matter coming on for decision on defendant's motion to dismiss, the matter being fully briefed and submitted, and the court, being advised in all the premises, is of the opinion that said motion should be and the same is hereby overruled, to which ruling the defendant requests an exception and an exception is allowed.

Defendant further requests the court for permission to resubmit each or all of the questions raised by said motion at the time of trial, and such permission is hereby granted.

It is, therefore, ORDERED that the motion of defendant to dismiss plaintiff's complaint herein, and each cause of action thereof be and the same is hereby overruled, and defendant is granted an exception.

It is FURTHER ORDERED that the memorandum opinion heren be made a part of the court's ruling and of this order by reference, as though fully set forth herein.

DATED this 17th day of September, 1941.

ROYCE E. SAVAGE
United States District Judge

ENDORSED: Filed Sep 19 1941
H. P. Warfield, Clerk
U. S. District Court H

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

TULSA EXCHANGE COMPANY, a corporation,	Plaintiff,)	
)	
vs.		)	No. 654 Civil
)	
ASSESSMENT BOND SERVICE, INCORPORATED, a corporation,	Defendant.)	

O R D E R

The application of plaintiff, for leave to submit interrogatories to the defendant prior to the time of the filing of an answer by the defendant and to shorten the time of the answer to said interrogatories, coming on for hearing before the undersigned Judge of the United States District Court for the Northern District of Oklahoma, on this 19 day of September, 1941, and the court being fully advised, finds that said application should be granted.

IT IS THEREFORE ORDERED that the plaintiff is granted leave to submit interrogatories to the defendant, Assessment Bond Service, Incorporated, a corporation, prior to the time that said defendant files its answer, and

IT IS FURTHER ORDERED that the time for answering said interrogatories on the part of the defendant, for good cause shown, is hereby shortened and the defendant is directed to answer the interrogatories submitted by the plaintiff on or before ten days from the date of the service of such interrogatories upon the defendant.

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

ENDORSED: Sep 19 1941
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to September 20, 1941

On this 20th day of September, 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

Brooker Engineering Company, a
Michigan Corporation, Plaintiff,

-vs-

Grand River Dam Authority, a corporation
organized under the laws of Oklahoma, and
Massman Construction Company, a Missouri
corporation, Defendants.

Civil No. 646

ORDER ENLARGING TIME WITHIN WHICH THE DEFENDANTS
MAY PLEAD TO THE PLAINTIFF'S PETITION

Now, on this 20th day of September, 1941, upon the request of the defendants, Grand River Dam Authority, a public corporation, and Massman Construction Company, a private corporation, and for good cause shown, it is ordered by the Court that said defendants be, and they hereby, allowed until and including the 22nd day of October, 1941, within which to plead to the plaintiff's petition in the above styled cause.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to September 22, 1941

On this 22nd day of September, 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 - ASSIGNMENT OF JUDGES.

UNITED STATES OF AMERICA TENTH JUDICIAL DISTRICT

In my judgment the public interest requires the designation and appointment of a District Judge to hold District Court of the United States in the District of Utah, in the place, or in aid of the Honorable Tillman D. Johnson, District Judge of that District;

I do, therefore, by these presents designate and appoint the Honorable Franklin E. Kennamer, retired District Judge of the Eastern District of Oklahoma, and assigned to hold court in

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

C. J. LAURISCH, TRUSTEE)	
)	
vs.	)	NO. 205 Civil
)	
C. T. THOMPSON, ET AL,)	
)	
)	
)	

ORDER ADJUDICATING THE CLAIMS OF JOHN C. HOLTEN, LOGAN L. VAN ZANDT, SAUNDERS AND VAN WAGNER, SAUNDERS AND CARPENTER, E. J. LUNDY, AND S. G. KENNEDY, TRUSTEE

Now, on this the 28th day of July, 1941, the proofs of claim of John C. Holten, Logan L. Van Zandt, Saunders and Wagner, a co-partnership, Saunders and Carpenter, a co-partnership, E. J. Lundy, and S. G. Kennedy, Trustee, coming on regularly for hearing and said Noble C. Hoodo Receiver, of said Seminole Provident Trust Company being present in person and by his attorney, E. C. Monnet, and said claimant John C. Holten being present in person and by his attorney, R. B. McDermott, and said claimant Logan L. Van Zandt being present by his attorney Samuel A. Boorstin, and said claimants Saunders and Van Wagner being present by I. C. Saunders, a member of the firm, and said claimants Saunders and Carpenter being present by said I. C. Saunders, a member of the firm, and said claimant E. J. Lundy being present in person, and said S. G. Kennedy, Trustee, appearing not,

Said claims were each heard before the Court in their regular order and the Court having heard the evidence of witnesses duly sworn and testifying before him, and argument of the counsel, and being fully advised in the premises,

1. That the claim of said John T. Holten should be allowed as to the item of \$196.50 actual out of pocket expenses, disbursements by him on behalf of said Seminole Provident Trust and disallowed as to all other claims, with the exception that said claimant should be allowed the additional sum of \$40.00 to defray his expenses in going to and from this court from his home in Minneapolis, Minnesota.
2. That on July 25, 1941, Noble C. Hoodo Receiver of Seminole Provident Trust and the said claimant Logan L. Van Zandt, acting by and through his duly authorized attorney, Samuel A. Boorstin, entered into a stipulation (subject to approval of this court,) by which said Receiver released said Van Zandt from any and all claims against him and said Van Zandt, in consideration of the payment to him by said Receiver of the sum of One Hundred Fifty Dollars (\$150.00), released said receiver of the Seminole Provident Trust and its Trustees from any and all rights, claims or charges of any nature whatsoever which he might have against them or either of them, with the understanding that by so doing neither party was in any way admitting the validity of said claim or claims of the other; that said proposed stipulation was reasonable and to the best interest of said trust estate and should be authorized and approved.
3. That the claim of Saunders and Van Wagner be allowed in the amount of \$25.00, without interest.
4. That the claim of Saunders and Carpenter be allowed in the total amount of \$250.00, without interest.
5. That the claim of E. J. Lundy be, upon stipulation and settlement between the parties, allowed in the total amount of \$100.00, without interest.
6. That the claim of S. G. Kennedy be disallowed. Same being for rent of Room 935 Kennedy Building, Tulsa, Oklahoma, for the months of October 1939, to and including February 1940, during which months the Court finds that said room not rented by the Seminole Provident Trust or by its Trustee, but by C. T. Thompson, personally.

Now, therefore, it is hereby ordered as follows, to-wit:

1. That the claim of John C. Holten be allowed only as to the \$196.50 account, out of pocket expense disbursed by him on behalf of the Seminole Provident Trust, and as so described in his proof of claim and disallowed as to all other amounts, except that said Receiver is further authorized and directed to pay unto said claimant the additional sum of \$50.00 to defray his expenses in going to and from this Court from his home in Minneapolis, Minnesota, in attending this hearing.

2. That the stipulation of settlement by July 25, 1941, between said Receiver, Noble C. Hood, and said Logan L. Van Zandt is hereby approved and said Receiver is authorized and directed to dismiss any pending actions against said Van Zandt, with prejudice to further action, and pay unto said Van Zandt the sum of \$150.00, with the understanding that this order is not an adjudication of the fact that said trust estate and/or the trustees thereof and/or said Receiver was at any time indebted to said Van Zandt in any amount or that said Van Zandt was indebted unto said trust estate and/or its trustees and/or its Receiver, but merely an approval of a compromise settlement between said parties in accordance with the terms thereof.

3. That the claim of Saunders and Van Wagner be allowed in the total amount of \$25.00, without interest.

4. That the claim of Saunders and Carpenter be allowed in the total sum of \$250.00 without interest.

5. That the claim of E. J. Lundy be, upon stipulation and settlement of the parties in open court, allowed in the amount of \$100.00, without interest.

6. That the claim of S. G. Kennedy, Trustee, be disallowed.

7. That Noble C. Hood, be authorized and directed to pay said claims from the receivership funds on hand.

Dated July 28, 1941, at Tulsa, Oklahoma.

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

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

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

Elizabeth D. Wallace, et al.,	Complainants,)	
)	
vs.		)	Cause No. 1244 In Equity
Richard T. Daniel, Jr., et al,	Respondents.)	

ORDER AUTHORIZING RECEIVER TO PAY OUT MONEY

On this 22nd day of September, 1941, this order comes on to be heard on the application of Receiver for permission to pay to Kelly F. Gibson an additional sum of \$1400.00 over and above the \$1000.00 heretofore ordered to be paid. Upon hearing said application, it appearing to the Court that said sum of \$1400.00 should be paid to said Kelly F. Gibson out of the income derived from the receivership estate;

It is therefore ordered that said Eben L. Taylor, Receiver herein, be, and he is hereby authorized and empowered to pay to said Kelly F. Gibson, the sum of \$1400.00 in addition to the \$1000.00 heretofore ordered to be paid from the money derived from said receivership estate, or any other funds that may come into his hands from the beneficiary of said receivership.

F. E. KENNAMER
JUDGE

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

Court adjourned to September 23, 1941

On this 23rd day of September, 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. 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:

VERDICT

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

Virgil C. Fields, Administrator)	
of the estate of Esther Fields, deceased,)	
	)	Plaintiff,
vs.	)	Case No. 469 Civil
)	
Missouri-Arkansas Transportation Company,)	
a corporation,	)	Defendant.

On this 24th day of September, 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

RUTH ADAIR SEELEY, an Incompetent, by)	
CLEARSY SMITH, her Guardian,	)	Plaintiff,
)	
vs	)	No. 497 CIVIL
)	
ROBERT R. WALKER, PHILIP KOLE and)	
NATIONAL CASUALTY COMPANY, a Corporation,	)	Defendants.

JOURNAL ENTRY OF JUDGMENT

This cause came on to be heard this 24th day of September, 1941, pursuant to regular assignment for trial, the said plaintiff, an incompetent, being present in person, the Guardian being present in person, and represented by their attorneys, Paul Pinson, and Ernest Brown, and the defendant Kōle being present in person and by his attorneys, Truman E. Rucker, A. M. Covington, and Paul C. Duncan, and both parties announcing ready for trial, and a jury duly empanelled sworn to try the issues of the case.

WHEREUPON the plaintiff introduced evidence until the hour of 12:00 o'clock noon at which time the court recessed until 1:30.

THEREUPON, the plaintiff continued to introduce evidence and rested.

THEREUPON, the defendants filed a motion to dismiss which was duly considered by the court and overruled.

WHEREUPON, both parties announced that they were waiving a jury and would submit the issues to the court.

WHEREUPON, the court dismissed the jury, heard the arguments of the counsels and being fully advised in the premises does hereby find the issues for the plaintiff and assesses the damages in the sum of Fifteen-hundred and No/100 Dollars (\$1500.00) and the costs of this action.

ROYCE H. SAVAGE
JUDGE

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

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

Lorinda Bushyhead, et al.,	Plaintiffs,)
vs.)
Charlie Bushyhead, et al.,	Defendants.)
United States of America,	Intervener.)

NO. 672 Civil

C R E E R

Now on this 24th day of September, 1941, this matter coming on before the Court upon motion of the United States of America for permission to intervene in this cause of action, and it appearing to the Court that this action involves lands allotted to a restricted Cherokee Indian, and that the parties to this action are restricted Cherokee Indians and the United States of America should be party to this action,

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

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to September 25, 1941

On this 25th day of September, 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

WANDA LOUISE WILSON, an Infant, by her
father and next friend, JOE WILSON,

Plaintiff,

vs.

No. 391 Civil

OKLAHOMA NATURAL GAS COMPANY, a
corporation,

Defendant.

JOURNAL ENTRY OF JUDGMENT

On the 19th day of September, 1941, the above cause came regularly on for trial on a regular day of a regular term of said Court, and the plaintiff appeared in person and by counsel, and the defendant appeared by counsel and both plaintiff and defendant announced ready for trial, A jury of twelve good and lawful men were duly empaneled and sworn well and truly to try the issues as between the plaintiff and the defendant and a true verdict to render according to the law and the evidence.

