



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

NANCY BRADBURN,)
)
 Plaintiff,)
 v.)
 SHELL OIL COMPANY, INCORPORATED,)
)
 Defendant.)
)
 UNITED STATES OF AMERICA,)
)
 Intervener.)

No. 961-Civil.

FILED

APR 26 1948

NOBLE C. HOOD
Clerk U. S. District Court

J U D G M E N T

This cause coming on for trial and the parties, appearing by their respective attorneys, submitted the matters in controversy to the court for trial without a jury; and the pleadings, the evidence, and the arguments of counsel having been heard and fully understood, the court made and filed Findings of Fact and Conclusions of Law, wherein all the issues were found in favor of the defendant.

THHEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED on this, the 26th day of April, 1948, that plaintiff, and the United States of America as intervener, take nothing by their suit and that the defendant go hence with its costs without day and that execution issue against plaintiff in its behalf for its costs.

Woyce H. Savage
Judge

IN THE UNITED STATES DISTRICT COURT FOR THE WEST DISTRICT OF MISSOURI

FILED

APR 26 1948

Elmer Elliott,)
Plaintiff,)
vs.)
National Zinc Company, Inc., a)
corporation,)
Defendant.)

NOBLE C. HOOD
Clk U. S. District Court
No. 2089 Civil

JOURNAL ENTRY OF JUDGMENT

On or this 26th day of April, 1948, this cause comes on for hearing upon the merits: the plaintiff appeared by and through his attorneys, Green & Farmer, and the defendant appeared by its counsel, Hudson, Hudson & Cheaton.

Both parties having announced ready for trial, and having waived a jury, the court proceeded to the trial of said cause. The plaintiff introduced his evidence and rested. And the court being fully advised in the premises, finds that plaintiff is entitled to judgment against the defendant in the sum of \$3,750.00, and the costs of this suit.

IT IS THE COURT'S ORDER, ADVICE AND DECREE by the court that the plaintiff, Elmer Elliott, have and recover judgment against the defendant, National Zinc Company, Inc., a corporation, in the amount of Three thousand Seven Hundred Fifty (\$3,750.00) and No/100 Dollars, together with the costs of this action. For all of which let execution issue.

By Noble C. Hood
U. S. District Judge

By Green & Farmer
Attorneys for Plaintiff

H. Hudson, Hudson & Cheaton
Attorneys for Defendant

Accepted and signed

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

Lloyd Bond,

Plaintiff,

vs.

United States of America,

Defendant.

NO. 2197 - CIVIL

FILED
In Open Court

APR 26 1948

O R D E R

NOBLE C. HOOD
Clerk U. S. District Court

This matter coming on for hearing this 26th day of April, 1948, upon the application of the plaintiff and the defendant, United States of America, for approval of a compromise and the plaintiff being present by his attorney, Carl Livingston, and the United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the court after being fully advised in the premises finds;

That there has been instituted in this court by the plaintiff an action wherein the plaintiff claims that he has been injured and damaged by virtue of the negligence of one of the employees of the United States of America acting within the scope of his employment, wherein the plaintiff is seeking a judgment in the sum of Twelve Thousand Four Hundred Forty One Dollars and Seventy Five Cents (\$12,441.75), together with interest and costs.

The court further finds that the parties have stipulated, compromised and settled said cause of action whereby the United States of America will pay to the plaintiff, Lloyd Bond, the sum of Three Thousand Dollars (\$3,000.00), said sum to be in full and complete satisfaction and payment of any and all injuries and damages of every kind and character whatsoever sustained by said plaintiff by virtue of the airplane accident described in plaintiff's complaint.

The court further finds that the Attorney General of the United States of America has exercised his powers under Section 413 of the Federal Tort Claims Act and has approved said compromise agreement.

The court having heard the statements of various counsel and the statements of other counsel at pre-trial conferences in other cases involving said airplane accident and after reading the medical report submitted in this cause and after considering the stipulation of the parties and after

being fully advised in the premises finds that said compromise and settlement whereby the United States of America is to pay said plaintiff the sum of Three Thousand Dollars (\$3,000.00) is a just and reasonable settlement and should be approved by the court.

The court further finds that the United States, in making said compromise and settlement, does not admit any negligence nor liability by virtue of said airplane accident, said negligence being a matter in dispute, but has entered in said stipulation to settle and compromise said injuries suffered by the plaintiff because of the question of liability and believing said settlement to be fair and just to all parties concerned.

The court further finds that the Attorney General of the United States, by virtue of the terms and conditions of the stipulation filed in this cause, leaves to this court the fixing of the attorney fees for the plaintiff's attorney, the Attorney General of the United States making no recommendation as to said fee and, therefore, the court finds that a reasonable attorney fee for plaintiff's attorney would be of the sum received from the United States of America.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the compromise offer of settlement whereby the plaintiff is to receive from the United States of America the sum of Three Thousand Dollars (\$3,000.00) in full and complete settlement of all claims and demands for injuries and damages sustained by him by virtue of the airplane accident described in plaintiff's complaint be and the same hereby is approved.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that when the United States of America pays to the plaintiff the sum of Three Thousand Dollars (\$3,000.00) that this cause of action be dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the plaintiff's attorney, Carl Livingston, be and he hereby is allowed a fee of percent (%) of the amount paid by the United States of America, to-wit, the sum of

AND IT IS SO ORDERED.

Raymond H. Savage
JUDGE

D.R.

Attorney for Plaintiff

United States Attorney

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

TIMELY NEWS PHOTOS, INC.,
a corporation,

Plaintiff,

vs.

PUBLIC RADIO CORPORATION,
a corporation,

Defendant.

No. 2222 Civil.

FILED

APR 25 1948

NOBLE C. HOOD
Clerk U. S. District Court

DISMISSAL WITH PREJUDICE.

The complainant in the above styled and numbered
cause hereby dismisses said case with prejudice and at the cost
of the complainant, for the reason that the cause has been
compromised and settled by and between the parties thereto.

TIMELY NEWS PHOTOS, INC.
Plaintiff,

By _____
Attorneys.

APPROVED:

PUBLIC RADIO CORPORATION,
Defendant,

By *Thomas*
Attorney.

The above dismissal approved and case ordered dis-
missed with prejudice at the cost of the plaintiff.

DATED this 25 day of April, 1948.

Judge.

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

The United States of America,	Plaintiff,	}	No. 2261 Civil.
vs.			
Floyd L. Musie,	Defendant.		

1948
 1948
 DONALD C. WOOD
 Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

NOW, ON THIS 27th day of April, 1948, this matter coming on for hearing, plaintiff appearing by its attorney, Whit Y. Mabry, United States Attorney for the Northern District of Oklahoma, and John W. McCune, Assistant U. S. Attorney, and the defendant appearing not, the Court proceeded to hear the evidence offered on behalf of the plaintiff.

The Court finds that the defendant was duly served with summons herein more than 20 days prior to this date and that said defendant, not having filed any answer or pleading herein, is in default and should be so adjudged.

The Court further finds that a proper Affidavit of Non-Military Service has been filed herein and the same is hereby approved.

The Court further finds that said defendant did, on day 27, 1935, make and execute to the Governor of the Farm Credit Administration of the United States of America his written promissory note in the sum of \$221.00, which note was reduced to the sum of \$180.00, and that said note became due on October 31, 1935, and

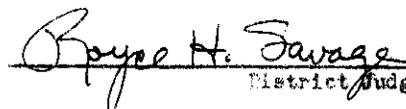
that the defendant has failed, neglected and refused to make any payments thereon, and that by reason thereof the defendant is indebted to the plaintiff in the sum of \$100.00, with interest at the rate of 5½% per annum from October 31, 1935.

The Court further finds that said defendant did, on May 15, 1936, make and execute to the Governor of the Farm Credit Administration of the United States of America his written promissory note in the sum of \$200.00, which note became due on October 31, 1936, and that the defendant has failed, neglected and refused to make any payments thereon, and that by reason thereof the defendant is indebted to the plaintiff in the sum of \$200.00, with interest at the rate of 5½% per annum from October 31, 1936.

The Court further finds that said defendant did, on September 2, 1936, make, execute and deliver to the Governor of the Farm Credit Administration of the United States of America his written promissory note in the sum of \$200.00, which note became due on August 31, 1937, and that the defendant has failed, neglected and refused to make any payments thereon, and that by reason thereof the defendant is indebted to the plaintiff in the sum of \$200.00, with interest thereon at the rate of 5½% per annum from August 31, 1937.

The Court further finds that there is interest due in the sum of \$367.20 to this date.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff have judgment against the defendant, Floyd E. Masio, in the sum of \$947.20, with interest thereon at 5½% from this date, and for its costs, for all of which let execution issue.


District Judge.

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

United States of America,

Plaintiff,

vs.

No. 2196 Civil

1754 cases, more or less, each contain-
ing 24 cans of an article labeled in part,
"Contents 1 Lb. 3 Oz., Big Smith Brand
Hand Packed Tomatoes,"

Defendant.

FILED

APR 25 1948

W. JAMES G. HOOD
Clerk U. S. District Court

D E C R E E

This matter coming on for hearing this 26th day of April, 1948, and the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Smith Canning Company, a partnership, appearing by its attorney, Wilbur J. Holleman, and the court being fully advised in the premises finds that a libel of information against the above described article was duly filed in this court on behalf of the United States of America by the United States Attorney for the Northern District of Oklahoma. The libel alleges that the article proceeded against was misbranded within the meaning of the Federal Food, Drug and Cosmetic Act, 21 U.S.C. 343 (h)(1), in that said food falls below the standard prescribed by Section 53.41 (a)(1) in that the drained weight of the contents of the container is less than the standard of quality.

Pursuant to monition issued by this court the United States Marshal for the Northern District of Oklahoma seized 1400 cases, more or less, on November 6, 1947. Thereafter Smith Canning Company of Fayetteville, Arkansas, intervened in this action and filed claim to said cases of tomatoes. The claimant consents that a decree as prayed for in the libel be entered condemning the cases of tomatoes under seizure and held by the United States Marshal for the Northern District of Oklahoma.

The court, being fully advised in the premises, on motion of the parties hereto, it is

ORDERED, ADJUDGED and DECREED that the cases of tomatoes aforescribed, under seizure, are misbranded in violation of 21 U.S.C. 343 (h)(1) and 21 U.S.C. 334, and it is further

ORDERED, ADJUDGED and DECREED that the United States of America shall recover from the Smith Canning Company all court costs, including storage expenses, and it is further

ORDERED, ADJUDGED and DECREED that since the claimant has petitioned this court, that the aforescribed cases of tomatoes be delivered to the Smith Canning Company pursuant to 21 U.S.C. 334(d), that John P. Logan, United States Marshal for the Northern District of Oklahoma, or his duly authorized deputy, release said cases of tomatoes from his custody and deliver the same to the Smith Canning Company, or its duly authorized agent or agents, for the purpose of segregating the misbranded from the proper cases of tomatoes and for the purpose of relabeling the misbranded portion of said tomatoes, if claimant, within twenty (20) days from the date of this decree,

1. Pays in full the court costs, storage and other proper expenses, and
2. Executes and files with the clerk of this court a good and sufficient penal bond with surety, in the sum of Twenty Five Hundred (\$2,500.00) Dollars, approved by this court, payable to the United States of America and conditioned on the claimant's abiding by and performing all the terms and conditions of this decree and such further orders and decrees as may be entered by this court in this proceeding, and it is further

ORDERED, ADJUDGED and DECREED that:

1. After the filing of the aforescribed bond in the clerk's office of this court, duly approved by this court, the claimant shall be permitted and allowed, at its own expense, to segregate said cases of tomatoes and to relabel the misbranded cases of tomatoes under the supervision of a duly authorized representative of the Federal Security Administrator.
2. That the claimant shall at all times, until said cases of tomatoes have been released by the duly authorized representative of the Federal Security Administrator, retain all the cases of tomatoes for examination or inspection by said representative and shall maintain the necessary records or other proof necessary to establish the identity of said cases of tomatoes to the satisfaction of said representative.
3. That claimant shall not commence relabeling, reconditioning or segregating operations until it has been duly authorized by a duly authorized representative of the Federal Security Administrator.

4. That the claimant shall not under any circumstances whatsoever ship, sell, offer for sale or otherwise dispose of any part of said cases of tomatoes until a duly authorized representative of the Federal Security Administrator shall have had free access thereto and shall in writing have released said cases of tomatoes or such part of them as he may determine, for shipment, sale or other disposition. That claimant, under the supervision of the duly authorized representative of the Federal Security Administrator, shall relabel such cases of tomatoes found by the Federal Security Administrator or his duly authorized representative to be mislabeled.

5. That claimant shall abide by the decisions of said duly authorized representative of the Federal Security Administrator, which decisions shall be final and that if claimant breaches any condition stated in this decree or in any subsequent order or decree of this court in this proceeding, claimant shall immediately return the aforescribed cases of tomatoes to John P. Logan, United States Marshal for the Northern District of Oklahoma, or shall otherwise dispose of them pursuant to an order duly entered by this court.

6. The claimant shall not sell or dispose of said cases or cans of tomatoes or any part thereof in any manner contrary to the provisions of the Federal Food, Drug and Cosmetics Act or the laws of the state or territory in which any of it may be sold or disposed of.

7. The claimant shall compensate the United States of America for cost of supervision pursuant to statement presented by the Kansas City Station, of the Food and Drug Administration.

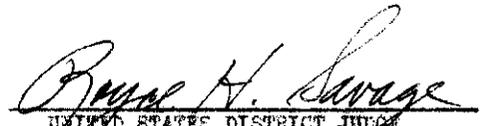
8. Upon request of a duly authorized representative of the Federal Security Administrator, claimant shall furnish to said representative duplicate copies of all invoices of sale of the aforescribed cases or cans of tomatoes and shall furnish such further evidence of disposition as said representative may request.

9. The United States Attorney for the Northern District of Oklahoma, upon being advised by a duly authorized representative of the Federal Security Administrator that the conditions of this decree have been performed by said claimant, shall transmit such information to the clerk of this court, whereupon the bond given in this proceeding shall be cancelled and discharged, and it is further

ORDERED, ADJUDGED and DECREED that if claimant does not avail itself of the opportunity to repossess the aforescribed cases of tomatoes in the manner aforesaid, that the United States Marshal for the Northern District of Oklahoma shall retain the custody of said cases of tomatoes pending the issuance of an order of this court regarding their disposition, and it is further

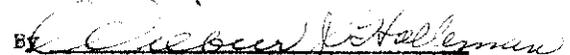
ORDERED, ADJUDGED and DECREED that this court expressly retain jurisdiction over said aforescribed cases of tomatoes and of the claimant to issue such further decrees and orders as may be necessary for the proper disposition of this proceeding and that should the claimant fail to abide by and perform all the terms and conditions of this decree or any other order or decree as may be entered by this court or of the terms and conditions of the aforescribed bond, then said bond shall, on motion of the United States Attorney for the Northern District of Oklahoma be forfeited and judgment entered thereon.

DATED at Tulsa, Oklahoma, this 26th day of April, 1948.

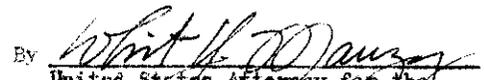

UNITED STATES DISTRICT JUDGE

Re, the undersigned, hereby consent to the entry of the foregoing decree.

SMITH CANNING COMPANY, a partnership

By 
Its Attorney

UNITED STATES OF AMERICA

By 
United States Attorney for the
Northern District of Oklahoma

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

THE PARKER APPLIANCE COMPANY,
a corporation, Plaintiff,

vs-

C. 2239

GENERAL IRON & STEEL PRODUCTS COMPANY,
a corporation, Defendant.

FILED
In Open Court

APR 28 1948

NOBLE C. HOOD
Clerk U. S. District Court

J U D G M E N T

It appearing to the undersigned Judge of the U.S. District Court for the Northern District of Oklahoma that heretofore, to-wit

an action was filed on the 7th day of February, 1948 by The Parker Appliance, a corporation against General Iron & Steel Products Company, a corporation, in which action the plaintiff sought judgment against the defendant for a sum certain; and it appearing that service had been duly had upon the defendant and that the defendant has failed to plead or answer within the time prescribed by law and by an extension granted by the court and it appearing to the court that the said defendant is in default and the court being satisfied that judgment should enter against the defendant for the sum ^{sued} for less a credit of \$1,000.00 paid on the intercessions by the defendant on the 15th day of March, 1948 and the court being satisfied by evidence introduced that said judgment should be entered.

It is Therefore, ordered that the plaintiff, The Parker Appliance Company, a corporation, have and recover judgment against the defendant, General Iron & Steel Products Company, a corporation, in the amount of \$4,324.01 with interest at the rate of six per cent per annum from and after December 20, 1947, Attorneys Fees in the amount of \$683.40 and the costs of this action.

Done this 28 day of Apr. 1948.

Joyce H. Sevage
Clerk

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

WILLIAM JAMES ALBERTSON,

PLAINTIFF,

vs.

BARTLESVILLE BROADCASTING COMPANY,
A CORPORATION,

DEFENDANT.

No. 2256-CIVIL

WILLIAM H. HOOD
Clerk of the District Court

ORDER OF THE COURT

Now on this 28 day of April, 1938, upon application of the
PLAINTIFF, the above entitled cause is hereby dismissed with prejudice.

George H. Sawyer
UNITED STATES DISTRICT JUDGE

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

ESTHER MAXWELL, Plaintiff

vs

W. E. MAXWELL, Defendant

0
0
0
0
0
0
0

NO. 2218 CIVIL

FILED

MAY 4 1948

NOBLE C. HOOD
Clerk U. S. District Court

O R D E R

Now, on this 4th day of April, 1948, this matter coming on to
be heard upon the motion of plaintiff to dismiss the above cause with
prejudice to a future action, and the court having been advised that said
cause has been fully settled and compromised by the parties,

IT IS BY THE COURT ORDERED, ADJUDGED AND DECREED that said cause
be and the same is hereby dismissed with prejudice to a future action.

Royce H. Savage
Judge.

C. C. Mapatt & Knight
Tom Knight

C. C. Chris Proder

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

TELEA SOCIETY,

Plaintiff,

vs.

THE SICHIGON, TOPEKA AND SANSAPPE
RAILWAY COMPANY, a corporation,

Defendant.

No. 2333-CIVIL

ORDER OF DISMISSAL

The parties to this action having signed and filed herein
their stipulation for dismissal of the above cause with prejudice
to the defendant's cost:-

IT IS THE COURT'S ORDER, ORDERED AND ADJUDGED that the
above cause be and the same is hereby dismissed with prejudice
to the defendant's cost in accordance with said stipulation.

DONE at Tulsa, Oklahoma, May 7th, 1948.

Approved:
Henry E. Timmons
Attorney for Plaintiff

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

Civil Action No. 2241

FILED

TIGHE H. WORDS, Housing Expediter,
Office of the Housing Expediter

Plaintiff

Vs.

FANNIE SHAW REED

Defendant

MAR 5 1948

WESLEY C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

Now on this 25th day of March, 1948, the above-styled and numbered cause of action comes on for hearing before the Court at a pre-trial conference, the Plaintiff being represented by his attorney, Sanford H. Palmer, and the Defendant being represented by her attorney, Erimus C. Wade.

Whereupon, the Defendant's attorney advised the Court that Harvey Reed has never owned the property involved or received any of the rentals, and this cause of action was dismissed relative to Harvey Reed.

Whereupon, after hearing statement of counsel, the Court finds that the Defendant has overcharged Professor and Bertha Lewis in the amount of ~~\$87.26~~^{#86.72} and that she has overcharged the tenant, Mameon C. Bolton, in the amount of \$72.00. The Court further finds that the Defendant should make restitution to the tenants the amounts of the overcharges by off-setting the amounts of rent due until the overcharges are refunded and that the Injunction should be granted as prayed for in the Complaint.

It is, therefore, ORDERED, ADJUDGED, AND DECREED by the Court that the Defendant, Fannie Shaw Reed, make restitution to the tenants, Professor and Bertha Lewis, in the amount of ~~\$87.26~~^{#86.72}, and make restitution to the tenant, Mameon C. Bolton, in the amount of \$72.00, and that said restitution may be made by off-setting rent due the landlord by the tenant until the refunds are made.

It is further ORDERED, ADJUDGED, AND DECREED by the Court that the Defendant, her agents, servants, employees, representatives, and all persons in active concert or participation with any of them, be, and each of them are hereby, enjoined and restrained from directly or indirectly:

- (a) Evicting, or attempting to evict, Professor and Bertha Lewis, and Mameon C. Bolton or any member of their respective households from the rental units described as the East Side Apartment (Downstairs), 423 North Detroit, Tulsa, Oklahoma and 308 E. Easton, Tulsa, Oklahoma, respectively, in violation of Section 209 of the Housing and Rent Act of 1947 as heretofore and hereinafter amended, extended, or superseded.