After plaintiff and defendant by their respective counsel had made statements to the jury, the witnesses were duly sworn and the rule invoked and the plaintiff proceeded to offer evidence and having caused the offering of evidence, rested and so announced.

Thereupon, the defendant through its counsel interposed a motion that the Court instruct the jury to return a verdict in favor of the defendant and against the plaintiff upon the grounds that no case had been made upon which relief could be granted; and the Court after advising the jury as to his reasons dismissed the case for failure of evidence to support any claim upon which relief could be granted.

The plaintiff objected to the granting of said motion and the dismissal of said cause and excepted to the action of the Court, and said exception was allowed.

IT IS THEREFORE BY THE COURT CONSIDERED, ORDERED, ADJUDGED, AND DECREED that by reason of the failure of the plaintiff to make out by her evidence a claim upon which relief could be granted the cause of action of the plaintiff be, and the same is hereby dismissed with prejudice and,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff take nothing by this action, but that the defendant have judgment against the plaintiff for its costs.

ROYCE H. SAVAGE
JUDGE

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

VERDICT

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

Jerry Goss, by her father and next friend,)
E. S. Goss, Plaintiff,)

vs.

Case No. 532 Civil

Missouri-Kansas-Texas Railroad Company,)
a corporation, Defendant.)

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

FILED In Open Court
Sep 25 1941
H. P. Warfield, Clerk U. S. District Court H

RAYMOND L. CARTER
Foreman

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

JERRY GOSS, by her father and next friend,)
E. S. GOSS, Plaintiff,)

vs.

No. 532 Civil

MISSOURI-KANSAS-TEXAS RAILROAD
COMPANY, a Corporation, Defendant.

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of September, 1941, the same being one of the regular court days of the January 1941 term of this court, the above entitled cause comes on regularly for trial, pursuant to assignment, and the plaintiff appearing in person and by her attorney, E. D. Gillespie, and the defendant appearing by its attorneys, H. D. Green, John E. M. Taylor, Lloyd W. Jones, and C. S. Walker and both sides announcing ready for trial, and it appearing to the court that said cause and case No. 548-Civil, Frank Williams, a minor, by his father, John G. Williams, as next friend, plaintiff, vs. Missouri-Kansas-Texas Railroad Company, a corporation, Defendant, are actions to recover damages for personal injuries growing out of the same accident and involving common questions of law and fact, and should be consolidated pursuant to Rule 42 of the Rules of Civil Procedure for the District Courts of the United States, and upon motion of the defendant herein, it is by the court ordered that this cause and said Case No. 548- Civil, Frank Williams, a minor, by his father John G. Williams, as next friend, Plaintiff, vs. Missouri-Kansas-Texas Railroad Company, Defendant, be and they are hereby consolidated for trial, separate verdicts and judgments, however to be entered in each action.

Thereupon a jury of twelve good and lawful men, citizens and residents of said district, is duly and regularly empanelled and sworn to try said consolidated actions. Thereupon counsel for each of said respective parties make their opening statements to the jury, and the plaintiffs proceed with the introduction of evidence on their behalf, and the hour of adjournment having arrived, the further hearing of said action is adjourned until the following morning at 9:30 A.M.

And now, on this 25th day of September, 1941, the court again convenes, pursuant to adjournment on the previous day, and the plaintiffs continue with introduction of evidence on their behalf, and having concluded their said evidence, the plaintiffs rest. Thereupon the defendant by its

counsel files and presents to the court its written motion for a directed verdict in each of said cases in favor of the defendant, which motion is by the court sustained, and the plaintiffs except thereto. Whereupon the court orally instructs the jury to return its verdict in favor of the defendant in each of said cases.

Thereupon, pursuant to the instructions of the court said jury duly returns its verdicts, signed by one of its number as foreman, in favor of the defendant herein, which verdicts are received and filed, and thereupon the jury is discharged from further consideration of said causes.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED by the court in accordance with said verdict of the jury, that the plaintiff Jerry Goss, by her father and next friend, E. S. Goss, recover nothing from the defendant, Missouri-Kansas-Texas Railroad Company, a corporation, in this action, and that the defendant go hence without day, and recover of and from the plaintiff herein its costs herein laid out and expended.

ROYCE H. SAVAGE
JUDGE

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

VERDICT

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

Frank Williams, a minor, by his father John G. Williams,)
as next friend and John G. Williams, Individually,)
Plaintiff,)

vs.)

Case No. 548 Civil)

Missouri-Kansas-Texas Railroad Company,)
a corporation.)
Defendant.)

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

RAYMOND L. CARTER
Foreman.

ENDORSED: Filed In Open Court
Sep 25 1941
H. P. Warfield, Clerk
U. S. District Court H

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

FRANK WILLIAMS, a minor, by his father)	
JOHN G. WILLIAMS, as next friend,)	
	)	Plaintiff,
vs.	)	No. 548 Civil
MISSOURI-KANSAS-TEXAS RAILROAD)	
COMPANY, a Corporation,	)	Defendant.

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of September, 1941, the same being one of the regular court days of the January 1941 term of this court, the above entitled cause comes on regularly for trial, pursuant to assignment, and the plaintiff's appearing in person and by his attorney, E. D. Gillespie, and the defendant appearing by its attorneys, M. D. Green, John E. M. Taylor, Lloyd W. Jones and C. S. Walker, and both sides announcing ready for trial, and it appearing to the court that said cause and case No. 532-Civil, Jerry Goss, by her father and next friend, E. S. Goss, Plaintiff, vs. Missouri-Kansas-Texas Railroad Company, a corporation, Defendant, are actions to recover damages for personal injuries growing out of the same accident and involving common questions of law and fact, and should be consolidated pursuant to Rule 42 of the Rules of Civil Procedure for the District Courts of the United States, and upon motion of the defendant herein, it is by the court ordered that this cause and said case No. 532-Civil, Jerry Goss, by her father and next friend, E. S. Goss, Plaintiff, vs. Missouri-Kansas-Texas Railroad Company, Defendant, be and they are hereby consolidated for trial, separate verdicts and judgments, however to be entered in each action.

Thereupon a jury of twelve good and lawful men, citizens and residents of said district, is duly and regularly empanelled and sworn to try said consolidated actions. Thereupon counsel for each of said respective parties make their opening statements to the jury, and the plaintiffs proceed with the introduction of evidence on their behalf, and the hour of adjournment having arrived, the further hearing of said action is adjourned until the following morning at 9:30 A.M.

And now on this 25th day of September, 1941, the court again convenes, pursuant to adjournment on the previous day, and the plaintiffs continue with introduction of evidence on their behalf, and having concluded their said evidence, the plaintiffs rest. Thereupon the defendant by its counsel files and presents to the court its written motion for a directed verdict in each of said cases in favor of the defendant, which motion is by the court sustained, and the plaintiffs except thereto. Whereupon the court orally instructs the jury to return its verdict in favor of the defendant in each of said cases.

Thereupon, pursuant to the instructions of the court said jury duly returns its verdicts, signed by one of its number as foreman, in favor of the defendant herein, which verdicts are received and filed, and thereupon the jury is discharged from further consideration of said causes.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED BY the court in accordance with said verdict of the jury that the plaintiff Frank Williams, a minor, by his father, John G. Williams, as next friend, recover nothing from the defendant, Missouri-Kansas-Texas Railroad Company, a corporation, in this action, and that the defendant go hence without day and recover of and from the plaintiff herein its costs herein laid out and expended.

ROYCE H. SAVAGE
JUDGE

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

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

CLAUDE LINDUFF,	Plaintiff,)
)
vs.		) No. 564 Civil
)
PHILLIPS PETROLEUM COMPANY,	Defendant.)

ORDER DISMISSING WITH PREJUDICE

The parties hereto having stipulated for a dismissal herein, the above cause is hereby dismissed with prejudice to a future action for any claim which was or could have been included therein.

Dated this 25 day of September, 1941.

ROYCE H. SAVAGE
JUDGE

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

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

H. F. MILLER, et al,	Plaintiffs,)
)
vs.		) NO. 649 - CIVIL
)
BELLOCHE WIKER, et al,	Defendants.)

O R D E R

NOW, on this 25th day of September, 1941, this matter coming on before the court and it appearing to the court that the Superintendent of the Five Civilized Tribes was served with summons and copies of the pleadings in this cause of action; that the United States of America removed this cause from the District Court of Creek County, Oklahoma, to this court and that the United States should have five (5) days additional time to intervene herein.

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and it hereby is granted five (5) days additional time from September 25, 1941 within which to intervene in this cause of action.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Libelant,)

vs.)

One 1941 Ford DeLuxe Coupe Automobile,
Motor No. 18-6,083,020, and approximately
Forty-one (41) gallons of Assorted Taxpaid
Intoxicating Liquors Seized Therein;
James Arthur Layman, and his wife, Anna Bell
Layman, and Universal Credit Company,
Claimants.

No. 679 CIVIL

ORDER FOR MONITION

Now on this 25th day of September, 1941, it appearing to the Court that the said 1941 Ford DeLuxe Coupe Automobile, Motor No. 18-6,083,020, with approximately Forty-one (41) gallons of intoxicating liquors containing more than four per centum (4%) of alcohol by volume, was seized at a point on United States Highway No. 59, about One and One-half ($1\frac{1}{2}$) miles South of the town of Welch, in Craig County, State of Oklahoma, Northern Judicial District of Oklahoma and within the jurisdiction of this court, on July 10, 1941 by Robert A. West and Roy B. Mogrige, Investigators for the Department of Public Safety of the State of Oklahoma, by virtue of authority of their said offices, and in accordance with the provisions of law in such case made and provided, while said automobile was being used by James Arthur Layman and his wife Anna Bell Layman for transportation of such intoxicating liquors from Joplin, in the State of Missouri, into the State of Oklahoma and to the aforesaid described point of seizure; it further appearing that thereupon said property was appraised at more than Five hundred Dollars (\$500.00) whereupon libelant has instituted libel action herein and requests issuance of monition notifying claimants James Arthur Layman and his wife, Anna Bell Layman, and the Universal Credit Company, Tulsa, Oklahoma, and all other interested persons, unless notice thereof be waived, of the pendency of such libel action.

IT IS, THEREFORE, ORDERED that monition issue as prayed for in said libel and that same be served upon James Arthur Layman and his Wife Anna Bell Layman, and Universal Credit Company, Tulsa, Oklahoma, unless notice thereof be waived, and any other person that might claim any interest in said automobile and intoxicating liquors, requiring them to appear in said court on or before Twenty (20) days after personal service thereof, and to show cause, if any they have, why said automobile and intoxicating liquors should not be forfeited to libelant under provisions of Section 224, Title 27, U.S. Code Annotated, and in accordance with the provisions of the law relating to seizures, forfeitures and disposition of property and proceeds for violation of the Internal Revenue Laws of the United States.

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

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

ROYCE H. SAVAGE
JUDGE

Court adjourned to September 26, 1941

On this 26th day of September, 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. Meazy, United States Attorney
John F. 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

OTIS SEVERE, etc.,	Plaintiffs,	)	No. 456 Civil
vs.			
OKLAHOMA NATURAL GAS COMPANY a corporation,	Defendant.)	

JUDGMENT

On this 26th day of September, 1941, this cause came on regularly for trial pursuant to setting, and plaintiff appeared in person and by next friend and counsel, and defendant appeared by counsel; both parties announced ready for trial and the cause proceeded by the taking of plaintiff's testimony before a jury duly impaneled and sworn.

After close of the plaintiff's testimony, the plaintiff rested and the defendant moved the Court to dismiss the cause for want of evidence to substantiate a claim upon which relief might be granted, which said motion was by the Court sustained and the case dismissed.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED that the plaintiff take nothing by this action, but that the defendant have judgment for its costs.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Sep 26, 1941
H. P. Warfield, Clerk
U. S. District Court LN

VERDICT

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

WILKIE F. HAMMET,	Plaintiff,	)	Case No. 536 Civil
vs.			
DON C. PUTNAM,	Defendant.)	