(b) Soliciting, demanding, accepting, or receiving any rent from the housing accommodations located in the Tulsa Defense Rental Area, in excess of the maximum legal rent now prescribed by the Housing and Rent Act of 1947, as amended and extended, or the maximum legal rent that may hereafter be established pursuant to the provisions of the Housing and Rent Act of 1947, as heretofore and hereinafter amended, extended, or superseded, and the Rent Regulations issued pursuant thereto, or any order heretofore or hereinafter issued in conformity with said Housing and Rent Act of 1947, as heretofore and hereinafter amended, extended, or superseded and the Rent Regulations issued pursuant thereto.

UNITED STATES DISTRICT JUDGE

APPROVED:

Stanford B. ...
ATTORNEY FOR THE PLAINTIFF

James ...
ATTORNEY FOR THE DEFENDANT

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

YESSIE L. BARNES, et al.,
Plaintiffs,

-vs-

MEDLAND SAVINGS AND LOAN CO.,
a corporation,
Defendants.

No. 1679-Civil
FILED

MAY 10 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OVERRULING MOTION TO VACATE JUDGMENT
AND FOR RE-HEARING

Now on this 7th day of May, 1948, the above entitled matter came on for hearing pursuant to previous assignment thereof, and the Court, after hearing argument, and being fully advised in the premises, finds:

That the motion filed by the plaintiffs herein on January 4, 1947, captioned, "Motion to Vacate Judgment and for Re-hearing," should be overruled;

IT IS, THEREFORE, BY THE COURT, CONSIDERED, ORDERED, ADJUDGED AND DECREED, that the Motion filed in the above entitled and numbered cause on the 4th day of January, 1947, should be, and hereby is overruled.

The plaintiffs asked and were allowed exceptions.

12 Royce H. Jernigan
JUDGE.

William J. Miller,

Plaintiff,

vs.

No. 2883 CIVIL

Meridian Wine Company of California,

Defendant.

FILED

MAY 10 1945

NOBLE C. HOOD
Clerk U. S. District Court

C E R T I F I C A T E

That, on this 10th day of May, 1945, the above en-
titled matter came on for hearing upon the stipulation of
the parties for dismissal with prejudice and it appearing
to the court that the parties have settled said cause out
of court and have filed their written stipulation herein for
dismissal with prejudice in a new action at the cost of the
defendant but without attorneys' fees to either side, and
the court being well and sufficiently advised in the premises,

IT IS ORDERED, ADJUDGED AND DECREED, that the above
entitled matter be and the same is hereby dismissed with
prejudice to a new action at the cost of the defendant but
without attorneys' fees to either side.

W. Royce H. Savage
JUDGE

APPROVED:

W. J. Drauchamps
Attorney for Plaintiff

A. C. Wallace

John R. Wallace

Ben T. Cramer
Attorneys for Defendant

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Louis L. Elmer

Plaintiff

vs

The Pacific Mutual Life Insurance
Company, a corporation,

Defendant

IN RE
CIVIL

FILED

MAY 11 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL

That on this 11th day of May, 1948, it appearing to
the Court upon the stipulation of the parties, that all matters
in controversy in this action have been settled and compromised
and that the parties have stipulated that this action shall be
dismissed at the cost of Plaintiff.

It is by the Court ordered and decreed that this case
be dismissed with prejudice at the cost of Plaintiff, and it is
ordered that the attorneys' or solicitors' fees be and
the same hereby is not to be taxed as costs as stipulated by
the parties.

Royce H. Savage
District Judge

Approved:
C. H. Roundtree
G. Ellis Gable

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

FILED

Civil Action No. 2257

APR 12 1948

TIGHE E. MOORE, Housing Expediter
Office of the Housing Expediter

Plaintiff

MOORE C. HOOD
Chief U. S. District Court

Vs.

ORDER OF DISMISSAL

BEN SCHENWALD and
MRS. BEN SCHENWALD

Defendant

Now on this 27th day of April, 1948, the above-styled and numbered cause of action comes before the Court for pre-trial conference, the Plaintiff being represented by his attorney, Sanford H. Palmer, and the Defendants being represented by their attorney, Charles A. Whitebook.

Whereupon, after hearing the statements of both counsel, the Court finds that the overcharge has been refunded to the tenant, that the eviction problem is now moot, and that the preliminary injunction should be dissolved, and that this cause of action should be dismissed, and that the costs should be taxed against the Defendants.

It is, therefore, ORDERED, ADJUDGED, AND DECREED by the Court that this cause of action be, and the same is, hereby dismissed and that the costs of this action be taxed against the Defendants.

Rayce H. Savage
UNITED STATES DISTRICT JUDGE

APPROVED:

Sanford H. Palmer
Attorney for the Plaintiff

C. C. Whitebook
Attorney for the Defendant

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OKLAHOMA.

W. L. Inhofe, Jr.,

Plaintiff,

vs.

No. 11187

Lynna Lee Horton,

Defendant.

FILED

APR 13 1948

CLERK OF DISTRICT COURT

ROBERT C. HOOD
Judge U. S. District Court

Now on this 13th day of May, 1948, it appearing to the Court from the application heretofore filed that all matters in controversy in this action have been settled and compromised, and that the parties have requested that this action be dismissed at the costs of the defendant;

IT IS THEREFORE, BY THE COURT ORDERED AND DECREED that the plaintiff's complaint, and the defendant's cross-complaint, hereby are dismissed with prejudice at the cost of defendant.

Raymond H. Savoy ---
United States District Judge.

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

Civil Action No. 222

Filed:
May 12, 1948
W. H. C. Hoops, Clerk
U. S. District Court

FRED A. WOOD, Housing Expediter
Office of the Housing Expediter

Plaintiff

vs.

MRS. LULA ROBERTS, a Free sole
and
MRS. LURELIA DE FORESTS
and
ELIZABETH LANGFORD

Defendants

ORDER OF DISMISSAL

Now on this 27th day of April, 1948, the above-styled and numbered cause of action comes on for consideration before the Court for a pre-trial conference, the Plaintiff being represented by his attorney, Sanford S. Palmer, and the Defendants being represented by their attorney, G. C. Spillers, Jr.

Whereupon, counsel for both parties made their statement to the Court, and the Court finds that the eviction problem is not moot and that this cause of action should be dismissed with the cost taxed to the defendant, Mrs. Lula Roberts.

It is, therefore, ORDERED, ADJUDGED, and DECREED by the Court that this cause of action be, and the same is, hereby dismissed and that the cost of this action be taxed against the defendant, Mrs. Lula Roberts.

Rayne H. Savage
UNITED STATES DISTRICT JUDGE

APPROVED:

Sanford S. Palmer
Attorney for the Plaintiff

G. C. Spillers, Jr.
Attorney for the Defendants

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

UNITED STATES OF AMERICA,

Petitioner,

-VS-

CERTAIN PARCELS OF LAND IN TULSA COUNTY,
OKLAHOMA; and R. E. BRINKLEY, et al.,

Defendants.

CIVIL NO. 1927

FILED

MAY 27 1948

NOBLE C. HOOD
Clerk U. S. District Court

JUDGMENT CONFIRMING COMMISSIONERS'
REPORT AS TO TRACTS NOS.
5 (314 - 1.5)
8 (314 - 2.1)
AND 11 (314 - 2.4)

NOW, on this 17th day of May, 1948, there comes on for hearing the application of the petitioner herein for a judgment approving the commissioners' report heretofore filed in this proceeding as to the real estate hereinafter specifically described.

Thereupon, the Court proceeded to hear and pass upon said application, petition for condemnation, report of commissioners, and all other matters herein, and finds that:

1. Each and all of the allegations of said petition for condemnation are true, and the United States of America is entitled to acquire the property by eminent domain for the uses and purposes therein set forth.

2. That the petition for condemnation was filed at the request of the Secretary of the Interior, the person duly authorized by law to acquire the estate in the land described in said document, for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceeding.

3. In said petition for condemnation, a statement of the authority under which, and the public use for which the estate in said lands was taken, was set forth.

4. A proper description of the lands sufficient for the identification thereof is set out in said petition for condemnation, and a statement of the estate or interest in said lands taken for said public use is set out therein.

5. Due, proper, and legal notice of the application of the United States of America for the appointment of commissioners herein was served upon each and all of the defendants named in said petition for condemnation as having any right, title, or interest in and to said tracts as required by law and order of this Court.

The Court hears evidence and finds that the returns as filed by the United States Marshals are true and correct, and that the same are in accordance with law.

The Court further finds that the publication notice and affidavit of the publisher, as filed herein, are in all respects in accordance with the law in such cases made and provided and the same are hereby approved by this Court.

6. The Court finds that the commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the lands designated as Tracts Nos. 5 (314 - 1.5), 8 (314 - 2.1) and 11 (314 - 2.4) in this proceeding, duly qualified by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of said premises and the consideration of the damages sustained occasioned by the taking of said estate, filed their report herein on the 15th day of January, 1948, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to the lands more particularly designated and described as follows, to-wit:

TRACT NO. 5 (314 - 1.5)

Perpetual Easement

A strip of land 100 feet in width in the $E\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 36, T 20 N, R 13 E of the Indian Base and Meridian in Tulsa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the east boundary of said E $\frac{1}{2}$ NW $\frac{1}{4}$ 877 feet from the SE corner thereof, thence northwesterly to a point 268 feet west and 100 $\frac{1}{4}$ feet north of the SE corner of said E $\frac{1}{2}$ NW $\frac{1}{4}$, thence northwesterly to a point in the west boundary of said E $\frac{1}{2}$ NW $\frac{1}{4}$ 106 $\frac{1}{4}$ feet from the SW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT FOR TRANSMISSION LINE PURPOSES) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 650.00

TRACT NO. 8 (314 - 2.1)

Perpetual Easement

A strip of land 100 feet in width in the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 35, T 20 N, R 13 E of the Indian Base and Meridian in Tulsa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the east boundary of said S $\frac{1}{2}$ NE $\frac{1}{4}$ 177 feet from the NE corner thereof, thence northwesterly to a point in the north boundary of said S $\frac{1}{2}$ NE $\frac{1}{4}$ 58 feet from the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT FOR TRANSMISSION LINE PURPOSES) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 1,225.00

TRACT NO. 11 (314 - 2.4)

Perpetual Easement

A parcel of land in the E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, T 20 N, R 13 E of the Indian Base and Meridian in Tulsa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at the SE corner of said E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ thence westerly along the south boundary of said E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ to the SW corner thereof, thence northerly along the west boundary of said E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ 78 feet, thence southeasterly to a point in the east boundary of said E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ 54 feet from the SE corner thereof, thence southerly along the east boundary of said E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ to the point of beginning.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT FOR TRANSMISSION LINE PURPOSES) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 420.00

TOTAL, - - - - - \$ 2,295.00

and that said report and proceedings as to said tracts, are in all respects regular and in accordance with the law and orders of this Court.

7. The petitioner, the United States of America, filed a demand for jury trial upon said Tracts Nos. 5 (314 - 1.5), 8 (314 - 2.1) and 11 (314 - 2.4), but subsequently withdrew the demand for jury trial and asked for confirmation of commissioners' awards upon said tracts. That no other demands for jury trial or that exceptions to report of commissioners are pending thereon; that more than sixty days have elapsed since the filing of said commissioners' report and that the awards therein made as to Tracts Nos. 5 (314 - 1.5), 8 (314 - 2.1) and 11 (314 - 2.4) have become final.

The Court further finds that the just compensation for the estates taken herein for said tracts, as fixed by the report of commissioners, is final just compensation in the amount of \$2,295.00.

8. That the United States of America did, on the 14th day of October, 1946, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the owners and persons entitled thereto, the following sums, to-wit:

TRACT NO. 5 (314 - 1.5),	\$ 180.00
TRACT NO. 8 (314 - 2.1),	300.00
TRACT NO. 11 (314 - 2.4),	<u>60.00</u>
TOTAL, - - - - -	\$ 540.00

9. The Court having fully considered the petition for condemnation, the Declaration of Taking, and all proceedings had herein, and the provisions of the Act of August 1, 1888, 25 Stat. 357 (U. S. C. Title 40, Sec. 257); the Act of February 26, 1931, 46 Stat. 1421 (U. S. C. Title 40, Secs. 258 (a) to 258 (e)); Title II of the Act of June 16, 1933, 48 Stat. 200-203 (U. S. C. Title 40, Sec. 401-403) as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U. S. C. Title 16, Sec. 809); Executive Order No. 8944, dated November 19, 1941; Executive Order No. 9366, dated July 30, 1943; and Executive Order No. 9373, dated August 30, 1943, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be

in truth and in fact a public purpose and use within the meaning and purpose of the above designated Acts of Congress.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the report of commissioners filed herein is final and the damages sustained as set out and fixed in said report of commissioners and as hereinabove set forth are full and just compensation for the taking of said estate in the lands designated as follows, to-wit:

TRACT NO. 5 (314 - 1.5),	\$ 650.00
TRACT NO. 8 (314 - 2.1),	1,225.00
TRACT NO. 11 (314 - 2.4),	420.00
TOTAL, - - - - -	\$ 2,295.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is a perpetual easement upon and over said lands for transmission line purposes, for the erection, operation and maintenance of a line or lines of poles, towers, or other structures, wires, cables and fixtures for the transmission of electric current; together with the perpetual easement and right to cut down, remove and trim any trees that may interfere with or endanger said transmission line or lines or the maintenance or operation thereof; and together with the perpetual easement to set the necessary guy and brace poles and anchors and to attach all necessary guy wires thereto; and the perpetual right, privilege and authority to erect, maintain and operate said line or lines of poles, h-frame structures, towers, or other structures, wires, cables and fixtures upon, over, and across any street, alley, highway or other right of way now or hereafter established and existing, on or across said lands or adjoining the same or adjacent thereto, for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project in Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the Declaration of Taking, and the interest therein taken by these

eminent domain proceedings, was vested in the United States of America on the 14th day of October, 1946, upon the filing of the Declaration of Taking and the depositing of the sum of \$540.00 in the registry of this Court for the estate taken in and to the above described tracts of land, and the right to recover just compensation for the estate taken vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate therein taken, as hereinabove specifically set forth, is hereby deemed to be condemned and taken for the uses and purposes of the United States of America, and that the just compensation as determined and fixed herein for the taking of said estate in said tracts of land, is vested in the persons lawfully entitled thereto, as the owners of said tracts of land, respectively, or of some right, title, or interest therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner pay into the registry of this Court the sum of \$1,755.00, said sum being the deficiency between the sum of \$2,295.00, the just compensation herein fixed, and the amount deposited with the Declaration of Taking as the estimated just compensation for the taking of said tracts of land, in the sum of \$540.00.

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



J U D G E
UNITED STATES DISTRICT COURT, NORTHERN
DISTRICT OF OKLAHOMA

IN THE DISTRICT COURT WITHIN AND OVER THE NORTHERN DISTRICT OF THE STATE OF DELAWARE

GRACE S. WHELAN,)
Plaintiff,)
vs.)
HEATRICE FOODS COMPANY,)
a Corporation,)
Defendant,)

2254-P.W.
No. 76968

FILED
MAY 1 1948

FINAL ENTRY OF JUDGMENT

CLERK OF COURT
DISTRICT COURT

Now on this 15th day of May, 1948 came plaintiff in person and by her attorneys, Disney, Houston & Kleis, by Merrill S. Kleis and Ben L. Murdock, and also came the defendant and by its attorneys, Hudson, Hudson & Cheaton, by Robert Hudson and Al Knight, and Chris L. Rhodes, and this cause came on for trial in its regular order before a jury of twelve good men, who being duly impanelled and sworn, well and truly to try the issues joined between plaintiff and defendant, and a true verdict rendered according to the evidence; and having heard the evidence, the argument of counsel and instructions of the court upon their oath rendered a verdict for plaintiff in the sum of \$2,500.00.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that plaintiff recover of defendant, Beatrice Foods Company, a corporation, the sum of \$2,500.00 with interest at the rate of 6% per annum from the 13th day of May, 1948, and her costs of action, and that the plaintiff have execution therefor; to all of which defendant excepts.

Raymond H. Savage
UNITED STATES DISTRICT JUDGE

[Signature]
Attorneys for Plaintiff
[Signature]
Attorneys for Defendant

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

John W. Hurley and Charles E. Hurley,
d/b/s Hurley Brothers, a partnership,

Plaintiffs,

vs.

Texas Petroleum Company, a
corporation,

Defendant.

No. 2170 Civ11

FILED

MAY 10 1948

JOURNAL ENTRY OF JUDGMENT

NOBLE C. GOOD
Clerk U. S. District Court

Now on this 10th day of May, 1948 the above entitled and numbered cause comes on for trial before Honorable Bower Broadus, one of the Judges of this Court, plaintiffs appearing by their attorneys, Summers Hardy and Milton Hardy, and the defendant appearing by its attorneys, Disney, Houston & Klein, by Gerald W. Klein and John C. Martin, Jr., both sides having announced ready for trial and the court ordering said cause to proceed to trial, a jury of twelve men were duly empaneled and sworn to well and truly try said cause, the trial of the case proceeds and the hour of adjournment having arrived the court is adjourned to meet at the same place on the following day, to-wit: May 11, 1948.

Now on this 11th day of May, 1948 said cause comes on for further proceeding and trial thereon pursuant to adjournment had on the previous day, the parties appearing as before. Thereupon, the introduction of the evidence by the parties is completed, and the court having denied plaintiffs' second cause of action and thereupon argument of counsel is presented to the jury, and the instructions and written interrogatories to be answered by the jury are delivered to the jury as follows:

I.

Did Snowden enter into a contract to pay the plaintiffs an agreed commission of 10% for the plans and information of the boosting plant and for the supervision of its erection?

Answer Yes or No _____

Foreman

II.

If your answer the above question in the affirmative, what was the detriment or damage suffered by the plaintiffs measured in dollars and cents for the failure of defendants to permit the performance of the contract?

Foreman

III.

a. If your answer to question I is in the negative, then do you find from the facts and circumstances that the plaintiffs were led to believe by the Snowden company that they should proceed in the preparation of the plans and securing the costs and information of the booster plant for and in behalf of the Snowden company, without a definite agreement as to the amount to be paid for any such services performed?

Answer Yes or No _____

Foreman

b. If you answer the preceding question in the affirmative, did the plaintiffs relying upon such circumstances and belief perform services of the nature designated for the Snowden company?

Answer Yes or No _____

Foreman

c. If your answers to the preceding two questions have been in the affirmative, what was the reasonable value of such services and the expense necessarily incurred by the plaintiffs in the performance of such services?

Foreman

Thereupon, and after deliberating, the jury returns in open court with the interrogatories which had previously been submitted to it by the court, with its written answers, written after the following interrogatories and signed by the foreman of the jury, W. L. Price, as follows:

I.

Did Snowden enter into a contract to pay the plaintiffs an agreed commission of 10% for the plans and information of the boosting plant and for the supervision of its erection?

Answer Yes or No No
W. L. Price /s/
Foreman

III.

a. If your answer to question I is in the negative, then do you find from the facts and circumstances that the plaintiffs were led to believe by the Snowden company that they should proceed in the preparation of the plans and securing the costs and information of the booster plant for and in behalf of the Snowden company, without a definite agreement as to the amount to be paid for any such services performed?

Answer Yes or No No
W. L. Price /s/
Foreman

Thereupon the court read the interrogatories and the answers and polled the jury, and each of the members of the jury stated that this was their judgment.

Thereupon, the said jury was discharged, and on the 11th day of May, 1948 it was considered, ordered and adjudged by the court that the plaintiffs take nothing upon their complaint, and that the same be dismissed, and that defendant have judgment against the plaintiffs for its costs herein laid out and expended; to all of which plaintiffs except.

(s) Power Broadus
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

DISNEY, HOUSTON & KESIE

By Gerald B. Klein
Attorneys for Defendant

HARDY & HARDY

By Summers Hardy
Attorneys for Plaintiffs

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

PHILLIPS PETROLEUM COMPANY)
)
 Plaintiff)
)
 vs.)
)
 SKELLY OIL COMPANY, STANOLIND)
 OIL AND GAS COMPANY and)
 MAGNOLIA PETROLEUM COMPANY)
)
 Defendants)

Civil No. 2149

FILED

APR 11 1948

HOWARD C. HOOD
Clerk U. S. District Court

DECREE

JUDGMENT IS HEREBY ENTERED for the plaintiff against each of the defendants in conformity with the findings of fact and conclusions of law filed herein on this date adjudging and decreeing that the contract between the plaintiff and each defendant has not been effectively terminated and that each of such contracts remains in full force and effect and the parties should be governed accordingly.