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

ENDORSED: Filed In Open Court
Sep 26 1941
H. P. Warfield, Clerk
U. S. District Court H

J. NURLE THOMPSON,
Foreman

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

RICHARD R. GREENWOOD,	Plaintiff,)	
)	
vs.		)	NO. 641 Civil
Franks Manufacturing Corporation,)	
a corporation,	Defendant.)	

C R D E R

For good cause shown and the consent of plaintiff's attorney,

IT IS ORDERED that defendant Franks Manufacturing Corporation be and hereby is grant an extension of time to and including October 4, 1941, in which to serve and file its answer to plaintiff's complaint.

This September 26, 1941.

ROYCE H. SAVAGE
DISTRICT JUDGE

ENDORSED: Filed Sep 26 1941
H. P. Warfield, Clerk
U. S. District Court JS

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

Ga-Lo-La-Di Chicken,	Plaintiff,)	
)	
vs.)	
Jennie Chicken, now Doublehead, George Wilson,)	
the State of Oklahoma, and the Heirs, Executors,		)	NO. 655 CIVIL
Administrators, Devisees, Trustees, Creditors)	
and assigns, immediate and remote, known and)	
unknown, of Ned Chicken, Cherokee Roll No.)	
32190, deceased	Defendants.)	

C R D E R

Now on this 26th day of September, 1941, this matter coming on before the Court upon the Motion of the United States of America for permission to intervene in this cause of action, and it appearing to the Court that this action involves lands allotted to a restricted Cherokee Indian, the parties to this action are restricted Cherokee Indians, and that the United States of America should be a party to this action,

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

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Sep 26 1941
H. P. Warfield, Clerk
U. S. District Court B

It is, therefore, by the Court, ordered, adjudged, and decreed, that the sales made by John Pearson, Esq., as Special Master in Chancery of those certain lots, tracts, pieces, and parcels of land referred to and described in his Return, and herein likewise described, be and the same are hereby approved and in all respects and particulars confirmed, and John Pearson, Esq., as Special Master in Chancery, be and is hereby ordered and directed to make, execute, acknowledge, and deliver unto the purchaser or purchasers, of each separate lot, tract, piece, or parcel of land so sold at such sale, his instrument or instruments of conveyance, passing all rights, titles, claims, equities, and demands as to the defendants named in the cause of action wherein the particular property hereby conveyed was involved, as well as such right, title, interest, estate, claim, demand, or equity that any person, firm, association, or corporation, may have secured or obtained from such defendant or defendants, or their grantee or assignee, as well as those in actual or constructive possession, as follows:

1. To Geo. A. Ritzinger for Lots 5, 6, 7 and 8,
Block 13, Original Plat of Fairfax, Oklahoma,

same being the property described in Tracts 2, 3, 4, and 5, of the 9th Cause in the petition.

2. To Geo. A. Ritzinger for Lots 13, 14 and 15, Block 29,
Original Plat of Fairfax, Oklahoma,

same being the property described in Tracts 1, 2, and 3, of the 33rd Cause in the petition.

3. To Geo. A. Ritzinger for Lot 5, Block 30, Original Plat of
Fairfax, Oklahoma,

same being the property described in Tract 1 of the 36th cause in the petition.

4. To Geo. A. Ritzinger for Lot 12, Block 30, Original Plat of
Fairfax, Oklahoma,

same being the property described in Tract 1 of the 39th Cause in the petition.

5. To Geo. A. Ritzinger for Lots 4, 5, and 6, Block 39,
Original Plat of Fairfax, Oklahoma,

same being the property described in Tracts 1, 2, and 3, of the 41st Cause in the petition.

6. To A. T. Comstock for Lots 28 and 29, Block 13, Tallchief Addition
to Fairfax, Oklahoma,

same being the property described in Tract 1 and 2, of the 53rd Cause in the petition.

It is further ordered, adjudged, and decreed that out of and from the sum of \$1,443.00 paid unto the Special Master by the several purchasers of the property herein described, there be deducted by him, the sum of \$120.00, broken down as follows:

Costs of the Special Master,	\$20.00
Fee allowed unto the Special Master,	<u>100.00</u>
Total	\$120.00

as and for a reimbursement or repayment to him for expenses incurred, and in full as a fee unto him for all things done and to be done by him as Special Master with respect to the property herein and in the return of sale described, and the balance thereof be paid to the City Treasurer of Fairfax, Oklahoma.

It is by the Court further ordered that the Special Master in Chancery place the purchasers of the property acquired by each at such Master's sale, in full and complete possession of the property to which each purchaser is entitled, and any and all those now in possession of any such property, be and are hereby directed and commanded upon notice from the Special Master, and a copy of

this order, to yield up, surrender, and give unto the purchaser as herein shown, or his grantee or his assignee, possession of the property so occupied, if such possession be demanded or required, and to make payment unto such purchasers, or grantees or assignees, of all remainder and proceeds from the property so occupied and sold to the several purchasers as herein set out.

It is further ordered that John Pearson, Esq., until the further order of this Court, remain and continue to act as Special Master in Chancery to carry out and perform whatever commands and orders that may be issued by this Court with respect to any phase or part of the captioned case, and to have the right to make sale of additional property involved herein without the further order of this Court.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

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

Court adjourned to September 29, 1941

On this 29th day of September, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. F. E. Kennamer, Judges, present and presiding.

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

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

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

CLYDE ALEXANDER, Plaintiff,
vs. PHILLIPS PETROLEUM COMPANY, a Defendant,
corporation,

and

REDA PUMP COMPANY, a corporation, Defendant and Third Party Plaintiff,
vs. C. C. BROWN, Third Party Defendant.

No. 159 Civil

D E C R E E

This cause came on to be heard and was tried on February 17, 1941, to February 20, 1941, inclusive, and was taken under advisement by the court and decision announced on July 12, 1941.

IT IS THEREFORE ordered, adjudged, and decreed as follows:

1. That the plaintiff's complaint be dismissed with prejudice.

2. That the counterclaim, cross-claim, and third party complaint of Reda Pump Company be dismissed with prejudice.

3. On August 26, 1935, Phillips Petroleum Company became the owner of 135,950 shares of common stock and 36,500 shares of preferred stock of Reda Pump Company, which preferred stock was subsequently converted into 73,000 shares of common stock, making a total of 208,950 shares of common stock owned by the defendant Phillips Petroleum Company free and clear of any claim of the plaintiff or any other party to this action; that the defendant Phillips Petroleum Company subsequently transferred and assigned 36,000 shares of said common stock and that said defendant now owns 172,950 shares of said stock free and clear of any claim of the plaintiff or of any other party to this action; that the third party defendant, C. C. Brown, is now and has been since April 17, 1939, the owner of 6,000 shares of the common stock transferred and assigned by Phillips Petroleum Company. That all dividends paid by Reda Pump Company to Phillips Petroleum Company or its assigns on said 135,950 shares of common and 36,500 shares of preferred stock, or the 73,000 shares of common stock into which the said preferred stock was converted, were paid to the proper parties; that all dividends heretofore declared upon said stock but withheld by Reda Pump Company from Phillips Petroleum Company, or its assigns, including the 6,000 shares of C. C. Brown, be paid by Reda Pump Company to the owner and holder of said stock as adjudged herein.

Dated July 12, 1941.

ROYCE H. SAVAGE
United States District Judge.

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

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

S. N. VAN WERT,	Plaintiff,)	
vs.)	
PHILLIPS PETROLEUM COMPANY, a	Defendant,)	
corporation,)	
and		)	No. 160 Civil
REDA PUMP COMPANY, a corporation,	Defendant and Third)	
	Party Plaintiff)	
vs.)	
C. C. BROWN,	Third Party Defendant.)	

D E C R E E

This cause came on to be heard and was tried on February 17, 1941, to February 20, 1941, inclusive, and was taken under advisement by the court and decision announced on July 12, 1941.

IT IS THEREFORE ordered, adjudged, and decreed as follows:

1. That the plaintiff's complaint be dismissed with prejudice.

2. That the counterclaim, cross-claim, and third party complaint of Reda Pump Company be dismissed with prejudice.

3. On August 28, 1935, Phillips Petroleum Company became the owner of 135,950 shares of common stock and 36,500 shares of preferred stock of Reda Pump Company, which preferred stock was subsequently converted into 73,000 shares of common stock, making a total of 208,950 shares of common stock owned by the defendant Phillips Petroleum Company free and clear of any claim of the plaintiffs or any other party to this action; that the defendant Phillips Petroleum Company subsequently transferred and assigned 36,000 shares of said common stock and that said defendant now owns 172,950 shares of said stock free and clear of any claim of the plaintiff or of any other party to this action; that the third party defendant, C. C. Brown, is now and has been since April 17, 1937, the owner of 6,000 shares of the common stock transferred and assigned by Phillips Petroleum Company. That all dividends paid by Reda Pump Company to Phillips Petroleum Company or its assigns on said 135,950 shares of common and 36,500 shares of preferred stock, or the 73,000 shares of common stock into which the said preferred stock was converted, were paid to the proper parties; that all dividends heretofore declared upon said stock but withheld by Reda Pump Company from Phillips Petroleum Company, or its assigns, including the 6,000 shares of C. C. Brown, be paid by Reda Pump Company to the owner and holder of said stock as adjudged herein.

Dated July 12, 1941.

ROYCE H. SAVAGE
United States District Judge

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

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
-vs-		) No. 372 Civil
)
MARGARET MASHUNKASHEY, NOW BRADSHAW,)
	Defendant.)

O R D E R

It is hereby ordered that the time for defendant to file answer brief be, and the same is hereby extended up to and including October 6, 1941.

Dated this 29 day of September, 1941.

F. E. KEMMNER
DISTRICT JUDGE

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

VERDICT

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

MRS. LENA E. BONHAM,	Plaintiff,)
)
vs.		) Case No. 577 Civil
)
Oklahoma Natural Gas Company, a corporation,	Defendant.)

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

FILED In Open Court
Sep 29 1941
H. P. Warfield, Clerk
U. S. District Court H

W. J. FRALEY,
Foreman

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

Delmar Harris,	Plaintiff,)
)
vs.		) No. 682 Civ.
)
Wickham Packing Company, a corporation,	Defendant.)

ORDER APPOINTING SPECIAL OFFICER TO SERVE PROCESS.

Now on this 29 day of September, 1941 this matter comes on for hearing before the Honorable Royce H. Savage, regular Judge of the District Court of the United States for the Northern District of Oklahoma, upon the motion of plaintiff for the appointment of a special officer to serve process upon the defendant herein; and it appearing to the Court that the appointment of some resident of the City of Sapulpa, where the defendant's general offices and place of business is located, would result in the saving of substantial mileage fees; and it further appearing to the court that Albert Randall of Sapulpa, Oklahoma, a regularly appointed, qualified and acting Deputy Sheriff of Creek County Oklahoma, is a proper and suitable person to make said service.

IT IS, THEREFORE, ORDERED that Albert Randall of Sapulpa, Oklahoma, be and he is hereby appointed Special Officer of this court to make service of all process upon the defendant herein:

ROYCE H. SAVAGE
District Judge

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

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

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

ORDER ALLOWING CLAIM OF CLAUDE NEON FEDERAL COMPANY, SOUTHWEST

Now on this 22nd day of September, 1941, the claim of Claude Neon Federal Company, Southwest, and the objections of the Receiver thereto coming on to be heard, and the Court having heard the statements of counsel, and being informed in the premises, finds: that on the 27th day of April, 1937, Floyd L. Rheam, Trustee of Daniels Building and Alexander Hotel, and Claude Neon Federal Company, Southwest entered into a written agreement for the installation of a Neon display sign on the Alexander Hotel; that there is now justly due and unpaid under said agreement to Claude Neon Federal Company, Southwest the sum of \$51.55. The Court further finds that on the 12th day of March, 1940, S. R. Tanner, manager of Alexander Hotel, entered into a written contract for the continuation of said display sign in use, which contract was accepted in writing by Claude Neon Federal Company, Southwest on the 21st day of May, 1940; that since said last two mentioned dates and during the period of receivership, said display sign has been in continuance operation. The Court further finds that there is unpaid on said agreement to date the total sum of \$103.37. In this connection however, the Court finds that for a period of five months the Alexander Hotel building was leased to Starr and Loughlin and was not in the control of the Alexander Hotel or the receivers herein; that this estate is not liable for the monthly payments of rent on said display sign over said five month period. The Court therefore finds that the sum of \$31.25, being five months rentals, should be deducted from said total amount of \$103.37; that there is now justly due and unpaid under said agreement to Claude Neon Federal Company, Southwest, the sum of \$72.12.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the claim of Claude Neon Federal Company, Southwest, herein, be and the same is hereby allowed in the total amount of \$123.67 with interest at the rate of six per cent per annum from this date until paid.