This judgment shall be without prejudice to any rights which the defendants may have hereafter to terminate the contracts in event the order of the Federal Power Commission of November 30, 1946, issuing a certificate of convenience and necessity to Michigan-Wisconsin Pipe Line Company should be vacated by the United States Court of Appeals of the District of Columbia or by the United States Supreme Court, or in the event the order should be set aside by the Federal Power Commission.

The costs are taxed against the defendants.

DATED this 21st day of May, 1948.

Rayce H. Savage
United States District Judge

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

United States of America,)
Plaintiff,)
vs.)
Nadine Crockett,)
Defendant.)

Number 2284 Civil.

FILED
JUL 27 1948

ORDER OF DISMISSAL

MORRIS C. FLOOD
Clerk U. S. District Court

COMES NOW, on this 25th day of July, 1948, upon application of Whit Y. Mauzy, United States Attorney, and John W. McCune, Assistant U. S. Attorney, for the Northern District of Oklahoma, requesting the Court to dismiss said suit upon the request of The Attorney General of the United States America.

IT IS, THEREFORE, ORDERED by the Court that said action be dismissed.

Goyce H. Savage
District Judge.

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF COLUMBIA

Fanny Arstella Weaver,

Plaintiff,

-vs-

United States of America,

Defendant.

Civil No. 3102

FILED

MAY 26 1947

NOBLE C. BOOD
Clerk U. S. District Court

ORDER

On this 28 day of May, 1947, this matter coming on for hearing upon the motion of plaintiff for an order dismissing her complaint filed herein,

IT IS ORDERED that said motion of plaintiff to dismiss Complaint be, and it shall be, hereby sustained and said cause of action is hereby dismissed, without prejudice.

Royce H. Savage
Clerk

Wm. U. Maury
Clerk

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

UNITED STATES OF AMERICA,

Petitioner,

vs.

No. 2116-Civil

1,031.15 acres of land, more or
less, situate in Mayes County, Oklahoma,
and Ray Bonnell, et al.,

Respondents.

FILED

MAY 28 1948

W. C. HOGE
U.S. District Court

JUDGMENT CONFIRMING STIPULATION AS TO TRACT
NO. 1882

Now on this 28th day of May, 1948, this matter comes on for hearing upon the application for confirmation of written stipulation as to Tract No. 1882, involved in this proceeding, and the Court having been fully advised in the premises, finds that the value of Tract No. 1882 has been agreed upon by the owners thereof and the petitioner; that it is unnecessary to proceed further in this proceeding as to said tract, and that it is proper at this time that an appropriate judgment be entered upon said stipulation.

The Court further finds that a deposit has been made under a Declaration of Taking as to said tract, and that a deficiency exists as to said tract, as hereinafter set forth.

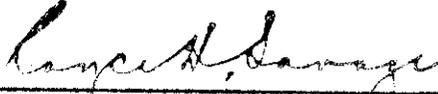
IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the agreed value and stipulation be and the same is hereby confirmed and approved in all respects by this Court as to said Tract No. 1882, in the following amount, which includes all interest, to-wit:

Tract No. 1882

Agreed Value	\$ 19,150.00
Deposited	18,750.00
Deficiency	<u>400.00</u>

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said amount is final in all respects as to the fair, cash, market value, including interest and all damages of whatsoever nature as to said tract of land. The Judgment on the Declaration of Taking, heretofore entered, is re-affirmed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America, deposit the sum of Four Hundred and No/100 Dollars (\$400.00) into the Registry of this Court to make up the deficiency as to said Tract No. 1882, as hereinabove set out.



JUDGE

O.K.
UNITED STATES OF AMERICA, Petitioner

By 

Special Attorney-Dept. of Justice

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

UNITED STATES OF AMERICA,

-vs-

Petitioner,

CERTAIN PARCELS OF LAND IN TULSA COUNTY,
OKLAHOMA; and R. E. BRINKLEY, et al.,

Defendants.

CIVIL NO. 1927

FILED

JUN 1 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER FIXING TITLE AND MAKING DISTRIBUTION

NOW, on this 27th day of May, 1948, the above cause comes on for hearing, pursuant to regular assignment, for the determination of the rightful claimants in and to any funds that may have been deposited and that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto as the owners of the real estate and the estate therein taken and involved in this proceeding, as hereinafter described and designated.

And the Court, being fully advised in the premises, finds that the hereinafter named persons, firms, corporations, and political subdivisions of the State are the owners of and/or have some right, title, or interest in and to the lands involved herein, and that no person, firm, corporation, or political subdivision of the State has any right, title, or interest in and to said lands other than those hereinafter named; and that the owners and those having any right, title, or interest in and to said lands, as hereinafter named and set forth, are the only persons, firms, and corporations having any right, title, or interest in and to the funds that are now on deposit or that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the following named persons, firms, and corporations are the owners of and/or have some right, title, or interest in and to the lands involved herein, as hereinafter designated, and that they are the only persons having any right, title, or interest in and to the funds that are now on

deposit and that may hereafter be deposited for the use and benefit of the rightful claimants thereto, as the owners or those having any right, title, or interest in and to the real estate involved in this proceeding, and that the Clerk of this Court be, and he is hereby, authorized and directed to make distribution of said funds to said persons, firms, and corporations as hereinafter set forth, as follows, to-wit:

TRACT NO. 5 (314 - 1.5)

Perpetual Easement

Mary Ostenberg,
Frank T. Ostenberg,
Minnie Ostenberg Resler,
Lydia Ostenberg Challburg,
Grace Ostenberg Feuerstein,
Tress Ostenberg Hannan,
Stella Ostenberg Burke,
Dorothy Ostenberg O'Rourke, --- fee owners, --- \$ 650.00
(Commissioners' award)
Oran Welch,
R. M. Shewmaker, - - - - - tenants.

(Make check payable to Mary Ostenberg, Frank T. Ostenberg, Minnie Ostenberg Resler, Lydia Ostenberg Challburg, Grace Ostenberg Feuerstein, Tress Ostenberg Hannan, Stella Ostenberg Burke and Dorothy Ostenberg O'Rourke in amount of \$600.00.
Make check payable to Oran Welch and R. M. Shewmaker in amount of \$50.00.)

TRACT NO. 6 (314 - 2.1)

Perpetual Easement

W. H. Langley, - - - - - fee owner, - - - \$ 1,225.00
(Commissioners' award)
H. E. Colwell, - - - - - tenant.
C. J. Carson, - - - - - Holder of unreleased mortgage.

(Make check payable to W. H. Langley and C. J. Carson in amount of \$1,200.00.
Make check payable to H. E. Colwell in amount of \$25.00.)

TRACT NO. 11 (314 - 2.4)

Perpetual Easement

Patty Pave Gentry,
Thomas C. Gentry, - - - - - fee owners, - - - \$ 420.00
(Commissioners' award)

IT IS FURTHER ORDERED that this cause is held open for such other and further orders, judgments, and decrees as may be necessary in the premises.


JUDGE

11
UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between United States of America, petitioner, and Certain Parcels of Land in Delaware County, Oklahoma, containing approximately 55.89 acre, more or less, et al., defendants, No. 1124, Civil, the judgment of the said District court in said cause, entered on June 2, 1947, was in the following words, viz:

* * * * *

Page No. 703 - Civil Journal No. 13

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by the United State of America, agreeably to the Act of Congress, in such case made and provided, fully and at large appears:

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby reversed; that this cause be and the same is hereby remanded to the said district court with direction to assess only nominal damages and costs to the State in the condemnation proceedings in the trial court; and that the costs of this appeal be and the same are hereby assessed against the appellee.

- - April 29, 1948.

24

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

WITNESS, the Honorable FRED M. VINSON, Chief Justice of the United states, the 4th day of June, in theyear of our Lord one thousand nine hundred and forty eight.

COSTS OF	Appellant:
Clerk: Flat Fee	\$25.00
Preparation of printed record	16.50
Printing record	<u>123.20</u>
	\$164.70

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

FILED: Jun 7 1948
Noble C. Hood, Clerk
U. S. District Court

UNITED STATES OF AMERICA, vs:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between United States of America, petitioner, and Certain Parcels of Land in Ottawa County, Oklahoma, containing approximately 781.70 acres, more or less, et al., defendants, No. 1231, Civil, the judgment of the said District court in said cause, entered on June 2, 1947 was in the following words, viz:

Journal 13, Page 714

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

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said District court in this cause be and the same is her by reversed; that this cause be on the same order be remanded to the said District court with direction to assess only nominal damages and costs to the State in the condemnation proceedings in the said court; and that the costs of this appeal be and the same are hereby assessed against the appellee.

--April 29, 1948

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

WITNES, the Honorable Fred M. Vinson, Chief Justice of the United States, the 4th day of June in the year of our Lord one thousand nine hundred and forty-eight.

JOHN OF	Appellant:
Clerk:	25.00
Preparation of printed record	15.25
Printing record	<u>114.20</u>
	\$154.45

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

FILED: Jun 7 1948
JOSEPH B. ROBE, CLERK
U. S. District Court

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between United States of America, petitioner, and Certain Parcels of Land in Delaware County, Oklahoma, containing approximately 78.80 acres, more or less, et al., defendants, No. 1071, Civil, the judgment of the said district court in said cause entered on June 2, 1947, was in the following words, viz:

* * * * *

Journal 13, Page 698

* * * * *

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

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby reversed; that this cause be and the same is hereby remanded to the said district court with direction to assess only nominal damages and costs to the State in the condemnation proceedings in the trial court; and that the costs of this appeal be and the same are hereby assessed against the appellee.

--April 29, 1948

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

WITNES, the Honorable FRED M. VINSON, Chief Justice of the United States the 4th Day of June, in the year of our Lord one thousand nine hundred and forty-eight.

COPIES OF	APPELLANT:
Slam: Filing Fee	\$25.00
Preparation of printed record	40.25
Printing Record	<u>303.15</u>
	\$372.40

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

FILED: Jun 7 1948
Loble B. Wood
Clerk, U. S. District Court

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

DORIS EVELYN TURNER,

Plaintiff,

Vs.

No. 2269-Civil

SAFEWAY STORES, INC., a
corporation,

Defendant.

FILED

APR 28 1948

WOMBE C. HOOD
Clerk U. S. District Court

O R D E R

This cause came on for a pre-trial hearing on this 28th day of April, 1948, pursuant to regular assignment at which time plaintiff appeared by and thru her attorney Paul Pinson and the defendant appeared by its attorney A. M. Covington and the court finds upon the allegations contained in the pleadings and the statement of counsel for the plaintiff in open court that the injuries involved, if true as alleged and stated in open court, are not sufficient to warrant a recovery of as much as the sum of \$3000.00 and further that if a recovery of \$3000.00 or more were allowed by a jury the court would feel it his duty to set aside any such verdict because the nature of the injuries are insufficient to warrant such a recovery.

The court is therefore of the opinion the proper jurisdictional amount of \$3000.00 is not truly involved herein and that this cause should be remanded to the state court for trial.

It is therefore ordered that this cause be and the same is hereby remanded to the State Court for trial from whence it was transferred to this court.

Rayce H. Savage
Judge

OK Carl T. Matthews Jr
Attorney for plaintiff

OK W.M. Covington
Attorney for Defendant

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

United States of America,)
Plaintiff,)
vs.)
Homer Petty,)
Defendant.)

Number 2276 Civil.

JUN 7 1948

NOBLE C. ...
Clerk U. S. District Court

JUDGMENT

NOW, on this 7th day of June, 1948, the above matter coming on for hearing and the plaintiff appearing by WHIT Y. MAUZY, United States Attorney, and John W. McCune, Assistant U. S. Attorney, and the defendant appearing not, the Court proceeded to hear the evidence offered on behalf of the plaintiff and in consideration thereof makes the following findings:

The Court finds that the Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of Section 20, Township 29 North, Range 23 East, Ottawa County, Oklahoma, is a part of the allotment of Harry Crawfish, Quapaw allottee, and that said described land, with all buildings, appurtenances and improvements thereon, is now the property of the restricted Quapaw Indian, Harry Crawfish, and is under the supervision and control of the Secretary of the Interior of the United States.

The Court further finds that notwithstanding such restrictions against alienation of said property, the said Homer Petty is occupying said premises and that he is thus unlawfully holding possession and interfering with the supervision and control thereof by the Secretary of the Interior and his authorized agent, the Superintendent of the Five Civilized Tribes, and is preventing such officials from performing their official duties in connection therewith.

The Court further finds that the defendant Homer Petty should be immediately dispossessed from the above described premises and should be restrained and enjoined from further interfering with the management, control and use of said premises.

The Court further finds that said defendant has been in the wrongful possession of said premises since March 1, 1948, and that the plaintiff has been damaged in the sum of \$30.00.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff have judgment against the defendant Homer Petty for the immediate possession of said premises; that the defendant be permanently and perpetually restrained and enjoined from interfering with the use, management and control of any portion of said premises in any manner; that the United States Marshal for the Northern District of Oklahoma immediately dispossess said defendant and place plaintiff in possession of said premises; and that the plaintiff have judgment against the defendant for the sum of \$30.00 and for its costs.


District Judge.

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

Civil Action File No. 2368

SECURITIES AND EXCHANGE COMMISSION, :
Plaintiff, :

vs. :

ENGINEERED PRODUCTION, INC. :
C.C. COPPENBARGER, :
Defendants. :

FINAL JUDGMENT

FILED

JUN 9 - 1948

NOBLE C. HOOD
Clerk U. S. District Court

It appearing to the satisfaction of the Court, from the plaintiff's verified Complaint, and the written stipulation of the defendants agreeing to the entry of a Final Judgment forthwith, permanently enjoining them as demanded in the Complaint, that the plaintiff is entitled to an injunction permanently enjoining said defendants from selling securities in violation of Section 5(a) of the Securities Act of 1933, as amended, 15 U.S.C. 77f (a); and

IT FURTHER APPEARING that unless enjoined the defendants will sell securities in violation of said Section;

BE IT THEREFORE ORDERED, ADJUDGED AND DECREED, on this the 9th day of June, 1948, that the defendants, Engineered Production, Inc. and C.C. Coppenbarger, their agents, employees, representatives, successors and assigns, and each of them, be and they are hereby permanently enjoined from

(1) directly or indirectly,

(a) making use of any means or instruments of transportation or communication in interstate commerce, or



of the mails, to sell shares of the capital stock of Engineered Production, Inc. or any other security, through the use or medium of any prospectus or otherwise;

(b) Carrying such securities or causing them to be carried through the mails or in interstate commerce, by any means or instruments of transportation, for the purpose of sale or for delivery after sale,

unless and until a registration statement is in effect with the Securities and Exchange Commission as to such securities; provided that the foregoing shall not apply to any security or transaction which is exempt from the registration provisions of Section 5 of the Securities Act of 1933, as amended.

It is further ordered that a copy of this judgment, together with a copy of the findings of fact and conclusions of law be served by the United States Marshal for this district upon the defendants.

Raymond H. Savage
United States District Judge

APPROVED AS TO FORM:

Engineered Production, Inc.
By D. G. Burton

W. C. Oppenbarger
W. C. Oppenbarger, Individually

Warren C. Logan, Jr.
Warren C. Logan, Jr.
Attorney for Plaintiff



UNITED STATES DISTRICT COURT OF THE DISTRICT OF COLUMBIA

IN RE: ... Plaintiff, vs. ... Defendants.

No. 2249-Civil

FILED

JUN 10 1948

NOBLE C. HOOD Clerk U. S. District Court

JUDGMENT

Endeavour ... For trial on this ... day of ... 1948, ... the parties to the ... suit by the ... representatives, ... attorneys for the ... Plaintiff, ... Defendants, ... and the ... Court on agreement for the ... trial by ... jury, ... after hearing all the evidence ... fully advised in the ... law, find the ... recover ... Three Thousand ... Dollars ... and ... (5) per cent ... 1947; and further finds that the ... recover ... a corporation, ... the sum of Three Thousand ... Dollars ... (3,405.00) Dollars ... to meet the ... Therefore, it is ordered by the Court that the ... have and recover, jointly and severally, ... the ... sum of Three Thousand ... Dollars ... in ... by the Court ... its ... and ...

It is further considered and ordered by the Court that the plaintiff
to have deposited the sum of Three Thousand Dollars, (\$3,000.00), in the name of
The First National Bank, Tulsa, Oklahoma, for the sum of Three Thousand Four Hundred Fifty Dollars (\$3,450.00)
(\$3,450.00) Dollars, payable to that Bank to await the outcome of this
action, and that upon the receipt of such amount by the plaintiff's bank, the Bank
shall credit such amount over the judgment rendered herein in favor of the
plaintiff, and that the account for which the plaintiff may have execution
shall be controlled thereby.

Dated this 10th day of June, 1948.

Boyer H. Swartz

District Judge,
United States District Court for the
Northern District of Oklahoma.



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

L. W. Cleveland,)
)
 Plaintiff,)
)
 vs.)
)
 National Zinc Company, Inc.,)
 a corporation,)
)
 Defendant.)

No. 2259 Civil

FILED

JUN 10 1948

NOBLE C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

Now on this 10th day of June 1948, this cause comes on for hearing upon its merits; the plaintiff appeared by his counsel, Green & Farmer, and the defendants appeared by its counsel, Hudson, Hudson & Wheaton.

Both parties having announced ready for trial and having waived a jury, the court proceeded in the cause; plaintiff appearing by his attorney and the defendant by its attorney requested that the court approve a settlement in the cause for the sum of Five Hundred Dollars (\$500.00), it being stipulated by and between the parties subject to the approval of the court that the judgment be entered in the sum of Five Hundred Dollars (\$500.00). The court, being fully advised in the premises, approves said stipulation and finds that plaintiff is entitled to judgment against the defendant in the sum of Five Hundred Dollars (\$500.00).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff, L. W. Cleveland, have and recover judgment against the defendant, National Zinc Company, Inc., a corporation, in the amount of Five Hundred and No/100 (\$500.00) Dollars. For all of which let execution issue.

Royce H. Savage
U. S. District Judge

O.K.
Green & Farmer
By J. E. Farmer
Attorneys for Plaintiff

Hudson, Hudson & Wheaton
By Norma F. Wheaton
Attorneys for Defendant

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

C. E. Wasson,)
)
Plaintiff,)
)
vs.)
)
National Zinc Company,)
a corporation,)
)
Defendant.)

No. 2260 Civil

FILED

JUN 10 1948

NOBLE C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

Now on this 10th day of June, 1948, this cause comes on for hearing upon its merits; the plaintiff appeared by his counsel, Green & Farmer, and the defendant appeared by its counsel, Hudson, Hudson & Wheaton.

Both parties having announced ready for trial and having waived a jury, the court proceeded in the cause; plaintiff appearing by his attorney and the defendant by its attorney requested that the court approve a settlement in the cause for the sum of Five Hundred Dollars (\$500.00), it being stipulated by and between the parties subject to the approval of the court that the judgment be entered in the sum of Five Hundred Dollars (\$500.00). The court, being fully advised in the premises, approves said stipulation and finds that plaintiff is entitled to judgment against the defendant in the sum of Five Hundred Dollars (\$500.00).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff, C. E. Wasson, have and recover judgment against the defendant, National Zinc Company, Inc., a corporation, in the amount of Five Hundred and No/100 (\$500.00) Dollars. For all of which let execution issue.

Boyer H. Savage
U. S. District Judge

O.K.

Green & Farmer
By J. C. Farmer
Attorneys for Plaintiff

HUDSON, HUDSON & WHEATON
By Wm. F. Wheaton
Attorneys for Defendant

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

George O. Ray, Adelaide O. Ray,
Ogden Thomas and Hilda A. Ray,

Plaintiffs,

vs.

Missouri, Kansas & Texas Railroad
Company, a corporation; Cox and
Hamon, a co-partnership composed of
Edwin B. Cox and Jake L. Hamon;
State of Oklahoma ex rel Commissioners
of the Land Office of the State of
Oklahoma; Walter W. Strickland, Fred
Capshaw, and A. B. Poper; Reford Bond,
Ray O. Weems and Ray C. Jones, members
of Oklahoma Corporation Commission,

Defendants.

No.

CIVIL-No. 2277

FILED

JUN 11 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL

Now on this 9th day of June, 1948, upon the filing of a
Stipulation to dismiss in this action by and between the interested
parties, it is ordered that this action be, and the same is hereby
dismissed as to the Defendants, Reford Bond, Ray O. Weems and Ray C.
Jones, Members of the Oklahoma Corporation Commission.