F. E. KERNAMER
District Judge

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

Court adjourned to September 30, 1941

On this 30th day of September, 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. Maury, United States Attorney
John P. Logan, United States Marshal

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

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

GORDON DENTON, Administrator of the Estate)	
of Mollie Davis, nee Jones, deceased,)	
)	
Plaintiff,)	
vs.	)	NO. 220 - CIVIL
CYNTHIA CHANDLER, et al,)	
)	
Defendants.)	
United States of America,)	
)	
Intervener.)	

ORDER APPROVING MARSHAL'S SALE

NOW, on this 26 day of September, 1941, comes the United States of America, Intervener, in its own behalf and in behalf of Gordon Denton, Administrator of the Estate of Mollie Davis nee Jones, Deceased, by its attorney, Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and moves the court to confirm a sale of real estate by the United States Marshal for said district, under a writ of execution and order of sale issued out of the office of the Clerk of the United States District Court for said district, on the 23rd day of June, 1941, said sale being of the following, described property, to-wit:

Southwest Quarter of Southeast Quarter of Section Ten
(10), Township Eighteen (18) North, Range Eight (8) East,

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

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

IT IS FURTHER ORDERED BY THE COURT that Jno. P. Logan, United States Marshal, for the Northern District of Oklahoma, make and execute to the purchaser of said land, as shown by said return, Gordon Denton, Administrator of the Estate of Mollie Davis, nee Jones, deceased, a good and sufficient Marshal's deed for the premises so sold, restricted against alienation of said land without the approval of the Secretary of the Interior to be retained.

ROYCE H. SAVAGE
JUDGE

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

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.		) NO. 627 - CIVIL.
)
OTHO W. HUNTER,	Defendant.)

ORDER OF DISMISSAL

NOW, on this 29th day of September, 1941, this matter coming on before the court on a motion of Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, to dismiss said cause and the court being advised in the premises finds that said cause should be dismissed, without prejudice.

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

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

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

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

H. F. Miller, and Tressie Zule, and Eugene Zule and Irene Zule, minors, by their Guardian Glen Guffey,	Plaintiffs,)
)
vs.)
)
Belloche Wiker, Dora Beaver, Maggie Eagle nee John, Dora Lee nee Beaver, John Lee, Mary Wiker, Richard Webber, George Eagle and Belloche Wiker, commonly known as Bill John, if living, if deceased, their known and unknown Heirs, Executors, Administrators, Devisees, Trustees and Assigns, immediate and remote, Marley Wiker and L. P. Gowland, L. S. Watkins, J. W. Franklin and W. A. Crosby,	Defendants.)
)
		) NO. 649 CIVIL
)
)

O R D E R

Now on this 30 day of September, 1941, this matter coming on before the Court upon the motion of the United States of America for permission to intervene in this cause of action, and it appearing to the Court that this action involves lands allotted to a restricted Creek Indian and that some of the parties to this action are restricted Creek Indians, and that the United States of America should be a party to this action.

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and it

hereby is granted permission to intervene in this cause of action.

ROYCE E. SAVAGE
JUDGE

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

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

EZEKIEL BIG ACORN,	Plaintiff,)	
)	
vs)	
)	
Pollie Budder, nee Big Acorn, and the unknown heirs of the estate of Tyannee Glass, deceased,	Defendants.	)	NO. 656 CIVIL
)	
United States of America,	Intervener.)	

O R D E R

Now on this 30th day of September, 1941, this matter coming on before the Court upon motion of the United States of America for permission to intervene in this cause of action, and it appearing to the Court that this action involves lands allotted to a restricted Cherokee Indian, and that the parties to this action are restricted Cherokee Indians, and the United States of America should be a party to this action,

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

ROYCE E. SAVAGE
JUDGE

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

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

NELLIE LITTLEDAVE, NOW JUMPER,
ET AL.,

Plaintiffs,

NO. 657 CIVIL

vs

NORA LITTLEDAVE, ET AL.,

Defendants.

O F D E R

Now on this 30th day of September, 1941, this matter coming on before the court upon the motion of the United States for permission to intervene in this cause of action, and it appearing that this action involves land allotted to a restricted Cherokee Indian, and that the parties to this action are restricted Cherokee Indians, and that the United States of America should be a party to this action,

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

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to October 1, 1941

On this 1st 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. Kenner, Judges, 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

DON CRAMER,

Plaintiff,

vs.

HARMON & WHITEHILL, INCORPORATED,

Defendant.

No. 588 Civil

VERDICT SUBMITTED IN THE FORM OF INTERROGATORIES

How many hours do you find from the evidence the Plaintiff worked for the Defendant

exception those claims above noted to be rechecked and reconsidered, payment of which is to be made upon further report of the receiver as to their correctness, and when the proper amount due thereon is determined.

It is further ordered that the following claims be denied as charges against said receivership, to-wit:

Claim No.	Claimant	Amount
No. 3	Coakley & McDermott (withdraw)	\$1,000.00
No. 6	Sol Shore Market	216.75
No. 9	Barall Food Stores, E. J. Bowers, Trustee	533.80
No. 11	Brown-Dunkin Dry Goods Co. (withdrawn)	53.65
No. 12	Vandever's Dry Goods Co. (wt hdrawn)	152.15
No. 13	V. F. Seaman (withdrawn)	1350.00
No. 15	Premium Laundry & Dry Cleaning Plant	611.48
No. 16	Premium Laundry & Dry Cleaning Plant (withdrawn)	244.59

F. E. KENNAMER
JUDGE

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

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

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

ORDER APPOINTING RECEIVER

On this, the 1st day of October, 1941, it appearing to the Court that Eben L. Taylor, Receiver herein, has heretofore in open Court resigned as such Receiver to take effect on this date, and that it is necessary that a successor Receiver be appointed herein,

It is, therefore, considered, ordered and adjudged by the Court that A. C. Saunde a citizen and resident of Tulsa County, Oklahoma, be and he hereby is appointed Receiver for the properties herein composing the receivership estate, to-wit:

The Westerly 100 feet of Lot Five, and the Southerly 25 Feet of Lot Six, all in Block One Hundred Six (106), Original Townsite of the Town of, now City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof,

together with all the appurtenances, buildings and equipment thereon and thereunto belonging, and know as the R. T. Daniel Building and the Alexander Hotel.

L. Taylor now has no further claim against the said receivership estate for receivership fees;

IT IS BY THE COURT ORDERED, ADJUDGED AND DECREED that the said Eben L. Taylor be, and he hereby is, finally discharged as receiver herein; and that the surety on his bond as receiver be, and it hereby is, released and discharged.

F. E. KENDAMER
JUDGE

EMBOISED: Filed Oct 1 1941
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to October 2, 1941

On this 2nd 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 IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA

JULIUS JACOBSON and AUGUSTA JACOBSON,)
Plaintiffs,)
vs.) No. 561 Civil
SOUTHWESTERN THEATRES, INC., a corporation,)
and GRIFFITH SOUTHWESTERN THEATRES, INC.,)
A Corporation, Defendants.)

ORDER OF DISMISSAL

THIS MATTER coming on for hearing on this 2nd day of October, 1941, upon the application of the plaintiffs herein by their attorneys to dismiss with prejudice, and it appearing to the court that notice of said dismissal has been given to the attorneys for all parties interested and is with their full knowledge and approval;

IT IS, THEREFORE, ORDERED, that said action be dismissed with prejudice, and the Clerk is hereby ordered to file said dismissal upon payment of costs.

ROYCE H. SAVAGE
J U D G E

EMBOISED: Filed Oct 2 1941
H. P. Warfield, Clerk
U. S. District Court B

VERDICT

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

Miss Flora Calvert,

Plaintiff,

vs.

J. W. Kurn and J. G. Lonsdale, Trustees in
Bankruptcy of the St. Louis-Sand Francisco
Railway Company and Tulsa Union Depot
Company, a corporation,

Defendant.

)
)
) Case No. 600 Civil
)
)
)

We, the jury in the above-entitled case, duly impaneled and sworn, upon our
oaths, find for the plaintiff and assess damages at Three Thousand DOLLARS.

R. H. GRIMSTEAD
Foreman

FILED In Open Court
Oct 2 1941
H. P. Warfield, Clerk
U. S. District Court H

MISCELLANEOUS - ORDER DISCHARGING PETIT JURY.

On this 2nd day of October, A. D. 1941, it is ordered by the Court that all
Petit Jurors be, and they are, hereby discharged, subject to call.

MISCELLANEOUS - ORDER TO PAY.

On this 2nd day of October, A. D. 1941, it is ordered by the Court that the Mar-
shal of this District pay the Petit Jurors and Witnesses for this Regular January 1941 Term of Court,
their mileage and attendance as shown by the Record of Attendance.

Court adjourned to October 3, 1941

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

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

O R D E R

ON THIS the 3rd day of October, 1941, the consolidated motion of defendant for more definite statement and to dismiss comes on for hearing, plaintiff appearing by his attorney, Ned Warren, and defendant appearing by its attorney, Hunter L. Johnson, and the plaintiff confessing the said motion of defendant to require the complaint of plaintiff to be made more definite and certain, and the said motion being submitted to and considered by the Court, it is ordered by the Court that the motion heretofore filed by defendant in said cause to make the complaint of plaintiff more definite and certain is hereby sustained and that plaintiff amend his complaint or file amended complaint accordingly, and on his application in open Court it is further ordered that plaintiff is hereby allowed ten days from and after this date within which to amend his said complaint accordingly, and that the defendant is allowed ten days thereafter within which to plead further or twenty days thereafter within which to file answer to complaint as it may be so amended; and it is further ordered by the Court that the motion to dismiss is overruled without prejudice to defendant renewing or refileing the same or further move to dismiss, after amendment of the complaint.

ROYCE H. SAVAGE
JUDGE

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

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.		) NO. 628 - CIVIL
)
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY,)
STATE OF OKLAHOMA, et al,	Defendants.)

O R D E R

This matter coming on for hearing this 5th day of September, 1941, on the motion of the defendants to dismiss and the court being fully advised in the premises finds that said motion should be overruled.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the motion filed by the defendants to dismiss be and the same hereby is overruled and the defendants are allowed Twenty (20) days from this date in which to answer, to all of which the defendants except which exceptions are duly allowed.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

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

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
-vs-		) NO. 628 - CIVIL
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY,)
STATE OF OKLAHOMA, et al,	Defendants.)

O R D E R

This matter coming on for hearing this 2nd day of October, 1941, and upon good cause shown, the court finds that the defendant should be allowed Twenty (20) days from this date in which to answer in this cause of action.

IT IS THEREFORE ORDERED that the defendants be and they hereby are allowed Twenty (20) days from this date in which to file their answer herein.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

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

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

ERNEST HAYS, et al.,	Plaintiffs,)
)
vs.		) NO. 660 CIVIL
MAGGIE SCULLAWL, et al,	Defendants.)
)
United States of America,	Intervener.)

O R D E R

Now on this 3rd day of October, 1941, this matter coming on before the court upon the motion of the United States of America for permission to intervene in this cause of action, and it appearing to the court that this action involves lands allotted to restricted Cherokee Indians, and that the United States of America should be a party to this action,

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

ROYCE H. SAVAGE
JUDGE

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

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

CARL LEA,	Plaintiff,)	
)	
vs.		)	NO. 663 - Civil
)	
INDIAN LAND & TRUST COMPANY, a corporation,)	
et al,	Defendants.)	