Royce H. Savage,
JUDGE OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF THE STATE OF
OKLAHOMA

O. K. C. J. Watts,
Atty for Plaintiffs

O. K. Floyd Green
John Blanton
Attys for Reford Bond,
Ray O. Weems and Ray C. Jones
Members of the Okla. Corp. Comm.

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

Martha Staller, now Walls,
Plaintiff,

vs.

Looney Staller, et al.,
Defendants,

United States of America,
Intervener.

NO. 2054 Civil.

FILED

JUN 16 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER CONFIRMING COMMISSIONERS' REPORT

AND NOW on this the 11th day of June, 1948, the same being a judicial day of the above styled Court, the above entitled and numbered cause comes on for hearing in its regular order upon the motion of the plaintiff for an order confirming the commissioners' report heretofore filed herein, and from examination of the files and pleadings in said cause and the commissioners' report, it appears to the satisfaction of the Court that said report should be confirmed as filed, and being fully advised in the premises:

IT IS ORDERED that the commissioners' report filed herein on the 22nd day of May, 1948, be, and the same is hereby confirmed, approved and declared firm and effectual and the parties to said cause are given ten days from this date within which to elect to take said premises at the appraised value, as fixed by the commissioners' report, and upon the failure of any party to file an election to take said premises at the appraised value, or in the event two or more of the parties elect to take the premises at the appraised value, then the

Marshal of this Court is ordered and directed to advertise and sell said lands as the same are sold under execution under the laws of the state of Oklahoma.

Royce H. Savage
United States Judge

APPROVED:

Wm. H. Brown
Attorney for Plaintiff

A. Lee Battenfield
For Battenfield & Battenfield
Attorneys for the Defendant
Looney & Haller

Pat Malloy
Guardian ad Litem

Whit Y. Mauzy, U. S. Attorney

BY Kenneth C. Hughes
Assistant U. S. Attorney

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

Civil Action No. 2225

FILED

TIGHE E. WOODS, Housing Expediter
Office of the Housing Expediter

Plaintiff

Vs.

MRS. JULIA D. WHITE, a widow

Defendant

JUN 16 1948

NOBLE C. HOOD
Clerk U. S. District Court

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Jurisdiction

1. This action is brought by the Housing Expediter for restitution and an injunction enjoining further overcharges accruing out of an alleged violation of the Housing and Rent Act of 1947 in collecting certain rentals on property in Tulsa, Oklahoma in a defense-rental area in excess of the amount fixed as the rental value under the applicable regulation. The court has jurisdiction under Section 206(b) of the Housing and Rent Act of 1947, as amended, extended and superseded (50 U.S.C.A. Appendix 1881 - 1902, Public Law 464--80th Congress, 2D Session).

2. The tenant having failed to bring suit for the alleged excessive rent within the time required by the statute, the right of action is in the Housing Expediter.

Maximum Rental and Excessive Collections

3. The maximum rental on the property involved was originally fixed at \$8.50 per week as a furnished unit with utilities furnished. Said registration was signed by F. C. White, the husband of the Defendant, on September 20, 1942. This registration contained language as follows: "This rental is based on two living in this unit. Any additional is figured at the same ratio per person" in addition to the information requested on said registration.

4. Thereafter, Mrs. Julia D. White, the Defendant, rented the dwelling unit to three persons charging \$52.50 per month from August 5, 1946 to August 5, 1947 and \$57.50 per month from August 5, 1947 to March 17, 1948.

5. The Area Rent Director investigated and appraised the unit and fixed the maximum rental therefor at \$8.50 per week effective November 14, 1947. Later, the Defendant petitioned for an increase based on additional occupants under Section 5(a)(3)(ii) changing the rent from \$8.50 per week to \$8.50 per week for two persons plus \$1.00 per week for each person over two.

6. The Defendant had had several conferences with the Area Rent Office and the Defendant had not been advised that she was in violation until November 4, 1947.

Conclusions of Law

A. The Court concludes as a matter of law that there could only be one maximum rent on the maximum rent date and that the maximum legal rent was frozen at \$8.50 per week. Rent Regulations and designations under the Emergency Price Control Act of 1942, as amended, Section 4, "Maximum rents-(unless and until changed by the Housing Expediter as provided in Section 5) shall be: "Rented on maximum rent date. For housing accommodations rented on the maximum rent date, the rent for such accommodations on that date."

B. The Court under its broad equity powers feels that the Defendant should make restitution to the tenants the amounts in excess of the maximum legal rent from November 14, 1947 to the present date and that said overcharges should be computed at the rate of \$8.00 per week for two persons plus \$1.00 per week for each person over two pursuant to the Area Rent Director's order; see Porter vs. Warner Holding Company, 328 U.S. 395; also see CCA 8th decided February 17, 1948, 166 F 2 119; Creedon vs. Randolph, CCA 5th, 165 F2 918; Porter vs. Blood, CCA 10th, 161 F 2 292.

C. The Defendant should be enjoined and restrained from collecting rents in the future in excess of the maximum legal rents as established by the order of the Area Rent Director.

J U D G M E N T

In accordance with the above and foregoing Findings of Fact and Conclusions of Law, IT IS, BY THE COURT, ORDERED, ADJUDGED AND DECREED that the Defendant is hereby commanded and ordered to forthwith make restitution to the tenant, Mr. and Mrs. R. C. Tidings, the amount of \$59.00.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the Defendant, her agents, servants, employees, representatives, and each of them be restrained and enjoined from directly or indirectly:

- (a) Soliciting, demanding, accepting or receiving any rent in excess of the maximum legal rent prescribed by the Controlled Housing Rent Regulation as heretofore or hereafter amended, or in excess of the maximum legal rent permitted by any other Regulation or order heretofore or hereafter adopted pursuant to the Housing and Rent Act of 1947 as heretofore or hereafter amended or extended

or superseded, or from otherwise violating the Controlled Housing
Rent Regulation or the Housing and Rent Act of 1947 as heretofore
or hereafter amended, or from violating any other Regulation as
heretofore or hereafter adopted pursuant to the Housing and Rent
Act of 1947 as heretofore or hereinafter amended or extended.

It is further ORDERED by the Court that the costs of this action be ^{not} taxed
against the ~~Defendants~~ ^{Plaintiff} *Defendants*.

Raymond H. Savage

UNITED STATES DISTRICT JUDGE

APPROVED:

Raymond H. Savage
Attorney for the Plaintiff

W. Arthur Brown
Attorney for the Defendant

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

Civil Action No. 2247

FILED

JUN 16 1948

NOBLE C. HOOD
Clerk U. S. District Court

TIGHE E. WOODS, Housing Expediter
Office of the Housing Expediter

Plaintiff

Vs.

MRS. JESSIE NOLAN and husband
GEORGE NOLAN

Defendants

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Jurisdiction

1. This action is brought by the Housing Expediter for restitution and an injunction enjoining further overcharges accruing out of an alleged violation of the Housing and Rent Act of 1947 in collecting certain rentals on property in Tulsa, Oklahoma in a defense-rental area in excess of the amount fixed as the rental value under the applicable regulation. The Court has jurisdiction under Section 206(b) of the Housing and Rent Act of 1947, as amended, extended and superseded (50 U.S.C.A. Appendix 1881 - 1902, Public Law 464--80th Congress, 2D Session).

2. The tenants having failed to bring suit for the alleged excessive rent within the time required by the statute, the right of action is in the Housing Expediter.

Maximum Rentals and Excessive Collections

3. The maximum rental on the property involved was originally registered as furnished units with utilities furnished. Said registration was signed by F. C. White on September 20, 1942. This property was later purchased by Mrs. Jessie Nolan and her husband, George Nolan, the Defendants in this cause. These registrations contained language as follows: "This rental is based on two people living in this unit. Any additional is figured at the same ratio per person" in addition to the information requested on said registration.

4. Thereafter, the Defendants rented the dwelling units to three persons charging: Mr. and Mrs. Marion Winn, \$50.00 per month for 715 South Lansing, Tulsa, Oklahoma, from September 1, 1946 to January 1, 1947, and \$45.00 per month from January 1, 1947 to April 21, 1948; Doll Ann Whiteside, \$42.00 per month from August 11, 1946 to March 31, 1948, for apartment "A", 715 South Lansing, Tulsa, Oklahoma; Annie M. Fitzpatrick, \$41.00 per month from April 2, 1946 to March 1, 1948, for

Apartment "b", 713 South Lansing, Tulsa, Oklahoma.

5. The Area Rent Director investigated and appraised the units and fixed the maximum legal rent therefor, effective January 12, 1948, as follows: 715 South Lansing, Tulsa, Oklahoma, \$37.50 per month; Apartment "A", 713 South Lansing, Tulsa, Oklahoma, \$28.00 per month; Apartment "B", 713 South Lansing, Tulsa, Oklahoma, \$27.50 per month. Later the Defendant petitioned for an increase based on additional occupants under Section 5(a)(8)(ii) changing the rent as follows: 715 South Lansing, Tulsa, Oklahoma, from \$37.50 per month to \$37.50 per month for two persons, plus \$5.00 per month for each person over two; Apartment "A", 713 South Lansing, Tulsa, Oklahoma, from \$28.00 per month to \$28.00 per month for two persons, plus \$5.00 per month for each person over two; Apartment "B", 713 South Lansing, Tulsa, Oklahoma, from \$27.50 per month to \$27.50 per month for two persons, plus \$5.00 per month for each person over two.

6. The Defendants had several conferences with the Area Rent Office and the Defendants had not been advised that they were in violation until January 12, 1948.

Conclusions of Law

A. The Court concludes as a matter of law that there could only be one maximum rent on the maximum rent date and that the maximum legal rent was frozen at the amount actually collected on the maximum rent date. See Rent Regulations and Designations under the Emergency Price Control Act of 1942, as amended, Section 4 "Maximum rents (unless and until changed by the Housing Expediter as provided in Section 5) shall be:" "rented on the maximum rent date. For housing accommodations rented on the maximum rent date the rent for such accommodations on that date."

B. The Court under its broad equity powers feels that the Defendants should make restitution to the tenants the amounts in excess of the maximum legal rent from January 12, 1948 to the present date and that said overcharges should be computed at the rate established by the Area Rent Director's order subsequent to the Defendants' petition for an increase for additional occupants; see *Porter vs. Garner Holding Company*, 328 U. S. 395; also see CCA 8th decided February 17, 1948, 166 F 2 119; *Creeden vs. Randolph*, CCA 5th, 165 F 2 918; *Porter vs. Blood*, CCA 10th, 161 F 2 292.

C. The Defendants should be enjoined and restrained from collecting rents in the future in excess of the maximum legal rents as established by the order of the Area Rent Director.

J U D G M E N T

In accordance with the above and foregoing Findings of Fact and Conclusions of Law, it is, by the Court, ORDERED, ADJUDGED AND DECREED that the Defendants are hereby commended and ordered to forthwith make restitution to the following tenants: Mr. and Mrs. Marion Winn \$6.25, Doll Ann Whiteside \$22.50, Annie M. Fitzpatrick \$12.7

It is further ORDERED, ADJUDGED AND DECREED by the Court that the Defendant their agents, servants, employees, representatives, and each of them be restrained and enjoined from directly or indirectly:

- (a) Soliciting, demanding, accepting or receiving any rent in excess of the maximum legal rent prescribed by the Controlled Housing Rent Regulation as heretofore or hereafter amended, or in excess of the maximum legal rent permitted by any other Regulation or order heretofore or hereafter adopted pursuant to the Housing and Rent Act of 1947 as heretofore or hereafter amended or extended or superseded, or from otherwise violating the Controlled Housing Rent Regulation or the Housing and Rent Act of 1947 as heretofore or hereafter amended, or from violating any other Regulation as heretofore or hereafter adopted pursuant to the Housing and Rent Act of 1947 as heretofore or hereinafter amended or extended.

It is further ORDERED by the Court that the costs of this action be ^{not} taxed against the Defendants. *Defendants*

Raymond H. ...
UNITED STATES DISTRICT JUDGE

APPROVED:

Stanford ...
Attorney for the Plaintiff

... ..
Attorney for the Defendants

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

Civil Action No. 2202

THOMAS E. MOORE, Housing Expediter)
Office of the Housing Expediter)

Plaintiff)

Vs.)

W. C. PHILLIPS
8 N. Olympia
Tulsa, Oklahoma

Defendant)

ORDER OF DISMISSAL

FILED

JUN 16 1946

NOBLE C. HOOD
Clerk U. S. District Court

Now on this 6 day of June, 1946 the above styled and numbered cause of action comes on for consideration before the Court upon the complaint filed herein and the Plaintiff avers that this cause of action should be dismissed for the reason that said settlement has been completed by and between the parties hereto, and that the Defendant has paid the court costs. The Court being sufficiently advised finds that this cause of action should be dismissed and that the ~~costs~~ ^{costs} should be taxed against the Defendant.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that this cause of action be dismissed by prejudice, and that the ~~costs~~ ^{costs} of this action be taxed against the Defendant.

Royce H. Savage
UNITED STATES DISTRICT JUDGE

APPROVED

Lawford H. Lawrence
Attorney For The Plaintiff

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

L. L. COFIELD,

Plaintiff,

vs.

THE APONISCH, TOPEKA AND
SANTA FE RAILWAY COMPANY,
a corporation,

Defendant.

NO. 2275-CIVIL

FILED

JUN 21 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL

On this date the plaintiff and the defendant having signed and filed herein their stipulation for dismissal of this cause with prejudice at the cost of the plaintiff.

IT IS HEREBY ORDERED that this cause be and the same is hereby dismissed with prejudice at the cost of the plaintiff.

Ray G. George
JUDGE



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

A. E. COOPER,
Plaintiff,
vs.
HOWARD PETROLEUM CORP.,
a corporation,
Defendant.

Civil Action File No. 2283
FILED

JUN 23 1948

ORDER FOR SUMMARY JUDGMENT

NOBLE C. HOOD
Clerk U. S. District Court

This cause came on to be heard on a motion of the defendant, Howard Petroleum Corp., for a summary judgment, pursuant to Rule 56 of the Federal Rules of Civil Procedure, and the Court having considered pleadings in the action, the affidavits of Chas. W. Stepp and Lou Hawthorn in support of the motion and having heard oral argument; having found that there is no genuine issue as to material fact and no controversial question of fact to be submitted to the trial court; and having concluded that the defendant, Howard Petroleum Corp., is entitled to a judgment as a matter of law dismissing the action without prejudice,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that summary judgment be entered in favor of the defendant, dismissing the action without prejudice, and that the defendant recover his costs.

Dated June 11th, 1948.

W. Grace H. Savage

Approved:

Genevieve D. Hall
Attorney for Plaintiff

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

Katie Whiteturkey and Edward J. Wheeler,
Plaintiffs,

vs.

No. 2099-Civil

The heirs, executors, administrators,
 devisees, trustees and assigns, immediate
 and remote, known and unknown, of John
 Wheeler, deceased, Cherokee Roll No. 31,648;
 Robert Wheeler, deceased, Cherokee Delaware
 Roll No. 89; Jacob Wheeler, deceased; Jane
 Swannock Bequa, deceased; Annie Paradee, de-
 ceased, Delaware Roll No. 108; Mary L. Parker
 Shailer, deceased, Roll No. 31,134; Bryant
 Wheeler, deceased, Roll No. 31,135; James
 Swannock, deceased, Roll No. 31,185; Ida Swan-
 nock Bequa, deceased, Roll No. 31,186; Clem
 Winn, deceased, Roll No. 3290; Mrs. Joe Wagon,
 deceased; Amanda Wheeler, deceased; Telespor
 L. Paradee, deceased; Leon Paradee, deceased;
 Jimmie Swannock, deceased; Pearl Rittersbacher;
 Leon Paradee; Habel Swannock; Charley Switch;
 Kate Wagon; Lucy Davis; Elsie Edney, nee Taylor;
 Georgia Smith; Clem Winn, Jr.; Bonita Jane Winn;
 Leona Zinn; Geneva Parker Howard; Eddie Parker;
 Ray Shailer; J. W. Bashore, Jr.; John M. Hollin-
 man; E. S. Dunaway; The Board of County Commis-
 sioners of Washington County, Oklahoma; Marvin H.
 Dillingham, Treasurer of Washington County,
 Oklahoma; State of Oklahoma, and the United
 States of America,

Defendants.

FILED

JUN 24 1948

NOBLE C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY

NOW on this the 16th day of March, 1948, comes on to be heard on
the trial docket the above entitled cause, the plaintiffs appearing in person
and by their attorney, Chas. W. Pennel; United States of America, intervener,
appearing by Whit Y. Mausy, United States Attorney; Elsie Edney and Georgia
Smith appearing by their attorney, T. R. Reeve; John Holliman and E. S. Dun-
way having heretofore filed their disclaimer in favor of Katie Whiteturkey of
all of their interest in the land in controversy; Chester Brewer appearing
for all of the defendants who were in default and who may be in military ser-
vice under the Soldiers and Sailors Relief Act of 1940, as amended; and the
State of Oklahoma having filed its disclaimer herein; and the court having
examined the files and the proceedings herein finds that all of said defend-
ants have either been personally served with summons or by publication notice,
affidavit for publication and publication notice being duly examined, and

finds that the same is according to law and that all of said defenants are properly served with process and all who have not answered are now in default and the court orders that said trial proceed.

The court finds from the evidence now adduced and from the evidence heretofore adduced in this cause that John Wheeler, a full-blood Cherokee Indian, died intestate, a resident of Washington County, Oklahoma, on the 6th day of October, 1923, and that more than three years have elapsed since his death; and no administration proceedings have been had; no determination of his heirs or the part and parcel which each would take to the land hereinafter described; and that this court has jurisdiction to determine the heirs as an incident to the quieting of the title to said land.

The court further finds that the said John Wheeler, by reason of his being a member of the Cherokee Nation, received as a part of his surplus lands the following:

Tract No. 1: The Northwest Quarter of the Southeast Quarter of the Northwest Quarter; and the North Half of the Northeast Quarter of the Northwest Quarter; and the Southeast Quarter of the Northeast Quarter of the Northwest Quarter of Section 23, Township 28 North, Range 13 East, Washington County, Oklahoma.

Tract No. 2: Southeast Quarter of Northeast Quarter of Southwest Quarter of Section 26, Township 22, Range 17, Rogers County, Oklahoma.

The court further finds that John Wheeler was a single man at the time of his death, never having been married, left no children or children of any deceased child, and no father or mother. That he left as his sole and only heirs the following named persons, who inherited that interest in the estate of John Wheeler which is after each name set out:

A sister, Katie Whiteturkey, full-blood Cherokee No. 31278,	1/4 interest
A brother, Robert Wheeler, full-blood Cherokee Delaware No. 89,	1/4 interest
A nephew, Edward Wheeler, full-blood Cherokee No. 3134,	1/8 interest
A niece, Mary L. Wheeler, was Parker, now Shailer, full-blood Cherokee No. 31133,	1/8 interest
A niece, Elsie Edney, nee Paradee, 1/4 blood Cherokee No. 31289,	1/12 interest
A niece, Georgia D. Paradee, now Smith, 1/4 blood Cherokee No. 31288,	1/12 interest
A nephew, Clem Winn, 3/4 blood Cherokee No. 31290,	1/12 interest

The court further finds that the above-named, Edward J. Wheeler, was the only surviving child of Jacob Wheeler, a pre-deceased brother of John Wheeler, and that the above-named Elsie Edney and Georgia Smith, nieces,

and Clem Winn, a nephew, were the only surviving children of Annie Paradise, who was the sister of said John Wheeler, deceased.

The court further finds that Robert Wheeler, full-blood Cherokee Delaware No. 89, departed this life on or about the 13th day of November, 1924, and at the time of his death was unmarried and without issue and left no father or mother. That more than three years have elapsed since his death and that no administration proceedings have been had and no determination of his heirs and the part and parcel each would take to the lands hereinabove described and that this court has jurisdiction to determine the heirs of said Robert Wheeler as an incident to the quieting of the title to the herein described lands and that Robert Wheeler left as his sole and only heirs at law the following named persons who inherited that portion of his one-fourth (1/4) interest in and to the lands described herein which is after the name of each heir set out:

Katie Whiteturkey, full-blood Cherokee No. 31278,	1/3 interest
Edward Wheeler, full-blood Cherokee No. 3134,	1/6 interest
Mary L. Shailer, nee Parker, full-blood Cherokee No. 31133,	1/6 interest
Georgia D. Smith, nee Paradise, 1/4 blood Cherokee No. 31288,	1/9 interest
Elsie Edney, nee Paradise, 1/4 blood Cherokee No. 31289,	1/9 interest
Clem Winn, 3/4 blood Cherokee No. 31290,	1/9 interest

That thereafter and on or about the 3rd day of July, 1928, the above-named Mary L. Shailer, nee Paradise, full-blood Cherokee No. 31133, departed this life intestate, a resident of Washington County, Oklahoma, and left as her sole and only heirs at law the following named persons who inherited that interest in the one-sixth (1/6) interest in the lands described herein owned by Mary L. Shailer at the time of her death which is after the name of each heir set out:

William H. Shailer, 1/2 blood Cherokee, No. 31251, husband,	1/4 interest
Leona W. Zinn, nee Parker, 3/4 blood Cherokee M939, daughter,	1/4 interest
Geneva Howard, nee Parker, full-blood Cherokee No. 31136, daughter,	1/4 interest
Edward J. Parker, 3/4 blood Cherokee No. M938, son,	1/4 interest.

The court further finds that more than three years have elapsed since the death of the said Mary L. Shailer and that no administration proceedings have been had upon her estate and no determination of her heirs or

the part and parcel which each would take in and to the lands described herein and that this court has jurisdiction to determine the heirs of said Mary L. Sheiler as an incident to the quieting of the title to said lands.

That thereafter, on or about the 27th day of October, 1934, Clem Winn, departed this life, intestate, and left as his sole and only heirs the following named persons who inherited that portion of the one-ninth (1/9) interest of said Clem Winn in and to the lands described herein as is after the name of each of said heirs set out:

Clem Winn, Jr., 3/8 blood Cherokee NE, son,	1/2 interest
Bonita Jane Winn, 3/8 blood Cherokee, daughter,	1/2 interest

The court further finds that on the 13th day of January, 1925, Georgia Parades, now Smith, Elsie Taylor, now Edney, nee Parades, Clem Winn, Edward Wheeler and Mary Lena Wheeler, for a valuable consideration, made, executed and delivered their deed to the plaintiff, Katie Whiteturkey, purportedly conveying the interests of said grantors to the said Katie Whiteturkey in and to the following described lands, to-wit:

East Half of Northeast Quarter of Northwest Quarter and Northwest Quarter of Northeast Quarter of Northwest Quarter of Section 23, Township 28 North, Range 13 East, Washington County, Oklahoma,

which deed was filed for record on January 15, 1925, and recorded in Book 54 at page 502 in the office of the County Clerk of Washington County, Oklahoma. That said Katie Whiteturkey went into possession of said premises and has ever since occupied and had peaceable possession thereof.

That a tax deed was issued by the County Treasurer of Washington County, Oklahoma, on the 15th day of May, 1945, to John Holliman and E. S. Dunaway, covering a one-fourth (1/4) interest in and to:

The Northwest Quarter of the southeast Quarter of the Northwest Quarter and the North Half of Northeast Quarter of the Northwest Quarter and the Southeast Quarter of the Northeast Quarter of the Northwest Quarter of Section 23, Township 28 North, Range 13 East, Washington County, Oklahoma,

and that the plaintiff, Katie Whiteturkey, has acquired such interest by purchase as was by said tax deed acquired by John M. Holliman and E. S. Dunaway, the last named two parties having conveyed by quit claim deed all of their interest in and to the tract of land last above described.

That as of the date of this decree all of the right, title and interest in and to the following described lands, to-wit:

East Half of Northeast Quarter of Northwest Quarter
and Northwest Quarter of Northeast Quarter of North-
west Quarter of Section 23, Township 28 North, Range
13 East, Washington County, Oklahoma,

is owned by Katie Whiteturkey, full-blood Cherokee Roll No. 31278.

As of the date of this decree the right, title and interest in and
to the following described lands, to-wit:

Northwest Quarter of Southeast Quarter of Northwest
Quarter of Section 23, Township 28 North, Range 13
East, Washington County, Oklahoma,

is vested in the following named persons in that proportion which is after
each name set out, to-wit:

Katie Whiteturkey,	1/3 interest
Edward Wheeler,	1/6 interest
Elsie Edney, nee Paradee,	1/9 interest
Georgia D. Smith, nee Paradee,	1/9 interest
William R. Shailer,	1/24 interest
Leone M. Zinn, nee Parker,	1/24 interest
Geneva Howard, nee Parker,	1/24 interest
Edward J. Parker,	1/24 interest
Clem Winn, Jr.,	1/18 interest
Bonita Jane Winn,	1/18 interest

As of the date of this decree the right, title and interest in and
to the following described lands, to-wit:

Southeast Quarter of Northeast Quarter of Southwest
Quarter of Section 26, Township 22, Range 17, Rogers
County, Oklahoma,

is vested in the following named persons in that proportion which is after
each name set out, to-wit:

Katie Whiteturkey,	1/3 interest
Edward Wheeler,	1/6 interest
Elsie Edney, nee Paradee,	1/9 interest
Georgia D. Smith, nee Paradee,	1/9 interest
William R. Shailer,	1/24 interest
Leone M. Zinn, nee Parker,	1/24 interest
Geneva Howard, nee Parker,	1/24 interest
Edward J. Parker,	1/24 interest
Clem Winn, Jr.,	1/18 interest
Bonita Jane Winn,	1/18 interest.

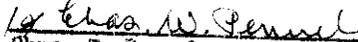
The court further finds that Lucy Sarcoxie, full-blood Cherokee
Roll No. 31100, is not an heir and was no relation to the above-named deceas-
ed John Wheeler and that each and all of said defendants, except as above
stated, have no right, title or interest in and to the above described real
estate.

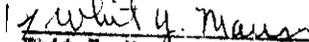
IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED and DECREED by the court that the sole and only heirs of John Wheeler, deceased, are those persons who are set out hereinabove as heirs of the said John Wheeler, deceased, and that the sole and only heirs of Robert Wheeler, deceased, are those persons who are hereinabove set out as the heirs of the said Robert Wheeler, deceased, and that the sole and only heirs of Mary L. Parker, then Shaller, deceased, are those persons who are hereinabove set out as the heirs of Mary L. Parker, then Shaller, deceased, and that the sole and only heirs of Clem Winn, deceased, are those persons who are hereinabove set out as the heirs of Clem Winn, deceased, and that their interest in and to the allotted lands of John Wheeler, deceased, involved in this action are at the date of this decree owned through inheritance as aforesaid in the above findings of this court and that those interests are hereby confirmed. That a partition of said lands be made accordingly and that Rashie Smith, C. C. Weher and Maurice A. DeVinna be and they are hereby appointed commissioners upon the taking of the oath prescribed by law and shall proceed to make partition of the above described property and report the same to this court and that they report a partition or appraisement of each tract separately.

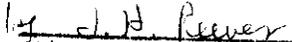
IT IS FURTHER ORDERED, ADJUDGED and DECREED by the court that each and all of said defendants and all persons claiming by, under or through them, except those who are hereinabove decreed by this court to own interests in the property herein involved as is above set out, be and they are hereby perpetually enjoined and forbidden from setting up or asserting any claim, right, title or interest in and to the above described premises adverse to the rights of the plaintiff and of the above named owners of the lands involved in this action and are perpetually enjoined and restrained from interfering with the title and peaceable possession thereof.

O.K.


JUDGE


Chas. W. Pennel, Attorney for Plaintiffs


Whit Y. Maury, United States Attorney


Attorney for Elsie Edney & Georgia Smith


Attorney for defendants in military service

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

Lloyd Bond,
Plaintiff,
vs.
United States of America,
Defendant.

No. 2137 Civil
FILED

JUN 24 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL WITH PREJUDICE

This matter coming on for hearing this _____ day of June, 1948, upon the motion of the plaintiff to dismiss this cause with prejudice and the court being advised in the premises finds that the parties have stipulated to compromise said cause of action and said compromise has been approved by the Attorney General of the United States and by this court.

The court further finds that the plaintiff has received from the United States of America the sum of Three Thousand (\$3,000.00) Dollars, the amount of said compromise offer and that said cause should be dismissed with prejudice.

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

AND IT IS SO ORDERED.



JUDGE

O.K.

Attorney for Plaintiff

United States Attorney for the
Northern District of Oklahoma

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

TIGHE L. WOODS, Housing Expediter,
Office of the Housing Expediter,
Plaintiff,

Vs.

NO. 2364 CIVIL

WALLACE J. MURPHY, et ux
MRS. WALLACE J. MURPHY,
1346 South Cincinnati
Tulsa, Oklahoma,
Defendants.

FILED

JUN 28 1946

NOBLE C. HOOD
Clerk U. S. District Court

DISMISSAL BY THE COURT

NOT, on this 16th day of June, 1946, the above styled and numbered cause of action comes on for hearing upon a pre-trial conference by consent and agreement of the attorneys for the plaintiff and the defendants, and the Court finds from the statements of counsel and the evidence heretofore presented that a permanent injunction is not essential and, according to the Court's view, based on the statements of counsel, that the defendants will not interfere in the future with the legal inspections sought to be made by the Housing Expediter and the case should, therefore, be dismissed with prejudice at the cost of the defendants.

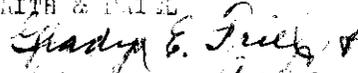
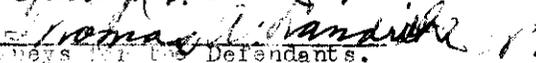
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the application of the plaintiff for a permanent injunction is hereby denied, and the above entitled cause is hereby dismissed with prejudice with the costs assessed against the defendants.


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

O. K. As to Form:


Litigation Attorney,
Office of the Housing Expediter
Attorney for plaintiff.

LANDRITH & PAUL


BY: 
Attorneys for the Defendants.

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

Civil Action No. 2268

FILED

JUN 28 1948

TIGHE E. WOODS, Housing Expediter
Office of the Housing Expediter

Plaintiff

Vs.

MRS. ZEE C. DAWSON, a feme sole

Defendant

NOBLE C. HOOD
Clerk U. S. District Court

J U D G M E N T

Now on this 16th day of June, 1948 the above-styled and numbered cause of action comes on for trial, Plaintiff being represented by his attorney, Sanford H. Palmer, and the Defendant being represented by her attorney, Thomas A. Landrith, Jr.

Whereupon, all parties announced themselves ready for trial.

Whereupon, Plaintiff introduced his evidence and rested.

Whereupon, the Defendant introduced her evidence and rested.

Whereupon, the Court finds that the overcharge against the tenant, William P. Miller and wife, was offset by unpaid rent and that the claims of both the landlord and tenant are disposed of at this time. The Defendant overcharged the tenant, W. H. France and wife, the amount of \$11.00. The Defendant overcharged the tenant, Kenneth H. Rauth and wife, the amount of \$40.00. The Court further finds that the Defendant should make restitution to the tenants the amounts of the overcharges and that the injunction should be issued as prayed for in the Complaint and that the costs of this action should be taxed against the Defendant.

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that the Defendant is hereby ordered to forthwith make restitution to the tenant, W. H. France and wife, the amount of \$11.00, and make restitution to the tenant, Kenneth H. Rauth and wife, the amount of \$40.00.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the Defendant, her agents, officers, servants, employees, and all persons in active concert or participation with any of them, are hereby enjoined and restrained from directly or indirectly:

- (a) Soliciting, demanding, accepting or receiving any rent in excess of the maximum legal rent prescribed by the Controlled Housing Rent Regulation as heretofore or hereafter amended, or in excess

of the maximum legal rent permitted by any other Regulation or order heretofore or hereafter adopted pursuant to the Housing and Rent Act of 1947 as heretofore or hereafter amended or extended or superseded, and the Housing and Rent Act of 1948, or from otherwise violating the Controlled Housing Rent Regulation or the Housing and Rent Act of 1947 as heretofore or hereafter amended, and the Housing and Rent Act of 1948, or from violating any other Regulation as heretofore or hereafter adopted pursuant to the Emergency Price Control Act or the Housing and Rent Act of 1947 as heretofore or hereinafter amended or extended, and the Housing and Rent Act of 1948.

It is further ORDERED that the costs of this action be taxed against the Defendant.


LOYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

APPROVED:


STANFORD H. PALMER
Attorney for the Plaintiff


THOMAS H. SMITH
Attorney for the Defendant

U. S. DISTRICT COURT OF THE UNITED STATES
FOR THE NORTHERN DISTRICT OF OKLAHOMA.

United States of America,

Libellant,

vs.

No. 2189 Civil.

One B-25 North American Mitchell
Medium Bomber, Army Identification
No. 42-29741; Motor No. 42-271395
and No. 42-77593; Luis M. Bordas,

Claimants.

FILED
in Open Court

JUN 30 1948

NOBLE C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY ON JUDGMENT

NOT on this 30th day of June, 1948, this cause of action having come on before the Court pursuant to regular assignment, Libellant appearing by Eric M. Hauger, United States Attorney for the Northern District of Oklahoma, and the claimant, Luis M. Bordas, having been served with notification in this action on the 23rd day of April, 1948, and having filed no pleadings or made other appearance herein, and the above described property having been taken into custody by the United States Marshal for the Northern District of Oklahoma under warrant issued by this Court, and the Court being fully advised in the premises finds that the claimant is wholly in default and finds the issue in this action in favor of the libellant and against the claimant and the property involved herein.

IT IS ORDERED AND ADJUDGED by the Court that a forfeit return herein to the same is hereby allowed as to the One B-25 North American Mitchell Medium Bomber, Army Identification No. 42-29741; Motor No. 42-271395 and No. 42-77593, and the said One B-25 North American Mitchell Medium Bomber is ordered delivered to the United States Marshal for the Northern District of Oklahoma, together with all of its equipment and accessories, to be sold by said United States Marshal at public sale.

IT IS FURTHER ORDERED AND ADJUDGED by the Court that all storage



charges incident to the seizure herein referred to the costs of such be
 and the necessary legal expenses paid by the State of Texas. Under the
 process of the writ of habeas corpus North American Mitchell Hester et al.

[Handwritten signature]

 JAMES E.

W. A. M. M. M.

[Handwritten signature]

 W. A. M. M. M.,
 British Consul General.

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE NORTHERN DISTRICT OF OKLAHOMA

Civil Action No. 2232

FILED

TIGHE B. MOODS, Housing Expediter
Office of the Housing Expediter

Plaintiff

Vs.

MRS. MYRTLE McCARTT, a feme sole

Defendant

JUN 30 1948

NOBLE C. HOOD
Clerk U. S. District Court

J U D G M E N T

Now on this 16th day of June, 1948 the above-styled and numbered cause of action comes on for trial, the Plaintiff being represented by his attorney, Sanford H. Palmer, and the Defendant appeared in person and was represented by her attorney, W. H. Gilliam.

Whereupon, both parties announced themselves ready for trial.

Whereupon, the Plaintiff introduced his evidence and rested.

Whereupon, the Defendant introduced her evidence and rested.

Whereupon, the Court finds that the Defendant, Mrs. Myrtle McCartt, has collected rents in excess of the maximum legal rent from the tenant, C. C. Bunnenberg, in the amount of \$67.50, and the tenant, H. N. Neale, the amount of \$60.00, and the tenant Ray Garner, in the amount of \$28.16. The Court finds that the Defendant should make restitution to the tenants the amounts of the overcharges, that the Court costs of this action should be taxed against the Defendant, and that the injunction should be issued as prayed for in the Complaint.

It is, therefore, ORDERED, ADJUDGED, AND DECREED by the Court that the Defendant, Mrs. Myrtle McCartt, is hereby ordered to forthwith make restitution to the tenant, C. C. Bunnenberg, the amount of \$67.50, the tenant, H. N. Neale, the amount of \$60.00, and the tenant, Ray Garner, the amount of \$28.16.

It is further ORDERED, ADJUDGED, AND DECREED by the Court that the Defendant, her agents, servants, employees, representatives, and each of them, be restrained and enjoined from directly or indirectly:

- (a) Soliciting, demanding, accepting or receiving any rent in excess of the maximum legal rent proscribed by the Controlled Housing Rent Regulation as heretofore or hereafter amended, or in excess of the maximum legal rent permitted by any other Regulation or order heretofore or hereafter adopted pursuant to the Housing

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entirely said judgment, and and in case, let execution. latter, returnable
according to law.

James H. Seay, Jr.
of said court

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

UNITED STATES OF AMERICA,

vs.

816.61 acres of land, more or
less, situate in Creek County,
Oklahoma, and Jack Abraham, et al.,

Petitioner,

Respondents.

No. 2234-Civil

FILED

JUL 15 1946

NOBLE C. HOOD
Clerk U. S. District Court

JUDGMENT ON DECLARATION OF TAKING NO. 1

This day comes the petitioner, the United States of America, by Curtis P. Harris, Special Attorney for the Department of Justice, and moves the Court to enter a judgment vesting in the United States of America the full fee simple title as to Tracts Nos. A-2, A-3, A-11 and A-12, involved herein, excepting and reserving to the present landowners and other record mineral owners, their heirs and assigns all oil and gas in, on, or under the lands, or that may hereafter be discovered thereunder, together with the right of ingress and egress to drill for and produce said oil and gas in a safe and lawful manner under said Tract No. A-2, and those portions of said Tracts Nos. A-3, A-11 and A-12 described as follows, to-wit: Tract No. A-3, the South Half of the Southeast Quarter of the Southeast Quarter of Section 13, Township 17 North, Range 9 East; Tract No. A-11, the Southeast Quarter of the Southwest Quarter, North Half of the Southeast Quarter of the Northwest Quarter, and Southeast Quarter of the Southeast Quarter of the Northwest Quarter, Section 18, Township 17 North, Range 10 East; Tract No. A-12, the South 20.75 acres of Lot 4, Section 18, Township 17 North, Range 10 East, all subject, however, to existing easements for public roads and highways, public utilities, railroads and pipe lines, in and to the property hereinafter described, and described in the Declaration of Taking No. 1 and in the Petition for Condemnation filed herein.

Thereupon, the Court proceeded to hear and pass upon said motion, the Petition for Condemnation and Declaration of Taking No. 1, and finds that:

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

(2) In said Petition and Declaration of Taking No. 1 a statement of the authority under which, and the public use for which, said lands and estate therein were taken is set forth;

(3) The Petition and Declaration of Taking No. 1 were filed at the request of Kenneth C. Royall, Secretary of the Army, the person duly authorized by law to acquire the lands and estate therein taken as described in said documents for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceedings;

(4) A proper description of the lands sought to be taken, sufficient for the identification thereof, is set out in said Declaration of Taking No. 1 and Petition for Condemnation; and a statement of the estate or interest in said lands taken for said public use is set out therein;

(5) A statement is contained in said Declaration of Taking of the sum of money estimated by the acquiring authority to be just compensation for the estate taken in said lands, in the amount of Sixteen Thousand and No/100 Dollars (\$16,000.00), and said sum of money was deposited in the Registry of this Court for the use of the persons entitled thereto upon and at the time of the filing of said Declaration of Taking No. 1;

(6) A statement is contained in said Declaration of Taking No. 1 that the estimated amount of compensation for the taking of said property, in the opinion of Kenneth C. Royall, Secretary of the Army, will probably be within any limits prescribed by Congress on the price to be paid therefor;

(7) And the Court having fully considered the Petition for Condemnation, the Declaration of Taking No. 1, the Act of Congress approved February 26, 1931 (46 Stat. 1421; 40 U.S.C. Sec. 258a), and Acts supplementary thereto and amendatory thereof, and the Acts of Congress approved April 24, 1888 (25 Stat. 94 - 33 U.S.C. 591), March 1, 1917 (39 Stat. 948-33 U.S.C. 701), June 22, 1936 (49 Stat. 1570), July 24, 1946 (Public Law 526 - 79th Congress 2d Session), July 31, 1947 (Public Law 296 - 80th Congress), and other supplemental acts of Congress, is of the opinion that the United States of America was and is entitled to take said property and have the title thereto vested in it.

IT IS, THEREFORE, CONSIDERED BY THE COURT, AND IT IS THE ORDER, JUDGMENT AND DECREE OF THE COURT that the full fee simple title in and to Tracts Nos. A-2, A-3, A-11 and A-12, excepting and reserving to the present landowners and other record mineral owners, their heirs and assigns all oil and gas in, on, or under the lands, or that may hereafter be discovered thereunder, together with the right of ingress and egress to drill for and produce said oil and gas in a safe and lawful manner under said Tract No. A-2, and those portions of said Tracts Nos. A-3, A-11 and A-12 described as follows, to-wit: Tract No. A-3, the South Half of the Southeast Quarter of the Southeast Quarter of Section 13, Township 17 North, Range 9 East; Tract No. A-11, the Southeast Quarter of the Southwest Quarter, North Half of the Southeast Quarter of the Northwest Quarter, and Southeast Quarter of the Southeast Quarter of the Northwest Quarter, Section 18, Township 17 North, Range 10 East; Tract No. A-12, the South 20.75 acres of Lot 4, Section 18, Township 17 North, Range 10 East, all subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines, was vested in the United States of America upon the filing of said Declaration of Taking No. 1 and the depositing in the Registry of this Court of the said sum of Sixteen Thousand and No/100 Dollars (\$16,000.00), and said lands and estate therein taken 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 same thereby vested in the persons entitled thereto, the amount of said compensation to be ascertained and awarded in this proceeding and established by judgment herein pursuant to law.