O R D E R

NOW, on this 3rd day of October, 1941, this matter coming on for hearing before the court, the United States appearing by Whit Y. Mauzy, United States Attorney, and the defendant appearing by F. B. Righter and Morse Garrett, and the court finds that the motion to quash service on the Superintendent of the Five Civilized Tribes should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the motion of the United States to quash service of notice upon the Superintendent of the Five Civilized Tribes in this cause be and the same hereby is sustained.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this cause be remanded to the State Court.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Oct 10 1941
H. P. Warfield, Clerk
U. S. District Court JS

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.		)	NO. 669 - CIVIL
)	
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY, STATE OF OKLAHOMA, et al,	Defendants.)	

O R D E R

NOW, on this 3rd day of October, 1941, this matter coming on for hearing before the court, the United States of America appearing by Whit Y. Mauzy, United States Attorney, and the court being advised in the premises finds that said motion should be overruled.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the motion of the defendant to dismiss be and the same hereby is overruled, to which ruling of the court defendants except which exceptions are duly allowed.

IT IS FURTHER ORDERED that the defendants and each of them be and they hereby are

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

United States of America,	Plaintiff,)
)
vs.		) NO. 644 CIVIL
)
Alvin Newport, G. C. Bolton, L. A. Harrell,)
H. D. Williams and L. S. Kelling,	Defendants.)

O R D E R

Now on this 4th day of October, 1941, this matter coming on before the Court on the application of the Plaintiff herein for permission to file an amended complaint in this cause of action, and the court being fully advised in the premises finds that said application should be granted.

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

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to October 6, 1941

On this 6th 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

WILKIE F. HAMMIT

PLAINTIFF,

vs

CIVIL NO. 536

DON C. PUTNAM,

DEFENDANT.

JOURNAL ENTRY OF JUDGMENT

On this the 25th day of September, 1941, comes plaintiff in person and by his attorney, I. H. Cox, and also comes the defendant in his own proper person and by his attorneys, W. L. Coffey and A. Langley Coffey, and this cause coming on for trial in its regular order before a jury of twelve good men and true, who being empaneled and sworn, well and truly to try the issues joined between plaintiff and defendant and a true verdict render according to the evidence, and both parties having announced ready for trial the following proceedings were had in the premises:

Plaintiff asks leave of the court to endorse George B. Schwabe, as additional counsel for the plaintiff which leave was by the court granted and George B. Schwabe recognized as one of counsel for plaintiff.

Plaintiff next moves the court for further amend his amended bill of complaint by striking therefrom any and all claim to or for punitive or exemplary damages and to dismiss his cause of action for recovery of punitive or exemplary damages in the sum of one thousand (\$1,000.00) Dollars, which leave to amend is granted and the prayer for punitive damages ordered stricken from plaintiff's bill of complaint and plaintiff's claim for recovery of exemplary or punitive damages dismissed on motion of plaintiff. Thereupon, defendant moves the court for leave to refile his amended answer to plaintiff's bill of complaint as finally amended, which leave is by the court granted and said amended answer ordered considered as refiled to the amended bill of complaint and all proceedings ordered had as aforesaid without prejudice to trial.

Plaintiff thereupon makes his opening statement to the jury and defendant moves for a directed verdict and judgment in favor of defendant and against plaintiff on the pleadings and opening statement of plaintiff's counsel, which motion is by the court overruled. Defendant next makes his opening statement to the jury whereupon plaintiff moves for judgment on the pleadings and opening statement of counsel for defendant, and that the jury be instructed to find the issues in favor of plaintiff and against defendant and to fix the amount of plaintiff's recovery, which motion is by the court overruled. Plaintiff then presents his evidence and rests, and at the conclusion of all of plaintiff's evidence, defendant moves the court for a directed verdict for defendant, which said motion is by the court overruled.

Defendant then produces and presents his evidence and rests, and at the conclusion of defendant's evidence, plaintiff moves the court for a directed verdict for plaintiff, which said motion is by the court overruled and plaintiff then rests his case.

And, now, at the conclusion of all of the evidence and after all parties have rested their case, defendant again renews his motion for a directed verdict and moves the court to instruct a verdict for the defendant and against the plaintiff; plaintiff renews his motion for a directed verdict and moves the court to instruct the jury to find the issues in favor of plaintiff and against defendant and fix the amount of plaintiff's recovery.

And, now, on this the 26th day of September, 1941, the court after hearing argument of counsel and being otherwise well and sufficiently advised in the premises, overrules the motion of plaintiff for a directed verdict in favor of the plaintiff and against defendant and sustains the motion of defendant for a directed verdict in favor of defendant and against plaintiff, and, thereupon

money, estimated by said acquiring authority to be just compensation for said lands, in the amount of Sixty One Thousand Two Hundred Ninety Dollars (\$61,290.00) 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 said Secretary of War will be within any limits prescribed by Congress as to the price to be paid therefor; it is therefore, this 6th day of October, 1941,

ADJUDGED, ORDERED AND DECREED that the title to 2226.05 acres, more or less of the 15,500 acres described in said condemnation petition on file herein, which 2226.05 acres is described in said Declaration of Taking filed herein and is located and situate in Mayes County, State of Oklahoma and is more particularly described as follows, to-wit:

TRACT NO. A-1

All that part of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) lying East of Highway #69 right-of-way and all that part of the Southwest 10.0 acres of Lot One (1) lying East of Highway #69 right-of-way and all that part of East 17.76 acres of Lot One (1) lying south and East of the City of Tulsa Water Line right-of-way all in Section one (1), Twp. Twenty (20) North, Range Eighteen (18) East, Mayes County, Oklahoma, said tract containing 58.0 acres, more or less.

TRACT NO. A-5

Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) and the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Five (5), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 80 acres, more or less.

TRACT NO. A -7

Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$); South Half ($S\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) (sometimes described as South (S) Twenty (20) acres of Lot 3) of Section Five (5), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 60 acres, more or less.

TRACT NO. B-1

Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$); Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$); Northwest Quarter ($NW\frac{1}{4}$); Southwest Quarter ($SW\frac{1}{4}$); West Half ($W\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$); West Half ($W\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$); Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Four (4), Twp. Twenty (20), North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 450 acres, more or less.

TRACT NO. B-3

Southwest Quarter ($Sw\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the

Northeast Quarter ($NE\frac{1}{4}$); South Half ($S\frac{1}{2}$) of the Northwest Quarter of the Northeast quarter; Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$); North Half ($N\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$); Northwest Quarter ($NW\frac{1}{4}$); South Half ($S\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$); Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$); Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$); Southwest Quarter ($SW\frac{1}{4}$), Section Three (3), West Half ($W\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$); Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$), Section Two (2), Twp. Twenty (20), North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 540 acres, more or less.

TRACT NO. B-4

North Half ($N\frac{1}{2}$) of Lot One (1), (otherwise described as North Half ($N\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$); North Half ($N\frac{1}{2}$) of Lot Two (2) (described as North Half ($N\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$), Section Three (3), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 40 acres, more or less.

TRACT NO. B-9

Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$), Section Three (3), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 10 acres, more or less.

TRACT NO. B-10

South Half ($S\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($SE\frac{1}{4}$) and the Northeast Quarter ($NE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) less ten and five-tenths (10.5) acres sold subsequent to the allotment, in Section Three (3), Twp. Twenty (20) North, Range 19 East, Mayes County, Oklahoma, containing 19.5 acres more or less.

TRACT NO. B-15

West Half ($W\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$); Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$), less two and one-half ($2\frac{1}{2}$) acres out of the Southeast (SE) corner for church and cemetery, Section Ten (10), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 27.5 acres, more or less.

TRACT NO. B-16

The North Half ($N\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) and Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$),

Section Ten (1), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 30 acres, more or less.

TRACT NO. B-22

Beginning at a point Twenty (20) chains East and Twelve (12) chains South of the Quarter Section corner between Section Three (3) and Section Ten (10), Twp. Twenty (20) North, Range nineteen (19) East; thence South 4.47 chains; thence West. 4.475 chains; thence North 4.47 chains; thence East 4.475 chains to point of beginning, lying in Section Ten (10), Twp. Twenty (20) North, Range Nineteen (19) East, containing 2 acres, more or less, Mayes County, Oklahoma.

TRACT NO. B-23

Beginning at the Southeast Corner (SE) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$); thence North 147.3 feet; thence West 147.3 feet; thence South 147.3 feet; thence East. 147.3 feet to the point of beginning, containing five-tenths (0.5) acre described as the Southeast one-half acre of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Ten (10), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma.

TRACT NO. B-24

West Half (W $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) and the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Ten (10), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 30 acres, more or less.

TRACT NO. B-25

South Half (S $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Nine (9); Southwest Quarter (SW $\frac{1}{4}$); West Half (W $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$); Northwest Quarter (NW $\frac{1}{4}$) of Section Ten (10), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 480 acres, more or less.

TRACT NO. B-30

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

TRACT NO. B-32

North Half (N $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$); Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Eleven (11) Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 30 acres, more or less.

TRACT NO. B-54

East Half ($E\frac{1}{2}$) of the Northeast quarter ($NE\frac{1}{4}$) of the Northwest quarter ($NW\frac{1}{4}$); Southeast Quarter ($SE\frac{1}{4}$) of the Northwest quarter ($NW\frac{1}{4}$); Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Eleven (11), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 70 acres, more or less.

TRACT NO. B-35

Lots One (1) and Two (2); Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$); Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Eleven (11), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 133.55 acres more or less.

TRACT NO. B-38

Southwest Quarter (SW) of the Northwest quarter ($NW\frac{1}{4}$) of the Southwest quarter ($SW\frac{1}{4}$); Northwest quarter ($NW\frac{1}{4}$) of the Southwest quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Eleven (11), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 20 acres, more or less.

TRACT NO. B-39

Southwest quarter ($SW\frac{1}{4}$) of the Southwest quarter ($SW\frac{1}{4}$) of the Southwest quarter ($SW\frac{1}{4}$) of Section Eleven (11), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 10 acres, more or less.

TRACT NO. B-40

North Half ($N\frac{1}{2}$) of the Southeast quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$); Northeast Quarter ($NE\frac{1}{4}$) of the Southeast quarter ($SE\frac{1}{4}$) of Section Ten (10), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, containing 60 acres, more or less.

TRACT NO. B-41

South Half ($S\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Ten (10), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 20 acres, more or less.

TRACT NO. B-42

East Half ($E\frac{1}{2}$) of the Southeast quarter ($SE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$); Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Nine (9), Twp. Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 30 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

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 Two Thousand Two Hundred Dollars (\$2,200.00), 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 said Secretary of War will be within any limits prescribed by Congress as to the price to be paid therefor; it is therefore, this 6th day of October, 1941,

ADJUDGED, ORDERED AND DECREED that the title to Eighty (80) acres, more or less of the 15,500 acres described in said condemnation petition on file herein, which Eighty (80) acres is described in said Declaration of Taking filed herein and is located and situate in Mayes County, State of Oklahoma and is more particularly described as follows, to-wit:

TRACE NO. A-43

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

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 Two Thousand Two Hundred Dollars (\$2,200.00) as hereintofore 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 abovescribed premises and possession to said property shall be delivered to the United States of America on or before the 11th 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 abovescribed 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 H. SAVAGE
JUDGE PRESIDING, United States District
Court for the Northern District of Oklahoma.

ENDORSED: Filed 3:51 P.M. Oct 6 1941
H. P. Warfield, Clerk
U. S. District Court H

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

D. B. HELLARD,)
Plaintiff,)
vs.)
Ethleene Fulsom, now Revenue, et al.,) NO. 664 CIVIL
Defendants.)
United States of America,)
Intervener.)

O R D E R

Now on this 6th day of October, 1941, this matter coming on before the court upon the motion of the United States of America for permission to intervene in this cause of action and it appearing to the court that this action involves lands allotted to a restricted Creek Indian and that the United States of America should be a party to this action,

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

F. E. KENLAMER
JUDGE

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

Court adjourned to October 7, 1941

On this 7th 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. Kauzy, 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. 669 * CIVIL
)	
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY, STATE OF OKLAHOMA, ET AL,	DEFENDANTS.)	