The lands aggregate 322.99 acres, more or less, and are described as follows:

Tract No. A-2

North Half of Northeast Quarter ($N\frac{1}{2} NE\frac{1}{4}$) of Section 24, Township 17 North, Range 9 East of the Indian Base and Meridian, in Creek County, Oklahoma, containing 30.00 acres, more or less.

Tract No. A-3

Southeast Quarter of Southeast Quarter ($SE\frac{1}{4} SE\frac{1}{4}$) of Section 15, Township 17 North, Range 9 East of the Indian Base and Meridian, in Creek County, Oklahoma, containing 40.00 acres, more or less.

Tract No. A-11

East Half of Southwest Quarter ($E\frac{1}{2} SW\frac{1}{4}$), and Southeast Quarter of Northwest Quarter ($SE\frac{1}{4} NW\frac{1}{4}$) of Section 18, Township 17 North, Range 10 East of the Indian Base and Meridian, in Creek County, Oklahoma, containing 120.00 acres, more or less.

Tract No. A-12

Lots 3 and 4, in Section 18, Township 17 North, Range 10 East of the Indian Base and Meridian, in Creek County, Oklahoma, containing 82.99 acres, more or less.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any and all persons now in possession of or claiming any rights whatsoever to the possession of the lands hereinabove described, and all and singular the rights, privileges and appurtenances thereunto belonging are hereby ordered and directed to deliver up and surrender forthwith full and complete possession of the lands hereinabove described, to the extent of the estate herein taken, to the United States of America, and the United States of

America is hereby granted leave to take immediate possession of said lands.

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

Entered this 15th day of July, 1948.

Henry H. Swag
JUDGE

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

UNITED STATES OF AMERICA,

-vs-

CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,
OKLAHOMA; and JESSIE DAVIS, et al.,

Petitioner,

Defendants.

CIVIL NO. 1650

FILED

JUL 19 1948

NOBLE C. HOOD
Clerk U. S. District Court

J U D G M E N T

NOW, on this 19th day of July, 1948, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment approving the commissioners' report heretofore filed in this proceeding, as to the real estate hereinafter specifically described.

Thereupon, the Court proceeded to hear and pass upon said application, petition for condemnation, report of commissioners, and all other matters herein, and finds that:

- (1) Each and all of the allegations of said petition for condemnation are true, and the United States of America is entitled to acquire property by eminent domain for the uses and purposes therein set forth.
- (2) The said petition for condemnation was filed at the request of the Secretary of the Interior, the person duly authorized by law to acquire the estate in the lands described in said document, for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceeding.
- (3) In said petition for condemnation, a statement of the authority under which, and the public use for which the estate in said lands was taken, was set forth.

(4) A proper description of the lands sufficient for the identification thereof is set out in said petition for condemnation and a statement of the estate or interest in said lands taken for said public use is set out therein.

(5) Due, proper and legal notice of the application of the United States of America for the appointment of commissioners herein was served upon each and all of the defendants named in said petition for condemnation as required by law and order of this Court.

The Court hears evidence and finds that the returns as filed by the United States Marshals are true and correct, and that the same are in accordance with law.

The Court further finds that the publication notice and affidavit of the publisher, as filed herein, are in all respects in accordance with the law in such cases made and provided and the same are hereby approved by this Court.

(6) The Court finds that the Commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the lands involved in this proceeding, duly qualified by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of the premises and consideration of the damages sustained occasioned by the taking of said estate, filed their report herein on the 15th day of January, 1948, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to the lands more particularly designated and described as follows, to-wit:

TRACT NO. 1 (312 - 1)

Perpetual Easement

A strip of land 100 feet in width in the NE $\frac{1}{4}$ of Sec. 20, T 28 N, R 23 East of the Indian Base and Meridian, Peoria Reserve, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the NE $\frac{1}{4}$ 100 feet North and 50 feet East of the SW corner thereof; thence Northerly to a point in the North boundary of said NE $\frac{1}{4}$ 50 feet East of the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT FOR TRANSMISSION LINE PURPOSES) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 400.00

TRACT NO. 2 (312 - 2)

Perpetual Easement

A strip of land 100 feet in width in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 17, T 28 N, R 23 East of the Indian Base and Meridian, Peoria Reserve, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ 50 feet East of the SW corner thereof; thence Northerly to a point in the North boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ 50 feet East of the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT FOR TRANSMISSION LINE PURPOSES) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 175.00

TRACT NO. 3 (312 - 3)

Perpetual Easement

A strip of land 100 feet in width in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 17, T 28 N, R 23 East of the Indian Base and Meridian, Peoria Reserve, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ 50 feet East of the SW corner thereof; thence Northerly to a point in the North boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ 50 feet East of the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT FOR TRANSMISSION LINE PURPOSES) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 160.00

TRACT NO. 4 (312 - 4)

Perpetual Easement

A strip of land 100 feet in width in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 17, T 28 N, R 23 East of the Indian Base and Meridian, Peoria Reserve, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ 50 feet East of the SW corner thereof; thence Northerly to a point in the North boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ 61 feet East of the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT FOR TRANSMISSION LINE PURPOSES) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 160.00

TRACT NO. 5 (312 - 5)

Perpetual Easement

A strip of land 100 feet in width in the W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 17, T 28 N, R 23 East of the Indian Base and Meridian, Peoria Reserve, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ 61 feet East of the SW corner thereof; thence Northerly to a point 272 feet South and 58 feet East of the NW corner thereof; thence Northerly to a point in the North boundary of said W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 72 feet East of the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT FOR TRANSMISSION LINE PURPOSES) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 250.00

TRACT NO. 6 (312 - 6)

Perpetual Easement

A strip of land 100 feet in width in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 8, T 28 N, R 23 East of the Indian Base and Meridian, Peoria Reserve, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ 72 feet East of the SW corner thereof; thence Northerly to a point in the North boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ 128 feet East of the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT FOR TRANSMISSION LINE PURPOSES) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 215.00

TRACT NO. 7 (312 - 7)

Perpetual Easement

A strip of land 100 feet in width in Lot 7 in Sec. 8, T 28 N, R 23 East of the Indian Base and Meridian, Pooria Reserve, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said Lot 7, 128 feet East of the SW corner thereof; thence Northerly to a point in the North boundary of said Lot 7, 152 feet East of the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT FOR TRANSMISSION LINE PURPOSES) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$

Included in Tract No. 5

TRACT NO. 8 (312 - 8)

Perpetual Easement

A strip of land 100 feet in width in Lot 2 in Sec. 8, T 28 N, R 23 East of the Indian Base and Meridian, Quapaw Reserve, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said Lot 2, 152 feet East of the SW corner thereof; thence Northerly to a point in the North boundary of said Lot 2 162 feet East of the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT FOR TRANSMISSION LINE PURPOSES) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$

535.00 (Including Tract No. 9)

TRACT NO. 9 (312 - 9)

Perpetual Easement

A strip of land 100 feet in width in the NE $\frac{1}{4}$ of Sec. 8, T 28 N, R 23 East of the Indian Base and Meridian, Quapaw Reserve, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said NE $\frac{1}{4}$ 162 feet East of the SW corner thereof; thence Northerly to a point 51.4 feet South and 206 feet East of the NW corner thereof; thence Northwesterly to a point in the North boundary of said NE $\frac{1}{4}$ 140 feet East of the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT FOR TRANSMISSION LINE PURPOSES) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$

Included in Tract No. 8

TRACT NO. 10 (312 - 10)

Perpetual Easement

A strip of land 100 feet in width in the SW $\frac{1}{2}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 5, T 28 N, R 23 East of the Indian Base and Meridian, Quapaw Reserve, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said W $\frac{1}{2}$ SE $\frac{1}{4}$ 140 feet East of the SW corner thereof; thence Northwesterly to a point in the West boundary of said SW $\frac{1}{2}$ 453 feet South of the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT FOR TRANSMISSION LINE PURPOSES) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$

**850.00
(Including
Tract No. 11)**

TRACT NO. 11 (312 - 11)

Perpetual Easement

A strip of land 100 feet in width in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, T 28 N, R 23 East of the Indian Base and Meridian, Quapaw Reserve, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ 453 feet South of the NE corner thereof; thence Northwesterly to a point 132 feet South and 408 feet West of the NE corner thereof; thence Northerly to a point in the North boundary 408 feet West of the NE corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT FOR TRANSMISSION LINE PURPOSES) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$

**Included in
Tract No. 10**

TRACT NO. 12 (312 - 12)

Perpetual Easement

A strip of land 100 feet in width in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 6, T 28 N, R 23 East of the Indian Base and Meridian, Quapaw Reserve, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said E $\frac{1}{2}$ NE $\frac{1}{4}$ 408 feet West of the SE corner thereof; thence Northerly to a point in the North boundary of said E $\frac{1}{2}$ NE $\frac{1}{4}$ 415 feet West of the Northeast corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT FOR TRANSMISSION LINE PURPOSES) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$

375.00

TRACT NO. 13 (219 - 1)

Substation Site

Fee Title

A piece of land in the SW $\frac{1}{4}$ of Section 31, T 29 N, R 23 East of the Indian Base and Meridian, Quapaw Reserve, Ottawa County, Oklahoma, more particularly described as follows, to-wit:

Beginning at a point in the South boundary of said SW $\frac{1}{4}$ 1,532 feet East of the SW corner thereof; thence North a distance of 217.8 feet; thence East a distance of 100 feet; thence South a distance of 217.8 feet to a point in the South boundary of said SW $\frac{1}{4}$; thence West along the South boundary of said SW $\frac{1}{4}$ a distance of 100 feet to the point of beginning, containing approximately 0.5 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (FEE SIMPLE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 200.00

TOTAL, - - - - - \$ 3,320.00

and that said report and proceedings, as to the above tracts, are in all respects regular and in accordance with the law and orders of this Court.

(7) More than sixty (60) days have elapsed since the filing of the report of commissioners herein, and no written exceptions thereto, or demands for jury trial are pending as to the tracts above described, and that said report of commissioners filed herein should be confirmed and approved in every respect, as to the tracts above particularly described.

The Court further finds that the just compensation for the estate taken herein for the tracts herein designated, as fixed by the report of commissioners, is final just compensation in the total amount of \$3,320.00.

(8) That the United States of America did on the 1st day of September, 1945, file its Declaration of Taking herein and paid to the Clerk of this Court for the use and benefit of the owners and the persons entitled thereto, the following sums, to-wit:

TRACT NO. 1 (312 - 1),	\$ 350.00
TRACT NO. 2 (312 - 2),	160.00
TRACT NO. 3 (312 - 3),	160.00
TRACT NO. 4 (312 - 4),	160.00
TRACT NO. 5 (312 - 5),	270.00
TRACT NO. 6 (312 - 6),	250.00
TRACT NO. 7 (312 - 7),	Included in Tract No. 5
TRACT NO. 8 (312 - 8),	535.00
TRACT NO. 9 (312 - 9),	Included in Tract No. 8
TRACT NO. 10 (312 - 10),	850.00
TRACT NO. 11 (312 - 11),	Included in Tract No. 10
TRACT NO. 12 (312 - 12),	375.00
TRACT NO. 13 (219 - 1),	209.00
TOTAL, - - - - - \$ 3,319.00	

(9) The Court having fully considered the petition for condemnation, the Declaration of Taking, and all proceedings had herein, and the provisions of the Act of August 1, 1888, 25 Stat. 357 (U. S. C. Title 40, Sec. 257); the Act of February 26, 1931, 46 Stat. 1421 (U. S. C. Title 40, Secs. 258 (a) to 258 (e)); Title II of the Act of June 16, 1933, 48 Stat. 200-203 (U. S. C. Title 40, Sec. 401-403) as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U. S. C. Title 16, Sec. 809); Title II of the Act of March 27, 1942, 56 Stat. 177 (50 U. S. C. 171 (a)); Executive Order No. 8944, dated November 19, 1941; Executive Order No. 9366, dated July 30, 1943; and Executive Order No. 9373, dated August 30, 1943, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purpose of the above designated Acts of Congress.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the report of commissioners filed herein is final and the damages sustained as set out and fixed in said report of commissioners and as hereinabove set forth are full and just compensation for the taking of said estate in the lands designated as follows, to-wit:

TRACT NO. 1 (312 - 1),	\$ 400.00
TRACT NO. 2 (312 - 2),	175.00
TRACT N O.3 (312 - 3),	160.00
TRACT NO. 4 (312 - 4),	160.00
TRACT NO. 5 (312 - 5),	250.00
TRACT NO. 6 (312 - 6),	215.00
TRACT NO. 7 (312 - 7),	Included in Tract No. 5
TRACT NO. 8 (312 - 8),	535.00
TRACT NO. 9 (312 - 9),	Included in Tract No. 8
TRACT NO. 10 (312 - 10),	850.00
TRACT NO. 11 (312 - 11),	Included in Tract No. 10

TRACT NO. 12 (312 - 12), 375.00
TRACT NO. 13 (219 - 1), 200.00

TOTAL, - - - - - \$ 3,320.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken in all of the tracts condemned herein, save Tract No. 13 (219 - 1), is a perpetual easement upon and over said lands for transmission line purposes, for the erection, operation and maintenance of a line or lines of poles, towers, or other structures, wires, cables and fixtures for the transmission of electric current; together with the perpetual easement and right to cut down, remove and trim any trees that may interfere with or endanger said transmission line or lines or the maintenance or operation thereof; and together with the perpetual easement to set the necessary guy and brace poles and anchors and to attach all necessary guy wires thereto; and the perpetual right, privilege and authority to erect, maintain and operate said line or lines of poles, h-frame structures, towers, or other structures, wires, cables and fixtures upon, over, and across any street, alley, highway or other right of way now or hereafter established and existing on or across said lands or adjoining the same or adjacent thereto, for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project in Oklahoma.

That the estate taken in Tract No. 13 (219 - 1) is the entire fee simple title, less an easement of the Southwestern Bell Telephone Company, a Corporation, upon that portion of said Tract No. 13 (219-1) as presently occupied by it, subject, however, to the right of the United States to maintain and operate a transmission line over and across said easement in a manner not inconsistent with the use of the easement of the Southwestern Bell Telephone Company, a Corporation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the Declaration of Taking, and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on the 1st day of September, 1945, upon the filing of the Declaration of Taking and the depositing of the sum of \$3,319.00 with the registry of this Court for

the estate taken in and to the above described tracts of land, and the right to recover just compensation for the estate taken vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken as hereinabove specifically set forth, is hereby deemed to be condemned and taken for the uses and purposes of the United States of America, and that the just compensation as determined and fixed herein for the taking of said estate in said tracts of land, is vested in the persons lawfully entitled thereto, as the owners of said tracts of land, respectively, or of some right, title or interest therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner pay into the registry of this Court the sum of \$1.00, said sum being the deficiency between the sum of \$3,320.00, the just compensation herein fixed, and the amount deposited with the Declaration of Taking as the estimated just compensation for the taking of said tracts of land, in the sum of \$3,319.00.

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



J U D G E
UNITED STATES DISTRICT COURT, NORTHERN
DISTRICT OF OKLAHOMA

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

FILED

JUL 19 1948

PHILLIPS PETROLEUM COMPANY,)
Plaintiff,)
vs.)
SKELLY OIL COMPANY, ET AL,)
Defendants.)

NOBLE C. HOOD
Clerk U. S. District Court

Civil Action No. 2149

ORDER

On application of the defendants-appellants and for good cause shown, it is ordered that the time for filing the record on appeal in the Circuit Court of Appeals in the above entitled action and docketing the appeal is hereby extended to and including August 28, 1948.

Done in open court this July 19, 1948.

DISTRICT JUDGE

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

JESS SADLER, et al,

Plaintiffs,

vs

NATIONAL ZINC COMPANY, INC.,
a corporation,

Defendant.

Civil Action
No. 1977

FILED

JUL 26 1948

O R D E R

NOBLE C. HOOD
Clerk U. S. District Court

Now on this 16th day of July, 1948, this matter coming on for hearing upon the motion of the defendant for summary judgment, and the defendant appearing by Alton H. Rowland, one of its attorneys of record, and the plaintiffs appearing by Morris Mataska, one of their attorneys of record, and the court being fully advised in the premises,

IT IS ORDERED, ADJUDGED AND DECREED that defendant's Motion for Summary Judgment is sustained and judgment for the defendant, National Zinc Company, Inc., is hereby entered at the cost of plaintiffs, to which ruling of the Court the plaintiffs are allowed an exception.

Raymond H. Savage
JUL 26 1948

APPROVED:

L. A. Rowland
Alton H. Rowland
Bartlesville, Oklahoma
Attorneys for Defendant

Raymond H. Savage
Morris Mataska
Morris Mataska
Bartlesville, Oklahoma
121-123 Commerce Building
Pittsburg, Kansas

Raymond H. Savage
Raymond H. Savage
206-7 Joplin Nat'l Bank Bldg.
Joplin, Missouri
Attorneys for Plaintiffs



I have the honor to acknowledge the receipt of your letter of the 14th inst. in relation to the above mentioned matter. I have the honor to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,
 Yours truly,
 Royce H. Savary

Royce H. Savary

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

UNITED STATES OF AMERICA,

-vs-

Petitioner,

CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,
OKLAHOMA; and JESSIE DAVIS, et al.,

Defendants.

CIVIL NO. 1650

FILED

AUG 11 1948

ORDER FIXING TITLE AND MAKING DISTRIBUTION

NOBLE C. HOOD
Clerk U. S. District Court

NOW, on this 7th day of August, 1948, the above cause

comes on for hearing, pursuant to regular assignment, for the determination of the rightful claimants in and to any funds that may have been deposited and that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto as the owners of the real estate and the estate therein taken and involved in this proceeding, as hereinafter described and designated.

And the Court, being fully advised in the premises, finds that the hereinafter named persons, firms, corporations, and political subdivisions of the State are the owners of and/or have some right, title, or interest in and to the lands involved herein, and that no person, firm, corporation, or political subdivision of the State has any right, title or interest in and to said lands other than those hereinafter named; and that the owners and those having any right, title, or interest in and to said lands, as hereinafter named and set forth, are the only persons, firms, and corporations having any right, title or interest in and to the funds that are now on deposit or that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the following named persons, firms, and corporations are the owners of and/or have some right, title, or interest in and to the lands involved herein, as hereinafter designated, and that they are the only persons

having any right, title or interest in and to the funds that are now on deposit and that may hereafter be deposited for the use and benefit of the rightful claimants thereto, as the owners or those having any right, title or interest in and to the real estate involved in this proceeding, and that the Clerk of this Court be, and he is hereby, authorized and directed to make distribution of said funds to said persons, firms and corporations as hereinafter set forth, as follows, to-wit:

TRACT NO. 1 (312 - 1)

Perpetual Easement

Samuel C. Fullerton, Jr.,
Samuel C. Fullerton, III, a Minor,
Barbara Ruth Fullerton, a Minor,
Judith Fullerton, a Minor,
Pauline Fullerton Newton,
Katherine Fullerton Moore,
Carrie Belle Fullerton Waggoner,
Elizabeth Ann Fullerton Coleman,
Patience Jean Fullerton Stevenson,
Patience Lee Fullerton, a Minor, . . . fee owners, . . . \$ 400.00
(Commissioners' award)

(Make check payable to Samuel C. Fullerton, Jr., for himself and for the use and benefit of Samuel C. Fullerton, III, a Minor, Barbara Ruth Fullerton, a Minor, Judith Fullerton, a Minor, Pauline F. Newton, Katherine F. Moore, Carrie Belle F. Waggoner, Elizabeth Ann F. Coleman, Patience Jean F. Stevenson and Patience Lee Fullerton, a Minor.)

TRACT NO. 2 (312 - 2)

Perpetual Easement

M. B. Estes, fee owner, \$ 175.00
(Commissioners' award)
Commissioners of the Land Office of
the State of Oklahoma, mortgagee

(Title fixed and partial distribution of \$160.00 made under order of July 29, 1946.)

(Make check payable to M. B. Estes and Commissioners of the Land Office of the State of Oklahoma in amount of \$15.00.)

TRACT NO. 3 (312 - 3)

Perpetual Easement

(Title fixed and distribution made under order of April 8, 1947.)

TRACT NO. 4 (312 - 4)

Perpetual Easement

W. C. Dobler,
Rose Mary Dobler, fee owners, \$ 160.00
(Commissioners' award)

TRACT NO. 5 (312 - 5)

Perpetual Easement

(Title fixed and distribution made under order of
August 26, 1946.)

TRACT NO. 6 (312 - 6)

Perpetual Easement

(Title fixed and distribution made under order of
August 26, 1946.)

TRACT NO. 7 (312 - 7)

Perpetual Easement

(Included in Tract No. 5.)

TRACT NO. 8 (312 - 8)

Perpetual Easement

(Title fixed and distribution made under order of
December 6, 1946.)

TRACT NO. 9 (312 - 9)

Perpetual Easement

(Included in Tract No. 8.)

TRACT NO. 10 (312 - 10)

Perpetual Easement

(Title fixed and distribution made under order of
December 18, 1946.)

TRACT NO. 11 (312 - 11)

Perpetual Easement

(Included in Tract No. 10.)

TRACT NO. 12 (312 - 12)

Perpetual Easement

Fred DeMier, Jr., fee owner, \$ 375.00
(Commissioners' award)

O. T. Stapleton, tenant,

First Federal Savings & Loan Association of
Coffeyville, a Corporation, Holder of
unreleased mortgage

(Make check payable to Fred DeMier, Jr. and First
Federal Savings & Loan Association of Coffeyville, a
Corporation, in amount of \$325.00.
Make check payable to O. T. Stapleton in amount of \$50.00.)

TRACT NO. 13 (219 - 1)

Substation Site

Fee Title

(Title fixed and distribution made under order of
December 2, 1946.)

IT IS FURTHER ORDERED that this cause is held open for such
other and further orders, judgments, and decrees as may be necessary
in the premises.

[Handwritten signature]

J U D G E

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF
DIVISION

Civil Action No. 2094

TIGHE E. WOODS, Housing Expediter
Office of the Housing Expediter

Plaintiff

Vs.

7-1/2 North ...
...
...

Defendant

J U D G M E N T

FILED

AUG 2 1948

NOBLE C. HOOD
Clerk U. S. District Court

On this the 20th day of July A.D., 1948, came on regularly

to be heard the above numbered and entitled cause, and came Plaintiff and Defendant and announced to the Court that they had stipulated in writing for the entry of this Judgment, and it appearing that the Defendant has violated the Housing and Rent Act of 1947, as amended, and the Rent Regulations issued pursuant thereto, and the Judgment agreed upon appearing to be proper:

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, as follows:

1. That the Defendant

agents, servants, employees and representatives, and each of them, and all other persons acting in concert and participation with them, be, and they are hereby permanently enjoined and restrained from directly or indirectly:

- (a) Soliciting, demanding, accepting or receiving any rent or other consideration as landlord, owner, or agent, for controlled housing accommodations within the jurisdiction of this Court, and particularly within the Defenss-Rental Area, in excess of the maximum legal rent established by the Housing and Rent Act of 1947 and the Housing and Rent Act of 1947, as amended, and by the Rent Regulations issued pursuant thereto, and from otherwise violating the Housing and Rent Act of 1947, as heretofore or hereafter amended, and from violating any Regulation heretofore or hereafter adopted pursuant to the Housing and Rent Act of 1947 as heretofore or hereafter amended or extended in relation to any controlled housing accommodations within the jurisdiction of the Court.

2. That the Defendant shall make restitution, through the Plaintiff, to the tenant(s) in the total amount of \$.00 , as follows:

-
-

3. That all costs of Court be assessed against the Defendant, for which let execution issue.

Dated this 17th day of July A.D., 1948.

Samuel S. [unclear]
UNITED STATES DISTRICT JUDGE

APPROVED THIS 17th DAY OF July, 1948.

G. O. Murdoch
Attorney for Plaintiff

W. H. [unclear]
Attorney for Defendant

[unclear]
Defendant
Mrs George Bell

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

BERNARD B. BURKHARD,

Plaintiff,

vs.

ADELINE DIX, et al.,

Defendants.

YVONNE TANNER, O. G. TANNER, and
LEO V. BURKHARD,

Intervenors.

No. 2180

CIVIL

FILED

AUG 25 1948

NOBLE C. HOOD
Clerk U. S. District Court

FINDINGS OF FACT, CONCLUSION OF LAW
AND JUDGMENT

Now on this 14th day of August, 1948, this cause having been under advisement by the Court, and having considered the findings of the jury upon the interrogatories submitted, and briefs of counsel for the parties, and being fully advised in the premises, the court finds,

FINDINGS OF FACT

1. The finding of the jury upon interrogatory No. 1., as follows;

" Do you find that the deed of Bernard B. Burkhard to his father John S. Burkhard was for the purpose of convenience and to allow the father John S. Burkhard to complete a sale of the property and was not intended by the parties as a transfer of title to the property? Answer Yes or No. NO "

is a finding on an issue in equity, in seeking to declare a resulting trust and is advisory. The finding of the jury is contrary to the evidence in the case. The Court finds the facts established by clear, cogent and convincing evidence at the trial to be that the father John S. Burkhard, held the property in trust for his son the plaintiff herein.

2. The findings of the jury upon interrogatory No. II. as follows:

" Do you find that John S. Burkhard held himself out to be the owner of the property in question to Adeline Dix, and exhibited a deed thereto from his son Bernard? Answer Yes or No. YES "

" Did Adeline Dix rely on such holding out? Answer Yes or No. YES "

" If you answered the two preceding questions in the affirmative, did John S. Burkhard enter into an agreement that Adeline Dix was to help him care for and maintain this and other property and render personal services to him for which she was to receive the property? Answer Yes or No. YES "

" If you answer the preceding questions in the affirmative, did Adeline Dix have knowledge or notice of the claim or interest of Bernard Burkhard,

or notice of such facts that upon inquiry would have given her such knowledge? Answer Yes or No. NO "

" Did Adeline Dix perform the service and other matters agreed upon during the life time of John S. Burkhard Answer Yes or No. YES "

were correctly answered, and are approved, and the Court so finds.

and the court thereupon concludes:

CONCLUSION OF LAW

The owner of property, either real or personal, may clothe another with apparent title thereto or a parent authority thereover so as to estop himself to deny such title or authority as against a third person who acts in good faith in dealing with such person, and without knowledge of the true ownership.

And upon the foregoing findings of fact and conclusion of law,

IT IS THEREFORE CONSIDERED ADJUDGED AND DECREED, that the plaintiff Bernard B. Burkhard, and the intervenors, Yvonne Tanner, O. G. Tanner, and Leo V. Burkhard take nothing as against the defendant Adeline Dix Burkhard and the defendant John S. Burkhard, Jr.,

IT IS FURTHER CONSIDERED ADJUDGED AND DECREED that the defendant Adeline Dix, who is one and the same person as Adeline Dix Burkhard, and one and the same person as Adeline Dix Nowak is the legal owner in possession of the premises described in the plaintiff's petition, to-wit:

Lot Two (2) Block Eight (8), Norvell Park Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof

and that her title thereto is valid, perfect and superior to any right or interest claimed by the plaintiff, or the intervenors, or any of them, and that the plaintiff, Bernard B. Burkhard, and the intervenors, Yvonne Tanner, O. G. Tanner, and Leo V. Burkhard, or either of them, have no right, title and interest in and to the said premises. The title and possession of Adeline Dix Burkhard and the defendant John S. Burkhard, Jr., in the said premises, be, and the same is hereby forever settled and quieted in said defendants as against all claims or demands by the plaintiff or the intervenors, or either of them, and those claiming, or to claim under them, or any of them.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the plaintiff Bernard B. Burkhard, and the intervenors, O. G. Tanner, Yvonne Tanner, and Leo V. Burkhard, or any of them, and those claiming through, by or under them, or any of them, be and they are hereby perpetually enjoined and forbidden to claim any right,

title, interest or estate in or to said premises hostile or adverse to the possession and title of the defendants herein; and the said plaintiff, and intervenors, or any of them, and those claiming under them, or any of them, are hereby perpetually forbidden and enjoined from commencing any suit to disturb the defendants or either of them in their possession and title to said premises, and from setting up any claim or interest adverse to the title of defendants herein, or either of them, and from disturbing defendants or either of them, in their peaceable and quiet enjoyment of said described premises.

The defendants, Adeline Dix Burkhard, and John S. Burkhard, Jr., are allowed their costs herein expended against the plaintiff and intervenors and each of them.

(s) *Bower Broadus*
JUDGE OF THE UNITED STATES DISTRICT COURT



In the case of the above-captioned
 matter, the undersigned, being duly
 sworn, deposes and says that the
 following is a true and correct
 copy of the original of the
 same as the same appears in the
 files of the undersigned.

Filed
 1948
 FILED

AUG 23 1948

NOBLE C. HOOD
Clerk U. S. District Court

The undersigned, being duly sworn,
 deposes and says that the above-
 stated facts, in his knowledge,
 information, and belief, are true
 and correct.

Executed at _____, Missouri,
 this _____ day of _____, 1948.



Bowel Disease

Jan 26, 1948

Arise K. ...

... ..

... ..

UNITED STATES OF AMERICA, vs:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between The Automobile Insurance Company of Hartford, Connecticut, a corporation, plaintiff, and Barnes-Manley Wet Wash Laundry Company, a corporation, and L. H. Barnes and Elvin Oline, defendants, No. 1873, Civil, the judgment of the said district court in said cause, entered on March 31, 1947, was in the following words, viz:

* * * * *

"It is Therefore Ordered, Adjudged and Decreed that judgment be entered dismissing plaintiff's First Cause of Action in the Amended Complaint, and judgment be entered dismissing plaintiff's Second Cause of Action in the Amended Complaint, and that plaintiff have and recover a judgment upon its Third Cause of Action against the defendants L. H. Barnes and Barnes-Manley Wet Wash Laundry Company, and each of them, in the sum of \$8,713.50, and for the costs of the plaintiff herein laid out and expended, to all of which judgment plaintiff objects."

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

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby reversed; that this cause be and the same is hereby remanded to the said district court for further proceedings in accordance with the views expressed in the opinion of the court; and that The Automobile Insurance Company of Hartford, Connecticut, a corporation, appellant, have and recover of and from Barnes-Manley West Wash Laundry Company, a corporation, and L. H. Barnes, appellees, its costs herein and have execution therefor.

-- April 30, 1948.

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

WITNESS, the Honorable FRED M. VINSON, Chief Justice of the United States, the 30th day of August, in the year of our Lord one thousand nine hundred and forty-eight.

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

COSTS OF APPELLANT:

Clerk: Flat Fee	\$25.00
Preparation of printed record	\$36.50
Printing record	<u>\$303.82</u>
	\$365.32

FILED: Sep 1 1948
Roble C. Hood, Clerk
U. S. District Court

THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF
GEORGIA.

CHARLES W. BEYER,)
Plaintiff,)

vs.)

WAGNER PAPER MILLING & SHEDDING)
COMPANY, a foreign corporation,)
Defendant.)

No. 2327-Civil

FILED

Aug 30 1948

O R D E R

NOBLE C HOOD
Clerk U. S. District Court

Now, on this 30 day of August, 1948,
the above entitled matter coming on for hearing upon the
stipulation of the parties for dismissal with prejudice
and it appearing to the court that the parties have settled
said cause out of court and have filed their written stipu-
lation herein for dismissal with prejudice to a new action
at the cost of the defendant but without attorneys' fees to
either side, and the court being well and sufficiently
advised in the premises,

IT IS ORDERED, ADJUDGED, AND DECREED that the
above entitled matter be and the same is hereby dismissed
with prejudice to a new action at the cost of the defendant
but without attorneys' fees to either side.

(S) Royce H. Savage
Judge

APPROVED:

[Signature]
Attorney for Plaintiff.

MARRASO, MARRASO AND OWENS

[Signature]
Attorneys for Defendant.

U. S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Marjette Irene Robertson,)
Plaintiff,)
vs.)
Phillips Petroleum Co., a)
corporation, and William)
McKinley Banks,)
Defendants.)

No. 2329-Civil

FILED

SEP 8 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER REGARDING MOTION TO REMAND

The motion of plaintiff to remand this suit to the District Court of Creek County, Oklahoma, coming on for hearing, this 3rd day of September, 1948, pursuant to regular setting, and the court having heard the argument of counsel, and being fully advised, upon consideration finds that the said motion should be sustained.

IT IS THEREFORE ORDERED that the motion of the plaintiff to remand this case to the District Court of Creek County, Oklahoma, be and the same is hereby granted, and this cause be and the same is hereby remanded to the District Court of Creek County, Oklahoma, for further proceedings.

Royce E. Savage
Judge of U. S. District Court

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

William Brown Robertson,)

Plaintiff,)

vs.)

No. 2336-Civil

Phillips Petroleum Company,
a corporation, and William
McKinley Banks,)

Defendants.)

FILED

SEP 3 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER REMANDING SUIT TO STATE COURT

The motion of plaintiff to remand this suit to the District Court of Creek County, Oklahoma, coming on for hearing this 3rd day of September, 1948, pursuant to regular setting, and the court having heard the argument of counsel, and being fully advised, upon consideration finds that the said motion should be sustained.

IT IS THEREFORE ORDERED that the motion of the plaintiff to remand this case to the District Court of Creek County, Oklahoma, be and the same is hereby granted, and this cause be and the same is hereby remanded to the District Court of Creek County, Oklahoma, for further proceedings.

Royce A. Swagg
Judge of U. S. District Court

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

Alexander Jamison, Administrator
of the Estate of Robert W. Gordon,
deceased,

Plaintiff,

vs.

Phillips Venezuelan Oil Company whose
name has recently been changed to
Phillips Oil Company, both defendants
being Delaware Corporations,

Defendants.

No. 2337-Civil

FILED

SEP 8 1948

WENDE C. HOOD
Clerk U. S. District Court

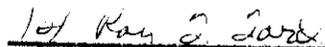
ORDER REMANDING CASE TO STATE COURT

Be it remembered that now on this 3rd day of September,
1948 the above entitled action coming on to be heard upon plaintiff
Motion to Remand said cause to the state court; all parties
appeared by counsel, and the court being fully advised in the
premises finds that said motion should be sustained.

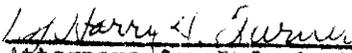
IT IS THEREFORE BY THE COURT ORDERED that the above
entitled action be and the same hereby is remanded to the District
Court of Washington County, State of Oklahoma, the court from
which it was removed to this court.


UNITED STATES DISTRICT JUDGE

O.K.


Attorneys for Plaintiff
308 Midwest Building
Oklahoma City, Oklahoma

O.K.


Attorneys for Defendant

THE DISTRICT COURT OF THE STATE OF OKLAHOMA
DISTRICT NO. 10

Plaintiff,
vs.

Defendants.

No. 2290-15001

FILED
1948
C. HOOD
District Court

ORDER OF DISMISSAL TO BE GRANTED

On the 27th day of September, 1948, this case came before the undersigned District Court to trial because of the plaintiff's motion for summary judgment; counsel for each of the respective parties, the court being fully advised to the premises, and therefore having heard arguments of counsel and having received letters submitted by counsel for the respective parties, the court makes the following order:

That the joinder of the defendant Super Insurance Company and the Oklahoma Insurance Commissioners is in accordance with the laws of the State of Oklahoma; that the General Court has no jurisdiction; that the court remands this cause back to the State Court, to which writ of the court and order for the defendants shall and there shall be taken and executed as aforesaid.

Given under this 7th day of September, 1948.

Boyce H. Savage
Judge of the United States District Court, Northern District of Okla.

[Signature]
Attorney for Plaintiff
[Signature]
Attorney for Defendant

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

Timmie Taylor and Gertrude Taylor,
Plaintiffs,
vs.
Mid-Continent Petroleum Company,
a corporation, A. E. Webb, Floyd
G. Hubbell, and Villard Martin,
Trustee for Katherine Drohojowski,
Defendants.

No. 2323-Civil.

FILED

SEP 14 1948

NOBLE C. HOOD
Clerk U. S. District Court

O R D E R

The motion of the above named plaintiffs to remand the above entitled cause to the State Court coming regularly on for hearing on this 3rd day of September, 1948, and the attorney for plaintiffs having announced, in open Court, that plaintiffs did not intend to sue, and were not attempting to recover against, defendant, Mid-Continent Petroleum Corporation, for any damages for drainage asserted and alleged in their second cause of action /and the Court being of the opinion that plaintiffs' petition herein does not assert any claim against Mid-Continent Petroleum Corporation for any damages accruing prior to the date of its acquisition of an interest under the oil and gas mining lease involved herein:

IT IS, THEREFORE, ORDERED that said motion to remand be, and the same is hereby, granted, and that the above entitled cause be, and the same is hereby, remanded to the District Court within and for Creek

County, Oklahoma, and that all costs in this Court be taxed against
defendant, Mid-Continent Petroleum Corporation.

Royce H. Savage

J u d g e.

Approved as to form:

Finch & Finch

By Heber Finch

Attorneys for Plaintiff.

R. H. Wills

Attorney for Defendant,
Mid-Continent Petroleum Corporation.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Petitioner,

vs.

CIVIL NO. 1071

CERTAIN PARCELS OF LAND IN DELAWARE
COUNTY, OKLAHOMA, containing approximately
78.80 acres, more or less, and GRACE H.
SETTLE, et al.,

Defendants.

FILED

SEP 20 1948

NOBLE C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT ON MANDATE

Re: Public Highways - Tracts 8 and 297

It appearing to the court by the mandate of the United States Circuit Court of Appeals for the Tenth Circuit, in this cause, bearing date the 4th day of June, 1948, filed herein June 7, 1948, - which mandate was amended July 1, 1948, and refiled July 6, 1948, - that the judgment of this court entered herein June 2, 1947, has been reversed and the cause remanded to this court with direction to assess only nominal damages to the State of Oklahoma.

Now, therefore, in obedience to said mandate and in cognizance with the opinion of said United States Circuit Court of Appeals herein, it is on this 20 day of September, 1948, ordered, adjudged, and decreed:

1. That, in relation to the public highway located upon and traversing the land known and identified in this cause as Tract 8 (28 FW-476), the land being described as follows, to-wit:

All that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8,
T 24 N, R 24 E of the Indian Base and Meridian,
in Delaware County, Oklahoma, lying below Elev.
758 Sea Level Datum, except that portion owned
by the Grand River Dam Authority, containing
approximately 2.9 acres,

the sum of \$ 100 shall be, and is, fixed and awarded as just compensation to the State of Oklahoma on relation of the State Highway Commission of the State of Oklahoma, in exoneration of the burden cast upon said Highway Commission of constructing said public highway up to an elevation sufficient in height to make said highway usable when water

is being impounded in the reservoir of the Grand River Dam Project up to elevation 756.1 Sea Level Datum, at the dam.

2. That, in relation to the public highway located upon and traversing the land known and identified in this cause as Tract 29 (23 FW-943), the land being that described as follows, to-wit:

All that part of the E 22.50 acres of Lot 2, less that part of the SW 2 square acres lying Southwest of U.S. Highway 59, and all that part of the W 22.16 acres of Lot 1, less a strip of land 40 feet in width off the East side of said W 22.16 acres of Lot 1, all in Section 6, T 24 N, R 24 E of the Indian Base and Meridian, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 18.6 acres,

the sum of \$ 100 shall be, and is, fixed and awarded as just compensation to the State of Oklahoma on relation of the State Highway Commission of the State of Oklahoma, in exoneration of the burden cast upon said State Highway Commission of constructing said public highway up from its present elevation to an elevation sufficient in height to make said highway usable when water is being impounded in the reservoir of the Grand River Dam Project up to elevation 756.1 Sea Level Datum, at the dam.

3. That, costs of the appeal in this cause, in the amount of \$373.40, be, and are, assessed to and taxed against the State of Oklahoma.



Royce H. Savage, Judge

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Petitioner,

vs.

CIVIL NO. 1124

CERTAIN PARCELS OF LAND IN DELAWARE
COUNTY, OKLAHOMA, containing approximately
55.89 acres, more or less, and ZENIDA
GRAY, et al.,

Defendants.

FILED

SEP 29 1948

NOBLE C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT ON MANDATE

Re: Public Highways - Tract 57

It appearing to the court by the mandate of the United States Circuit Court of Appeals for the Tenth Circuit, in this cause, bearing date the 4th day of June, 1948, filed herein June 7, 1948, - which mandate was amended July 1, 1948, and refiled July 6, 1948 - that the judgment of this court entered herein June 2, 1947, has been reversed and the cause remanded to this court with direction to assess only nominal damages to the State of Oklahoma.