O R D E R

NOW, on this 2nd day of October, 1941, this matter coming on for hearing before the court on the application of the United States of America for permission to amend its complaint filed herein on September 18, 1941, by interlineation 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 hereby is granted permission to amend its complaint filed herein on September 18, 1941 by interlineation by adding to the description in the Thirty-eighth Cause of Action, "Lot 4".

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

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

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

Lorinda Bushyhead; Myrtle Plunkett nee Spaniard; Iva Ezell nee Spaniard; and Annie Medson, now Mankiller,	Plaintiffs,)	
)	
-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 Bushy- head, deceased, and Jack Spaniard, deceased, and the State of Oklahoma,	Defendants.)	

JOURNAL ENTRY

Now on this 7th day of October, 1941, come the plaintiffs, by H. E. Pulling, their Attorney, and come also the United States of America, intervenor, by William Knight Powers,

Assistant United States Attorney, and it appears that when this action was filed in the District Court of Tulsa County, Oklahoma, on the 30th day of June, 1941, an Affidavit was filed for and in behalf of the plaintiffs, to obtain Service by Publication, upon the defendants; Charlie Bushyhead, if living, and Jack Spaniard, if living, and if dead, the heirs and unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote of Charlie Bushyhead, deceased, and Jack Spaniard, deceased; and pursuant thereto, the Court Clerk of the District Court of Tulsa County gave Notice by Publication to said defendants, in the West Tulsa News, a newspaper authorized to make legal publications, on July 10, 10, and 17, 1941, that this action had been commenced in said Court to determine the heirs of Charlie Bushyhead and Jack Spaniard, deceased, to quiet title, and for partition and possession of the real estate described in plaintiffs' Petition; and that they must appear and answer said Petition on or before the 4th day of August, 1941, or the same would be taken as true, in accordance with the allegations and prayer thereof, all of which is more fully shown by the Affidavit of Publication with Notice attached, filed in this Court. And the time having long since passed for said defendants to answer, and failing to do so, they are now each and all of them adjudged in default, except the defendant, State of Oklahoma which defendant, the Court finds, filed its disclaimer in this Court, disclaiming any right, title or interest in or to the property herein involved.

And the Court now further finds that said Affidavit for Publication and Notice given to all the defendants, except the State of Oklahoma, and the Notice given to the Superintendent of the Five Civilized Tribes, are each and all of them sufficient, proper, and as required by law, and that the Court now has jurisdiction of all of the defendants; and the United States of America, the Department of the Interior, the Indian Agency, and Superintendent of the Five Civilized Tribes;

And this cause having been regularly assigned for trial on this day, is now submitted to the Court without the intervention of a jury, and the Court, having heard the evidence and being duly advised, finds for the plaintiffs, that the allegations of their Petition are true; that Charlie Bushyhead was a full-blood Cherokee Indian, Roll No. 29516, and as such there was allotted to him 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 18 East, containing 30 acres, more or less;

Also the following described property in Washington County, Oklahoma, to-wit:

The Northeast quarter 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, Township 27 North, Range 13 East, containing 70.85 acres, more or less;

That the said Charlie Bushyhead died intestate in Sequoyah County, Oklahoma, on March 5, 1936, the owner in fee simple of all of said real estate, and left as his only heirs at law, his widow, the plaintiff Lorinda Bushyhead; that he left no children or descendants of children, surviving; that he had a half brother named Jack Spaniard, a three-quarter blood Cherokee Indian, Roll No. 18064, who died intestate in Sequoyah County, Oklahoma, in 1934, and left no wife surviving, but left two children, namely, the plaintiffs Plunkett nee Spaniard, and Iva Ezell nee Spaniard, both living; and the said Charlie Bushyhead also left a half sister surviving, namely the plaintiff Annie Hedson, now Mankiller, Cherokee Roll No. 32750;

That upon the death of said Charlie Bushyhead, said real estate descended to, and was inherited by the plaintiffs, as follows: the Plaintiff, Lorinda Bushyhead, his widow, an undivided one-half interest. The plaintiff's Myrtle Plunkett nee Spaniard, and Iva Ezell, nee Spaniard, as the only heirs at law of Jack Spaniard, deceased, each an undivided one-eighth interest; and the plaintiff Annie Hedson, now Mankiller, an undivided one-fourth interest in and to all of said real estate;

That all of said real estate was restricted, full-blood Indian land, and as such, was tax exempt, and of less value than \$15,000.00 and therefore entirely exempt from any inheritance or transfer taxes to the State of Oklahoma; and that the State of Oklahoma has no right, title or interest therein, on account of inheritance or transfer taxes. That the plaintiffs are the only heirs at law of the said Charlie Bushyhead, deceased, and as such are the owners of said real estate, in the proportionate above found, and they are entitled to have their title to their respective interests quieted and forever set at rest against all the defendants, and to have partition of said real estate, and their respective interests set off and apart to each of them, if that can be done without manifest injury, and if not, that the Commissioners hereinafter appointed appraise said real estate, and the same be sold, as provided by law.

The Court further finds that the plaintiffs have named all the heirs of the said Charlie Bushyhead, deceased, as fully as known to them; and that the heirs, except the plaintiffs and unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, of said Charlie Bushyhead, deceased, and Jack Spaniard, deceased, have no right, title or interest in or to said real estate, and the titles of the plaintiffs, to their respective interests in said real estate, should be quieted against said defendants, and the plaintiffs are entitled to the possession of said real estate; that the plaintiffs are entitled to partition of said real estate, and Commissioners should be appointed for that purpose, as provided by the Statutes of Oklahoma, pertaining to the partition of real estate.

IT IS THEREFORE considered, adjudged and decreed by the Court that the plaintiffs are the only heirs at law of Charlie Bushyhead, deceased, and Jack Spaniard, deceased, and as such they inherited and are now the owners in fee simple of all of said real estate in the proportions herein found, and their respective titles to their respective interest, as herein found, be, and the same is hereby quieted, and forever set at rest against all the defendants, and all persons claiming by, under or through them; that they are entitled to have partition of said real estate, and their separate interests set off and apart to them, if that can be done without manifest injury, and if not, to have said real estate appraised and sold, as provided by law; and for that purpose the Court now appoints, as Commissioners: J. F. Pickens, W. L. Hayes and Elmer Vick, qualified as required by law, to make partition of said real estate among the plaintiffs, as herein found, if that can be done without manifest injury, and if not, that they appraise said real estate and report back to this Court; as provided by law; that before doing so, they take an oath, as required by the statutes of Oklahoma, pertaining to partition of real estate; and that the plaintiffs have possession of said real estate, and their respective interests, as herein found, if partition is made.

ROYCE H. SAVAGE
United States District Judge

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

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

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

O R D E R

NOW, on this 7th day of October, 1941, this matter coming on before me,

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

A. L. O'Bannon, Administrator of the estate)	
of C. E. Bess, deceased,	Plaintiff,)
		) NO. 613 Civil
vs.))
Otto Bess,	Defendant.)

ORDER OVERRULING MOTION TO REMAND

Now on this October 8, 1941, it is by the court ordered that motion of plaintiff to remand be and the same is hereby overruled, to which plaintiff prays and is allowed an exception

ROYCE H. SAVAGE
JUDGE

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

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

MRS. WALTER C. DUNBAR,	Plaintiff,)
)
vs.		) No. 630 Civil
SINCLAIR REFINING COMPANY, a)
corporation,	Defendant.)

O R D E R

Now on this 29th day of September, 1941, on oral motion of plaintiff, and for good cause shown:

IT IS ORDERED that this cause be and the same hereby is stricken from the trial docket of this term of court, heretofore set for October 1, 1941.

IT IS FURTHER ORDERED that costs herein expended or accrued on behalf of the United States Marshal be assessed against the plaintiff.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to October 9, 1941.

On this 9th 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

Ella Carr, Lena Tiger and Emma Marshall,
Plaintiffs,
vs.

NO. 553 Civil

Lee Hoover, and the unknown heirs, executors,
administrators, devisees, trustees and assigns,
immediate and remote of Willie Carr, deceased,
Creek Roll No. 2985--full-bloods
Defendants.

ORDER CONFIRMING SALE AND MAKING DISTRIBUTION OF THE
PROCEEDS OF THE SALE; AND SETTING ASIDE FORMER ORDER
CONFIRMING SALE

Now on this 9th day of October, 1941, the motion of the plaintiffs, by L. J. Burt, their attorney, for an order setting aside the former order of this court affirming sale and for distribution of proceeds of sale entered herein in the 22nd of August, 1941, and for an order confirming sale and for distribution of the proceeds of sale of real estate involved in this action, which sale was made by the Honorable John P. Logan, United States Marshal, appointed by the court to advertise and sell the real estate under the appraisalment made by the commissioners appointed by this court, said real estate being in Tulsa County, State of Oklahoma, and described as follows, to-wit:

The Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirty-five (35), Township Seventeen (17) North, Range Thirteenth (13) East, containing 40 acres more or less.

And the plaintiffs appearing by their attorney, L. J. Burt, and the defendant Lee Hoover, having filed in this action his disclaimer, appeared not, and the intervenor, United States of America appearing by Whit Y. Mauzy, the United States District Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Deputy United States District Attorney, all parties announced ready to proceed with the hearing of said motion.

The court having examined the pleadings, files and records in this cause finds that there has not been any objection filed to the setting aside of the former order of this Court made on the 22nd day of August, 1941, confirming sale and making distribution of the proceeds of sale of real property; and the making of a new order confirming sale to correct said former order.

The Court finds that pursuant to the judgment and order of this Court, a Special Execution and Order of Sale was duly issued by the Clerk of this Court directing the Honorable John P. Logan, United States Marshal to advertise and sell said above described real estate at public auction at the West Front Door of the Court House in the City of Tulsa, Tulsa County, State of Oklahoma, under the appraisalment made by the Commissioners appointed by this Court, and that by said appraisalment the value of said real estate described herein was fixed at the sum of \$1300.00.

The Court finds that the said John P. Logan, United States Marshal, pursuant to the commands contained in said Special Execution and Order of sale, did proceed to carry out said orders and did advertise and sell said property as required by law, at the West Front Door of the Court House in the City of Tulsa, Tulsa County, Oklahoma, on the 15th day of July, 1941, at the hour of 10 o'clock A.M., being the place and date fixed in the Notice of Sale, to J. R. Montgomery, he being the highest and best bidder for cash in hand, and that being the highest and best bid obtained, and being the sum of Thirteen Hundred (\$1300.00) Dollars, the value fixed by the Commissioners.

The court further finds that the said United States Marshal is entitled to a fee of \$23.00 for making said sale and that he deposited with the Clerk of this Court \$1277.00 the balance of the proceeds of said sale; the Court hereby approves the fee of the United States Marshal for making said sale.

The Court further finds that L. J. Burt, attorney for said plaintiffs has incurred actual expense of \$15.00 in this cause and should be reimbursed out of the funds derived from said sale in the sum of \$15.00, and that said attorney for said plaintiffs is entitled to an attorney fee for his services, and the Court now fixed the fee for said attorney at \$75.00 to be taxed as costs in this action, same to be paid out of the funds received from the sale of said land.

Therefore it is by the Court considered, ordered, adjudged and decreed that the sale so made by John P. Logan, United States Marshal, on the 15th day of July, 1941, to J. R. Montgomery for the said sum of \$1300.00 be and the same is hereby approved and confirmed; and the said John P. Logan, as United States Marshal, is hereby ordered and directed to make, execute sign and deliver to the said J. R. Montgomery his deed conveying to said J. R. Montgomery said real estate located and situate in Tulsa County, State of Oklahoma, described as follows, to-wit:

The Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirty-five (35) Township Seventeen (17) North, Range Thirteen (13) East, containing 40 acres, more or less,

and confirming the title thereto as fully and to all intents and purposes that he as United States Marshal should or ought to convey and confirm title to the same.

It is further ordered, adjudged and decreed by the Court that the Clerk of this Court be and he is hereby directed to deduct from the funds in his hands so paid to him by said John P. Logan, United States Marshal, as the proceeds of said sale any and all costs chargeable against the plaintiffs; and he is further directed by the Court to procure an Internal Revenue Stamp in the proper amount to be placed on said deed and charge same against the funds from said sale.

It is further by the Court, considered, ordered, adjudged and decreed that the Clerk of this Court pay the balance of said funds in his hands to be Superintendent of the Five Civilized Tribes Agency at Muskogee, Oklahoma, for the use and benefit of Ella Carr, Lena Tiger, and Emma Marshall, who are each entitled to a one-third part of said funds.

It is the further order and decree of the Court that the former order confirming sale and making distribution of the proceeds of said sale under date of August 22nd, 1941, be and the same is hereby set aside.

For all of which judgment is now rendered.

ROYCE H. SAVAGE
JUDGE

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

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

ELLA KNEEDLER,

Plaintiff,

vs.

NO. 584 Civil

Mayme Shirk,

Defendant,

United States of America,

Intervenor.

ORDER VACATING ALL ORDERS, JUDGMENTS AND DECREES HERETO-
FORE MADE AND DISMISSING ACTION WITHOUT PREJUDICE.

Now on this the 3rd day of October, 1941, the above case coming on for hearing on the motion of the plaintiff Ella Kneedler, concurred in by the defendant, Mayme Shirk, they being the real parties in interest in said action, asking that all orders, judgments and decrees, and other proceedings had in said action be vacated and set aside and held for naught and that they be permitted to dismiss said action without prejudice, the said plaintiff appearing by J. S. Severson, her attorney, and the defendant Mayme Shirk appearing by Yancey, Spillers & Bush her attorneys, on the United States of America appearing by Whit Y. Mauzy, United States Attorney, and Wm. Knight Powers, United States Probate Attorney, and M. S. Robertson, United States Probate Attorney, and the court having heard said motion and being fully advised in the premises finds that the same should be allowed.

IT IS, THEREFORE, Ordered, adjudged and decreed by the court that the judgment and decree rendered in the above case on June 27th, 1941, as well as all other orders judgments and decrees and all other proceedings had and entered in the above case be and the same are hereby vacated, set aside and held for naught. It is further ordered, adjudged and decreed by the court that said action including the answer and intervention of the defendant Mayme Shirk, the intervention of the United States of America, by and through the United States Attorneys for the Northern District of Oklahoma, well as the intervention filed by the United States Probate Attorney in behalf of the defendant Mayme Shirk, together with all other orders, judgments, decrees, and other proceedings had and entered in the above action, be and the same are hereby dismissed, and stricken and retired from the dockets of this court, without prejudice.

It is further ordered, adjudged and decreed by the court that the costs of this action be and the same is hereby taxed jointly and equally against the plaintiff Ella Kneedler and the defendant Mayme Shirk.

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

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

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

DONALD W. McDOUGALL, REBECCA E. McDOUGALL, HUGH McDOUGALL and GLADYS IGLEHARE,

Plaintiffs,

NO. 585 CIVIL

-vs-

ZULA T. CATLETT, W. F. CATLETT and JOHN G. CATLETT,

Defendants.

O R D E R

Now on this 9th day of October, 1941, plaintiffs and defendants above named appearing by their respective attorneys of record for further hearing upon the pending motions of defendants and as a result of conference had with the court and by consent of the parties.

IT IS HEREBY ORDERED that defendants be and they are hereby granted leave to withdraw their respective motions to make a more definite statement and their respective motions to dismiss; and that plaintiffs are granted leave within ten days from date hereof to file an amended complaint; and that defendants are allowed ten days thereafter to plead or twenty days to answer the same.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 10 1941
H. P. Warfield, Clerk
U. S. District Court JS

IN THE UNITED STATES COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Agnes Quapaw Hoffman, Jean Ann Quapaw Hoffman, and Henry E. Hoffman, for himself and as next friend for Jean Ann Quapaw Hoffman, a minor,

Petitioners,

NO. 648

vs.

Stella White, Ada Farley, Ida Gwin, Ella Cooper, Lola Arnold, Fred Baker, George Baker, Eddie Bair, and all unknown parties claiming to be heirs at law of Benjamin Quapaw, deceased,

Respondents.

ORDER OF COURT TO PERMIT TAKING OF DEPOSITIONS TO PERPETUATE TESTIMONY

Now on this 9th day of October, 1941, the same being a regular court day of this court, the above matter being on to be considered by the court on the petition of the petitioners herein, and on the stipulation signed by Vern E. Thomson, Loyd E. Roberts and Byron B. Hoffman, as counsel for petitioners, and Charles E. McPherran and Neal E. Maurer, as counsel for the named respondents, to-wit: Stella White, Ada Farley, Ida Gwin, Ella Cooper, Lola Arnold, Fred Baker, George Baker and Eddie Bair, and it having been made to appear to this court that due and legal service of

notice of the hearing of the petition filed herein has been given in accordance with the order of this court heretofore entered as to the unknown claimants to the estate of Benjamin Murrow, deceased, and that due and legal service of process has been had upon the named respondents, Stella White, Ada Farley, Ida Gwin, Ella Cooper, Lola Arnold, Fred Baker, George Baker and Eddie Fair, and the court being satisfied that the perpetuation of the testimony sought may prevent a failure or delay of justice.

IT IS BY THE COURT CONSIDERED, ORDERED AND ADJUDGED that the petition to perpetuate testimony be and the same is hereby granted, and that the testimony on behalf of the petitioners and the respondents may be taken at any time within a period of six (6) months from this date by any Judge of a court of record or a Notary Public having power under the laws of the state where said depositions are being taken to administer oaths, and that said depositions may be taken either upon oral examination or written interrogatories upon five (5) days' notice in writing served upon the opposite parties who are represented by counsel, of the time, manner and place of taking said depositions.

And it further having been made to appear to the court that there are other claimants to said estate whose names are at this time unknown, and that the testimony taken in accordance with this order should, to prevent a failure or delay of justice, be taken so as to bind them as well as the named respondents or petitioners herein, and the court does hereby appoint A. M. Boatman, Okmulgee, Okla., an attorney at this bar, to represent in the taking of any such depositions all claimants to said estate not personally served with summons herein or represented by counsel, and that said party so appointed to represent interested parties not represented by counsel shall be given full right and authority to cross-examine any and all deponents produced and examined in accordance with the order of this court hereunder.

ROYCE H. SAVAGE
JUDGE

EMDOP-SED: Filed Oct 9 1941
H. P. Warfield, Clerk
U. S. District Court E

Court adjourned to October 10, 1941

On this 10th 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. Baum, United States Attorney
John P. Logan, United States Marshal

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

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

D. F. GAGER, for and in behalf of
himself and others similarly situated, Plaintiff,

vs

HAYNES AUTO SUPPLY COMPANY, a
corporation, Defendant

NO. 470 CIVIL

John A. Murray
Harry K. Huffman
Eli Pelton
Lewis B. Williams
Wade Cochran
Intervening Plaintiffs.

ORDER ALLOWING INTERVENTION OF JOHN A MURRAY, HARRY K. HUFFMAN,
ELI PELTON, LEWIS B. WILLIAMS, AND WADE COCHRAN.

NOW, on this the 10th day of October, 1941, there comes on for hearing the motion of John A. Murray, Harry K. Huffman, Eli Pelton, Lewis B. Williams and Wade Cochran for leave to intervene as parties plaintiff in the above styled and numbered cause, in order to assert, present and prosecute claims set forth in their proposed bill of complaint, on the grounds that there is a common question of law and fact affecting the several rights and a common relief is sought, and on the further ground that Section 16 (b) of the Fair Labor Standards Act of 1938, confers upon applicants an unconditional right to intervene, and plaintiff, D. F. Gager, being present by his attorney, Garland Keeling, and defendant, Haynes Auto Supply Company, a corporation, being present by its attorney F. A. Bedovitz, and applicants for intervention being present by their attorneys, Coffey & Coffey, and all parties being present they do hereby waive notice and time of hearing said motion and consent to the immediate hearing of same, all without prejudice to plaintiff, Gager, and defendant, Haynes Auto Supply Company, a corporation, to be heard in opposition thereto.

The court upon examination of said motion and the proposed bill of complaint of applicants for intervention and after hearing argument of counsel and over the objections of defendant, finds the said motion to intervene is well taken and that the same should be and it is hereby sustained, and the said John A. Murray, Harry K. Huffman, Eli Pelton, Lewis B. Williams, Wade Cochran, be, and they are hereby made additional parties plaintiff in the above styled and numbered cause to which ruling and order of the court defendant, Haynes Auto Supply Company, a corporation, excepts and exception is allowed.

IT IS FURTHER ORDERED that defendant, Haynes Auto Supply Company, a corporation, be, and it is hereby allowed ten (10) days in which to plead to the bill of complaint of the above named applicants for intervention.

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

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

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

DOH CRABER,

Plaintiff,

vs.

No. 588 Civil

Hannon & Whitehill, Inc.,

Defendant.

O R D E R

Pending the action of the court upon the motion filed herein by the defendant for a new trial and for judgment, execution is stayed.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Oct 10 1941
H. P. Warfield, Clerk
U. S. District Court LN

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

United States of America,

Plaintiff,

vs

NO. 621 CIVIL

Merl Townley, E. G. Jamison,
B. A. Cole, et al.,

Defendants.

JOURNAL ENTRY OF JUDGMENT

Now on this 10th 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 Mr. Knight Powers, Assistant United States Attorney in and for the Northern District of Oklahoma, and it being shown to the court that the above named defendants Merl Townley, E. G. Jamison, and B. A. Cole having 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 have failed, refused and neglected to answer, demur or otherwise plead herein, said defendants are declared by the court to be in default, and the court finds that said defendants E. G. Jamison and B. A. Cole are residing at Apperson, Oklahoma, and the defendant Merl Townley is residing at Ponca City, Oklahoma, all as civilians, and that they are not now engaged in the military or naval service of the United States of America, and that the plaintiff is entitled to judgment as demanded in its Complaint in this action.

And it further appearing to the court that the defendant Virgil Townley, is now in the military service of the United States, to-wit, the United States Army, and that said cause should be dismissed against said defendant Virgil Townley, and that this court has jurisdiction under Section 302(b) of the Soldiers' and Sailors' Civil Relief Act of 1940 to dismiss such action against said defendant,

IT IS THEREFORE, THE ORDER AND JUDGMENT OF THE COURT that the plaintiff herein

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 Three Thousand Nine Hundred Thirty Dollars (\$3,930.00), 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 10th day of October, 1941,

ADJUDGED, ORDERED AND DECREED that the title to 73.96 acres, more or less of the 15,500 acres described in said condemnation petition on file herein, which 73.96 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 A-4

Northwest 3.03 acres of Lot 2; and Northwest 3.92 acres of Lot 3; and South 20 acres of Lot 4; and Northwest 3.79 acres of Lot 3; and North 17.22 acres of Lot 4; and Southwest 10 acres of Lot 2; Section Five (5), Township Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 73.96 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 Three Thousand Nine Hundred Thirty Dollars (\$3,930.00) 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 abovescribed premises and possession to said property shall be delivered to the United States of America on or before the 15th day of October, 1941 and this case 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 and upon any of the defendants not in possession of the abovescribed 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 H. SAVAGE
JUDGE PRESIDING, United States District Court,
Northern District of Oklahoma.

ENCLOSED: Filed at 3:21 P.M.
Oct 10 1941
E. P. Warfield, Clerk
U. S. District Court E

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

PRUDENTIAL LIFE INSURANCE COMPANY OF AMERICA, a corporation,

Plaintiff,

vs.

NO. 674 CIVIL

T. H. HAUGH, Guardian of Richard Carroon, ET AL,

Defendants.

ORDER GRANTING EXTENSION OF TIME IN WHICH TO FILE ANSWERS

This matter, being presented to the undersigned Judge of the United States District Court for the Northern District of Oklahoma, for an extension of time for the defendants, Wilbur F. Pell, administrator of the estate of Harold Carroon, deceased, and The Shelby National Bank, a national banking association, guardian of Richard Carroon, a minor, the Court being advised finds that the defendants, and each of them, should be granted fifteen (15) days from the 15th day of October, 1941, in which to file answers.

IT IS, THEREFORE, by the Court ordered that the above named defendants be, and they are hereby granted, an extension of time in which to file their respective answers, of fifteen (15) days from the 15th day of October, 1941.

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

ENDORSED: Filed Oct 10 1941
E. P. Warfield, Clerk
U. S. District Court H

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

PRUDENTIAL LIFE INSURANCE COMPANY OF AMERICA, a corporation,

Plaintiff,

vs.

NO. 675 CIVIL

T. H. HAUGH, Administrator of the Estate of Harold Carroon, deceased, ET AL,

Defendants.

ORDER GRANTING EXTENSION OF TIME IN WHICH TO FILE ANSWERS

This matter, being presented to the undersigned Judge of the United States District Court for the Northern District of Oklahoma, for an extension of time for the defendants, Wilbur F. Pell, Administrator of the estate of Harold Carroon, deceased, and The Shelby National Bank a national banking association, guardian of Richard Carroon, a minor, the Court being advised finds that the defendants and each of them should be granted fifteen (15) days from the 15th day of October, 1941, in which to file answers.

IT IS, THEREFORE, by the Court ordered that the above named defendants be, and

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

United States of America,

Plaintiff,

vs.

NO. 638 CIVIL

A. A. Kennedy, S. S. Kennedy, and
Chas. Eshleman,

Defendants.

JOURNAL ENTRY OF JUDGMENT

Now on this 11th day of October, 1941, this cause came on for hearing before the Honorable Royce H. Savage, Judge presiding, the plaintiff appearing by Whit Y. Henry, United States Attorney in and for the Northern District of Oklahoma, and Wm. Knight Powers, Assistant United States Attorney in and for the Northern District of Oklahoma, and it being shown to the court that the above named defendant S. S. Kennedy, has been duly and regularly served with summons and copy of complaint in the above styled cause more than twenty (20) days prior to this date, and has neglected to answer, demur or otherwise plead herein, said defendant is declared by the court to be in default, and the court further finds that said defendant is residing at Pawnska, Csege County, Oklahoma, and that the defendant S. S. Kennedy is not now engaged in the military or naval service of the United States of America, and that this plaintiff is entitled to judgment as demanded in its Complaint in this action.

And it further appearing to the court that the defendants A. A. Kennedy and Chas. Eshleman after diligent search, cannot be found within the Northern District of Oklahoma, and therefore has not been served with summons and copy of the Complaint in this case.

IT IS THEREFORE THE ORDER AND JUDGMENT OF THE COURT that the plaintiff herein has and recover judgment against the defendant S. S. Kennedy in the amount of \$101.00 with interest thereon at the rate of 6% per annum from October 15, 1940, until paid, and for all costs of this action.

IT IS THE FURTHER ORDER AND JUDGMENT OF THE COURT that this action be, and the same is hereby dismissed as to the defendants A. A. Kennedy and Chas. Eshleman.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 11 1941
H. P. Garfield, Clerk
U. S. District Court N

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

GORDON DENTON, Executor of the Estate of Mollie Davis, nee Jones, deceased, Plaintiff,

vs.

NO. 220 CIVIL

Cynthia Chandler, et al., Defendants.

United States of America, Intervener.

C O R D E R

Now on this 11 day of October, 1941, this matter coming on before the court on the application of the United States of America for an order nunc pro tunc correcting certain pleadings filed in this cause of action, and it appearing to the court that the following pleadings have been filed herein; Order of Revivor, Journal Entry of Judgment, Order of Sale, and Order Confirming Marshal Sale, and that in all of said pleadings both in the caption thereof and body thereof, the said Gordon Denton is referred to as Administrator of the Estate of Mollie Davis, nee Jones, deceased, through error and mistake, and should have been referred to as Gordon Denton, Executor of the Estate of Mollie Davis, nee Jones, deceased.

IT IS, THEREFORE, THE ORDER OF THE COURT that said pleadings above named are hereby corrected to read, both in the caption and body of the same, Gordon Denton, Executor of the Estate of Mollie Davis, nee Jones, deceased.

ROYCE H. SAVAGE
JUDGE

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

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

GORDON DENTON, Executor of the Estate of Mollie Davis, nee Jones, deceased, Plaintiff,

vs.

NO. 220 CIVIL

Cynthia Chandler, et al., Defendants.

United States of America, Intervener.

C O R D E R

Now on this 11 day of October, 1941, this matter coming on before the court on the application of the United States of America for leave to amend by interlineation, and it appearing to the court that in the Motion for Revivor of Action, Application for Default Judgment, Notice of Sale, Return of Sale, Proof of Publication, and Motion to Confirm sale filed herein, Gordon Denton, is referred to as Administrator of the Estate of Mollie Davis, nee Jones, deceased, and that said pleadings should be amended to show Gordon Denton as Executor of said estate.

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and hereby is granted permission to amend said pleadings above named by interlineation to show Gordon Denton as Executor of the Estate of Nollie Davis, nee Jones, deceased.

ROYCE H. SAVAGE
JUDGE

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

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

M. P. PERRY, Trustee,

Plaintiff,)

vs.)

NO. 335 - Civil

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

Defendants.)

JUDICIAL ENTRY OF JUDGMENT

This cause came on for hearing before me, the undersigned Judge of this Court, on this the 8th day of October, 1941, pursuant to special setting and notice given to all parties; and there being present in court, Noble Hood receiver of Seminole Provident Trust, the claimant, in person, and by his attorney, Eugene C. Kowiet; the Interveners, C. P. Clstead, et al., appearing by their attorney R. B. McDermott; Joseph R. McGraw, receiver of Associated Petroleum Properties, the respondent, appearing in person and by his attorney, Henry L. Fist, and C. T. Thompson, a former trustee of Seminole Provident Trust, who had failed to file pleadings in the case, but who appeared in person; and by his attorney, E. A. Hamilton;

And all parties having announced ready, the court proceeded to hear the evidence of the witnesses sworn and examined in open court and by deposition;

Upon the conclusion of the taking of testimony all parties rested, and the cause was submitted without argument. Upon consideration of the evidence the court made Findings of Fact and Conclusions of Law, which were reduced to writing and are on file herein; and, based upon said Findings of Fact and Conclusions of Law;

IT IS ORDERED, DECREED AND ADJUDGED by the court that the claim of Noble C. Hood receiver of Seminole Provident Trust, against Joseph R. McGraw, receiver of Associated Petroleum Properties, be and the same is hereby denied, and a session was allowed.

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

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

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

W. P. PERRY, TRUSTEE,

Plaintiff,

vs.

NO. 285 Civil

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

Defendant.

ORDER DENYING CLAIM OF OKLAHOMA TAX COMMISSION

On this 13th day of October, 1941, the matter of the claim of the Oklahoma Tax Commission for interest and penalties, of 1937 income tax returns, comes on for hearing before me. The Receiver, Joseph R. McGraw appearing in person and by his attorney, Henry L. Fist, and the Oklahoma Tax Commission not appearing, either by representative or attorney; and the court being advised that the Oklahoma Tax Commission does not desire to press the claim but desires merely that it have a ruling of the court thereon; and the court being further advised that the taxes have been paid and that the reason for the late filing of the tax return was the fact that the original trustees of the company were in the United States Penitentiary at the time when said return should have been filed, and did not leave anyone in charge of the Trust, the court is of the opinion that under such circumstances there was no undue delay in the filing of the return and payment of taxes by the Trust.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the court, that the return to the Oklahoma Tax Commission be, and the same is hereby disallowed and denied.

F. E. KEMMAMER
JUDGE

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

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

W. P. PERRY TRUSTEE,

Plaintiff,

vs.

NO. 285 Civil

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

ORDER PERMITTING RECEIVER TO OFFER COMPROMISE ON CLAIMS OF
INTERNAL REVENUE DEPARTMENT

On this 13th day of October, 1941, the matter of the claim of the Internal Revenue Department for capital stock taxes for the years 1935, 1936, 1937, 1938, and 1939, against the above entitled Trust, comes on for hearing before me the undersigned Judge of this Court. There being present in court, Joseph R. McGraw, Receiver of the Associated Petroleum Properties in person, and by his attorney, Henry L. Fist; and the United States District Attorney, W. V. Harzy, appearing by his assistant, William K. Fowens.

And the court being fully advised in the premises, and having heard the statement and arguments of counsel is of the opinion that the receiver should be authorized to offer a compromise

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that the Receiver, Joseph R. McGraw, be and he is hereby authorized and directed to offer a compromise of said tax claim, the amount of said claim being at this time, with interest and penalties, the sum of \$1409.36, and the amount of compromise to be offered being \$800.00.

F. E. KENNAMER
JUDGE

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

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

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.) NO. 372 - CIVIL
MARGARET KASHUNKASHEY, now Bradshaw,)
Defendant.)

C O R D E R

NOW, on this 10th day of October, 1941, this matter coming on for hearing on application of Whit Y. Mauzy, United States Attorney, for extension of time in which to file reply brief herein, and for good cause shown;

IT IS ORDERED BY THE COURT that the United States be and it hereby is granted Fifteen (15) days additional time in which to file it's reply brief in this cause of action.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE.

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

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

RECONSTRUCTION FINANCE CORPORATION, a)
corporation,) Plaintiff,)
vs.) No. 305 - civil
WERTZBERGER DERRICK COMPANY, a)
corporation, et al.,) Defendants.)

C O R D E R

It appearing to the Court that the Court has heretofore ordered and directed H. C. TRIMBLE, the duly appointed, qualified and acting Receiver herein, to sell at private sale to Jacob Fell for a consideration of \$10,250.00 cash, the following described real estate and leasehold estate situated in Tulsa County, Oklahoma, to-wit:

MONDAY, OCTOBER 13, 1941

a part of the Southwest quarter (SE $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section 23, Township 13 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 23, which point is 155.5 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 Northwesterly 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 270 feet; thence East parallel to the said South Section line to the Northwesterly 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. L. 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 on the south line of Section 23, Township 13 North, Range 12 East, Tulsa County, Oklahoma, at Red Fork, 24.5 feet perpendicularly distance 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 tract 353 feet; thence northwesterly at right angles 243.5 feet; thence northeasterly at right angles 95 feet; thence northwesterly at right angles 27 feet; thence southwesterly at right angles 640 feet; thence easterly 401 feet to point of beginning. Containing 109,727 square feet, more or less,

and that said property has been duly appraised, and said sale should be set for hearing for final confirmation and approval, and notice thereof given as required by the statutes; and for good cause shown, it is, by the Court,

ORDERED:

(1) That the private sale of the above described real estate and household estate to Jacob Fell, for a consideration of \$10,250.00 cash, be, and the case is hereby, set for hearing before this Court for final confirmation and approval thereof, on the 24 day of October, 1941, at ten o'clock A.M.

(2) That notice hereof shall be given by publication of a notice in the Tulsa Daily Legal News of Tulsa, Oklahoma, for at least ten days.

ENTERED this the 13th day of October, 1941.

WITNESSED: Filed Oct 13 1941
H. P. Warfield, Clerk
U. S. District Court E

ROYCE H. SAVAGE
United States District Judge

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

RECONSTRUCTION FINANCE CORPORATION, A Corporation,

Plaintiff,

-vs-

No. 505 - Civil

WERTZBERGER DERRICK COMPANY, a corporation, et al.,

Defendants.

O R D E R

It appearing to the Court that H. C. Trimble, the duly appointed, qualified and acting Receiver herein, has filed in this cause an application for authority to sell at private sale certain real estate and a certain leasehold estate more particularly described in said application, and that said application should be set for hearing before this court, and notice given; and for good cause shown, it is, by the Court,

ORDERED:

That said application be, and the same is hereby, set for hearing on Monday, October 13, 1941, and that notice hereof shall be given by publication of a notice in The Daily Legal News of Tulsa, Oklahoma.

ENTERED this the 8th day of October, 1941.

ROYCE H. SA VAGE
UNITED STATES DISTRICT JUDGE

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

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

RECONSTRUCTION FINANCE CORPORATION, A Corporation,

Plaintiffs,

-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 H. 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, appeared by his counsel, G. Ellis Gable.