Now, therefore, in obedience to said mandate and in cognizance with the opinion of said United States Circuit Court of Appeals herein, it is on this 20 day of September, 1948, ordered, adjudged, and decreed:

1. That, in relation to the public highway located upon and traversing the land known and identified in this cause as Tract 5 (26 FW-569), the land being that described as follows, to-wit:

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

"The west 22.43 acres of Lot 2 in Sec. 6,
T 24 N, R 24 E of the Indian Base and
Meridian,"

the sum of \$ 1.00 shall be, and is, fixed and awarded as just compensation to the State of Oklahoma on relation of the State Highway Commission of the State of Oklahoma, in exoneration of the burden cast upon said

Highway Commission of constructing said public highway up to an elevation sufficient in height to make said highway useable when water is being impounded in the reservoir of the Grand River Dam Project up to elevation 756.1 Sea Level Datum, at the dam.

2. That, costs of the appeal in this cause, in the amount of \$164.70, be, and are, assessed to and taxed against the said State of Oklahoma.



Royce H. Savage, Judge

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Petitioner,

vs.

CERTAIN PARCELS OF LAND IN OTTAWA
COUNTY, OKLAHOMA, containing approximately
781.70 acres, more or less, and NETTIE
COOPER, et al.,

Defendants.

CIVIL NO. 1231

FILED

SEP 29 1948

NOBLE C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT ON MANDATE

Re: Public Highways - Tract 17

It appearing to the court by the mandate of the United States Circuit Court of Appeals for the Tenth Circuit, in this cause, bearing date the 4th day of June, 1948, filed herein June 7, 1948, - which mandate was amended July 1, 1948, and refiled July 6, 1948 - that the judgment of this court entered herein June 2, 1947, has been reversed and the cause remanded to this court with direction to assess only nominal damages to the State of Oklahoma.

Now, therefore, in obedience to said mandate and in cognizance with the opinion of said United States Circuit Court of Appeals herein, it is on this 20 day of September, 1948, ordered, adjudged, and decreed:

1. That, in relation to the public highway located upon and traversing the land known and identified in this cause as Tract 1 (48 FW-1292 Rev.), the land being that described as follows, to-wit:

All of Lot 7 in Sec. 19 and all of Lot 1 in Sec. 20 and all that part of the NW 1/4, and all that part of the NW 1/4 SW 1/4 in Sec. 29, all that part of Lot 6, and all that part of Lot 7, all that part of Lot 8 and all that part of the SE 1/4 NE 1/4 and all that part of the SE 1/4, and all that part of the S 1/4 SW 1/4 of Sec. 30, all in T 27 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion contained in the right-of-way of the St. Louis and San Francisco Railway, containing approximately 26.3 acres,

and

All that part of the W $\frac{1}{2}$ 10 $\frac{1}{2}$ in said Sec. 29, and all that part of Lot 6, and all that part of Lot 7 and all that part of Lot 8 and all that part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ and all that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the SE $\frac{1}{4}$ and all that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and all that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of said Sec. 30, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, except that portion contained in the right-of-way of the St. Louis and San Francisco railway, containing approximately 56.8 acres,

the sum of \$ 100 shall be, and is, fixed and awarded as just compensation to the State of Oklahoma on relation of the State Highway Commission of the State of Oklahoma, in exoneration of the burden cast upon said Highway Commission of constructing said public highway up to an elevation sufficient in height to make said highway usable when water is being impounded in the reservoir of the Grand River Dam Project up to elevation 756.1 Sea Level Datum, at the dam.

2. That, costs of the appeal in this cause, in the amount of \$124.45, be, and are, assessed to and taxed against the State of Oklahoma.



Royce H. Savage, Judge

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

W. D. MOORE,

PLAINTIFF,

VS.

WILLIAM C. CUMMINGS,

DEFENDANT

NO. 2285 CIVIL

FILED

SEP 21 1948

WONG C. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL

THIS MATTER COMING BEFORE ME ON THE APPLICATION OF THE PLAINTIFF FOR AN ORDER DISMISSING HIS ACTION HEREIN AND IT BEING SHOWN TO THE COURT THAT THE PLAINTIFF AND DEFENDANT HEREIN HAVE ON THE 20TH DAY OF SEPTEMBER, 1948 ENTERED AN AGREEMENT COMPLETELY DETERMINING AND SETTLING THEIR CONTROVERSY HEREIN.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT THIS ACTION BE AND IT IS HEREBY DISMISSED WITH PREJUDICE.

DATED THIS 21ST DAY OF SEPTEMBER, 1948.

W. H. Sarge
JUDGE OF THE UNITED STATES
DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLA.

APPROVED AS TO FORM:

Settle M. ...
ATTORNEY FOR PLAINTIFF

...
ATTORNEY FOR DEFENDANT

U. S. DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

-vs-

Petitioner,

No. 2249 - Civil

2,045.81 acres of land, more
or less, situate in Osage
County, Oklahoma, and E. C.
Mullensore, Jr., et al.,

Respondents.

FILED

FEB 22 1948

WESLEY C. HOOD
U. S. District Court

JUDGMENT ON THE DECLARATION OF TAKING

This day comes the petitioner, the United States of America, by Curtis P. Harris, Special Attorney for the Department of Justice, and moves the Court to enter a judgment vesting in the United States of America, the full fee simple title, including all accretions, relictions and erosions thereto, less and except all oil, gas, coal and other minerals owned by the Osage Tribe of Indians, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipe lines, in and to the lands hereinafter described and described in the Declaration of Taking and in the Petition for Condemnation filed herein.

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

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

(1) In said Petition and Declaration of Taking a statement of the authority under which and the public use for which said lands and estate therein were taken is set forth;

(2) The Petition and Declaration of Taking were filed at the request of Kenneth C. Royall, Secretary of the Army, the person duly authorized by law to acquire the lands and estate therein taken as described in said documents for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceeding.

(3) A proper description of the lands sought to be taken, sufficient for the identification thereof, is set out in said Declaration of Taking and Petition for Condemnation; and a statement of the estate or interest in said lands taken for said public use is set out therein;

(4) A statement is contained in said Declaration of Taking of the sum of money estimated by the acquiring authority to be just compensation for the estate taken in said lands, in the amount of Seventy Seven Thousand Five Hundred and no/100 Dollars (\$77,500.00), and said sum of money was deposited in the Registry of this Court for the use of the persons entitled thereto upon and at the time of the filing of said Declaration of Taking;

(5) A statement is contained in said Declaration of Taking that the estimated amount of compensation for the taking of said property in the opinion of Kenneth C. Royall, Secretary of the Army, will probably be within any limits prescribed by Congress on the price to be paid therefor;

(7) And this Court having fully considered the petition for Condemnation, the Declaration of Taking, the Act of Congress approved February 28, 1941 (42 Stat. 1421; 40 U.S.C. Sec. 2582), and Acts supplementary thereto and amendatory thereof; and the Acts of Congress approved April 24, 1888 (25 Stat. 94-95 U.S.C. 591), March 1, 1917 (38 Stat. 942-95 U.S.C. 701), June 25, 1936 (49 Stat. 1870), June 28, 1936 (50 Stat. 1813), August 18, 1941 (55 U.S.C. 941a et seq.), and June 18, 1942 (Public Law 702-60th Congress 2d Session), is of the opinion that the United States of America was and is entitled to take said property and have the title thereto vested in it.

IT IS HEREBY ORDERED BY THIS COURT, AND IT IS THE ORDER, JUDGMENT AND DECREE OF THIS COURT that the full fee simple title in and to the lands hereinafter described, including all accretions, reliction and erosions thereto, less and except all oil, gas, coal and other minerals owned by the Osage Tribe of Indians, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipe-lines, was 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 the said sum of Seventy Seven Thousand Five Hundred and no/100 Dollars (\$77,500.00), and said lands and estate therein taken 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 same thereby vested in the persons entitled thereto, the amount of said compensation to be ascertained and awarded in this proceeding and established by judgment herein pursuant to law.

The lands aggregate 2,045.81 acres, more or less, and are described as follows:

Tract No. B-1

S. 10.00 acres of N. 16.42 acres of Lot 3, N. 5.00 acres of SW 10.00 acres of Lot 3, SW 2.50 acres of SW 10.00 acres of Lot 3, S. 5.00 acres of SE 10.00 acres of Lot 4, N. 5.00 acres of SW 10.00 acres of Lot 4, N. 3.34 acres of NW 8.34 acres of Lot 4, SW 2.50 acres of NW 8.34 acres of Lot 4, W/2 SW/4 NW/4, NE/4 SW/4 NW/4, W/2 NW/4 SW/4, SE/4 NW/4 SW/4, S/2 SW/4 NE/4 SW/4, S/2 NE/4 NW/4 SW/4, NW/4 NE/4 NW/4 SW/4, SW/4 SW/4, W/2 SE/4 SW/4, SE/4 SE/4 SW/4, S/2 NE/4 SE/4 SW/4, NE/4 NE/4 SE/4 SW/4, W/2 SW/4 SE/4, W/2 SE/4 SW/4 SE/4 of Section 15, and

Lot 1, SE/4 NE/4, NE/4 SW/4 NE/4, E/2 SE/4 SW/4 NE/4, E/2 E/2 SE/4, NW/4 NE/4 SE/4, E/2 NE/4 NW/4 SE/4, E/2 SW/4 SE/4 SE/4, SW/4 SW/4 SE/4 SE/4, S/2 SW/4 SW/4 SE/4 of Section 16, and

W. 4.38 acres of SW 9.38 acres of Lot 1, NW 9.41 acres of Lot 2, S. 5.00 acres of NE 10.00 acres of Lot 2, N. 4.71 acres of SW 9.41 acres of Lot 2, N. 5.00 acres of SE 10.00 acres of Lot 2, N. 5.00 acres of SE 10.00 acres of Lot 3, E. 1.25 acres of N. 4.71 acres of SW 9.48 acres of Lot 3, SW/4 SW/4 NE/4, SE/4 SE/4 NW/4, S/2 NW/4 SE/4 NW/4, N/2 SW/4 SE/4 NW/4, E/2 E/2 SW/4, SW/4 NE/4 SW/4, E/2 NW/4 SE/4 SW/4, W/2 NW/4 SE/4, S/2 SE/4 NW/4 SE/4, SW/4 SE/4, W/2 SW/4 SE/4 SE/4 of Section 19, and

E/2 E/2 N/2 N/2 NW/4 NE/4, SE/4 NE/4 NW/4 NE/4, NE/4 SE/4 NW/4 NE/4, S/2 SW/4 NE/4, S/2 NE/4 SW/4 NE/4, SE/4 NE/4 NE/4 SW/4, S/2 NW/4 SE/4, S/2 NE/4 SW/4 SE/4, E/2 SE/4 SW/4 SE/4 of Section 21, and

W/2 W/2, NE/4 NW/4, NE/4 SE/4 NW/4, NE/4 NW/4 SE/4 NW/4, E/2 SE/4 SE/4 NW/4, NW/4 SE/4 SE/4 NW/4, SW/4 SW/4 NE/4 SW/4, W/2 NW/4 SE/4 SW/4, SW/4 SE/4 SW/4, W/2 SE/4 SE/4 SW/4, E/2 W/2 SW/4 SE/4, E/2 SW/4 SE/4, W/2 SE/4 SE/4, NE/4 SE/4 SE/4, N/2 SE/4 SE/4 SE/4, SW/4 SE/4 SE/4 SE/4, S/2 NE/4 SE/4, NE/4 NE/4 SE/4, E/2 NW/4 NE/4 SE/4, NW/4 NE/4 NW/4 NE/4, NW/4 NW/4 NE/4, W/2 SW/4 NE/4, NW/4 SE/4 SW/4 NE/4, SW/4 NE/4 SW/4 NE/4, E/2 SE/4 NE/4, E/2 SW/4 SE/4 NE/4, S/2 NE/4 NE/4 of Section 22, and

SW/4 NW/4, W/2 SE/4 NW/4, SE/4 SE/4 NW/4, NW/4 SW/4, N/2 NE/4 SW/4, N/2 SW/4 SW/4, N/2 SW/4 SW/4, NW/4 SW/4 SW/4, S/2 SW/4 SE/4 SW/4, W/2 SE/4 SE/4 SW/4, NW/4 NW/4 SE/4, S/2 SW/4 NE/4, NE/4 SW/4 NE/4, SE/4 SE/4 NW/4 NE/4, W/2 SW/4 NE/4 NE/4, SW/4 SW/4 NE/4 NE/4, W/2 NW/4 SE/4 NE/4, SW/4 SE/4 NE/4, NW/4 SE/4 SE/4 NE/4 of Section 23, and

W/2 SW/4 SW/4 SW/4 of Section 25, and

S/2 SE/4 SE/4, NW/4 NE/4 NE/4 NW/4, W/2 NE/4 NW/4, E/2 NW/4 NW/4, SW/4 NW/4 NW/4, S/2 NW/4 NW/4 NW/4, W/2 SW/4 SW/4 NW/4 of Section 26, and

S/2 NE/4, S/2 NE/4 NE/4, NW/4 NE/4 NE/4, W/2 NE/4 NE/4 NE/4, SE/4 NE/4 NE/4 NE/4, E/2 NW/4 NE/4, E/2 W/2 NW/4 NE/4, SW/4 SW/4 NW/4 NE/4, S/2 NW/4, NW/4 NW/4, W/2 NE/4 NW/4, NW/4 NE/4 NE/4 NW/4, S/2 SE/4 NE/4 NW/4, NE/4 SW/4, N/2 NW/4 SE/4, SW/4 NW/4 SE/4, E/2 NE/4 NE/4 SE/4 of Section 27, and

S/2 NE/4, E/2 NE/4 NE/4, E/2 W/2 NE/4 NE/4, NW/4 NW/4 NE/4 NE/4, SW/4 NW/4 NE/4, W/2 SE/4 NW/4 NE/4, S/2 NW/4 NW/4 NE/4, SW/4 NE/4 NW/4 NE/4 of Section 28, and

NE/4 NE/4 NW/4, S/2 NW/4 NE/4 NW/4 of Section 30,

all in Township 29 North, Range 11 East, of the I.M., in Osage County, Oklahoma, containing 2,045.81 acres, more or less.

ALL PERSONS WHOSE NAMES ARE MENTIONED IN THIS DECREE, BY THEMSELVES and all persons now in possession of or claiming any rights whatsoever to the possession of the lands hereinabove described, and all and singular the rights, privileges and appurtenances thereto belonging, are hereby ordered and directed to deliver up and surrender forthwith full and complete possession of the lands hereinabove described, to the extent of the acres herein taken, to the United States of America, and the United States of America is hereby granted leave to take immediate possession of said lands.

This case is held open for such other and further orders, judgments or decrees as may be necessary.

Entered this 22nd day of Sept, 1948.

Loyce H. Savage
JUDGE.

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

Katie Whiteburke and
Edward J. Wheeler,

Plaintiffs,

vs.

No. 2099 Civil

The Heirs, etc., of John
Wheeler, deceased, et al,

Defendants.

FILED

SEP 23 1948

ORDER APPROVING REPORT OF COMMISSIONERS AND
FIXING TIME FOR ELECTION

NOBLE C. HOOD
Clerk U. S. District Court

Now on this the 23rd day of September, 1948, comes on to
be heard in its regular order the report of the commissioners hereto-
fore appointed and the court finds that said commissioners filed their
report on the 15th day of July, 1948, wherein they reported that the
land hereinafter described could not be partitioned without manifest
injury to the owners and appraised the same as follows:

- Tract No. 1
The East Half of Northeast Quarter of Northwest
Quarter and the Northwest Quarter of Northeast
Quarter of Northwest Quarter of Section 23,
Township 28 North, Range 13 East, Washington
County, Oklahoma - - - - - \$900.00
- Tract No. 2
The Northwest Quarter of Southeast Quarter
of Northwest Quarter of Section 23, Township
28 North, Range 13 East, Washington County,
Oklahoma - - - - - \$250.00
- Tract No. 3
The Southeast Quarter of Northeast Quarter
of Southwest Quarter of Section 26, Township
22, Range 17, Rogers County, Oklahoma - - - - - \$100.00

and the court finds that said report should be approved.

It is therefore ordered that the report and appraisement of
the commissioners heretofore appointed be and the same is hereby
approved.

It is further ordered that each of the parties to the above
entitled cause be and they are hereby given fifteen days from this
date in which to file the election to take the premises at the
appraised value, and in case none of said parties elect or in case

two or more elect in opposition to each other then an order of sale
be issued to the Marshall directing him to advertise and sell said
land according to law.

Wm. H. [unclear]
District Judge

Wm.
Wm. H. [unclear]
Atty

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE NORTHERN DISTRICT OF OKLAHOMA
Civil Action No. 2260

TIGHE W. WOODS, Housing Expediter)
Office of the Housing Expediter)
)
) Plaintiff)
 Vs.)
))
 A. G. DUNAWAY)
))
) Defendant)

J U D G M E N T F I L E D

SEP 23 1948

NOBLE C. HOOD
Clerk U. S. District Court

Now on this 16th day of July, 1948, the above styled and numbered cause of action comes on for consideration before the Court upon the Plaintiff's motion for Default Judgment, the Plaintiff being represented by his Attorney, Sanford H. Palmer, and the Defendant being represented by his Attorney, Gerald F. O'Brien.

Whereupon both parties announced to the Court that judgment should be entered for restitution to the tenant in the amount of \$267.09, that the court costs of this action should be taxed against the defendant, and that the injunction as prayed for in the complaint should be dismissed. The Court being sufficiently advised finds that judgment should be entered accordingly.

It is, therefore, ORDERED, ADJUDGED AND DECREED that the Defendant, A. G. Dunaway, is hereby commanded and ordered to forthwith make restitution to the tenant, Frank C. Coors, in the amount of \$267.09, and that the costs of this action be taxed against the Defendant.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the injunction for a restraining order restraining further violation of the Housing and Rent Act of 1947 in the complaint is hereby dismissed.

Wm. H. Savage
United States District Judge

APPROVED:

Sanford H. Palmer

Attorney for Plaintiff

Gerald F. O'Brien

Attorney for Defendant

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

Civil Action No. 2328

TIMOTHY S. WOLFE, Housing Expediter
Office of the Housing Expediter

Plaintiff

VS

FRED W. YEAGER, et ux
MRS. FRED W. YEAGER
1536 East Admiral Blvd.
Tulsa, Oklahoma

Defendants

ORDER OF DISMISSAL

FILED

SEP 23 1948

NOBLE C. HOOD
Clerk U. S. District Court

Now on this 13th day of September, 1948, the above styled and numbered cause came on for consideration of the Plaintiff's Motion for Preliminary Injunction and Defendants' Motion to Dismiss, whereupon, after hearing the statement of counsel, the Court finds that the tenants have moved and that the eviction problem is now moot, and that this case should be dismissed.

It is, therefore, by the Court, ORDERED, ADJUDGED, AND DECREED that this cause of action be, and the same is hereby dismissed without cost to the Defendant.

Wm. B. Swartz
United States District Judge

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

W. J. GUNER and MRS. E. J. DUNN,
Plaintiffs,

vs.

F. C. (Clarence) LAHATT,
J. C. DASH (Mrs.),
Defendants.

No. 2262 Civil

FILED

1948

WALTER C. HOOD
Clerk U. S. District Court

FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND JUDGMENT

Upon stipulation of counsel, the Court finds as follows:

1. The plaintiffs in this action orally leased certain property located on East Fifty-first Street from the defendants, at a price of \$65.00 per month, and took possession of said property in October, 1947, and agreed to pay in addition thereto all utility bills.

2. The Court finds that the plaintiffs were in possession of said property from October, 1947 to June, 1948, inclusive, and paid rent at the aforesaid rate for a period of five (5) months. That the plaintiffs did not pay rent for the months of April, May and June, 1948.

3. The Court further finds that the said rental payment of \$65.00 per month was in violation of the maximum rents on housing accommodations. That the maximum amount of rent as fixed by the Housing Expediter for this area on said property was \$35.00 per month.

4. The Court further finds that the plaintiffs did not pay the defendants the utility bills for the months of May and June, and that the same amount to \$10.42.

5. The Court finds as a matter of fact that the said defendants overcharged the said plaintiffs \$150.00. That the defendants are entitled to a credit thereon of \$105.00 for rent in the last 3 months and \$10.42 utility bill. The Court finds that plaintiffs and defendants have agreed that the plaintiffs are entitled to certain credits for paint and other material furnished on said property, leaving a balance due the plaintiffs by the defendants in the sum of \$45.82.

6. The Court further finds that the plaintiffs are entitled to a reasonable attorney fee, and that \$50.00 is a reasonable attorney fee for the use and benefit of plaintiffs' attorneys.

7. In adjusting all equities, set-offs and counter-claims, the Court finds that the said defendants still owe the plaintiffs the sum of \$45.82 plus \$50.00 as a reasonable attorney fee for the use and benefit of plaintiffs' attorneys, together with the costs of this action.

CONCLUSIONS OF LAW

1. As a matter of law, the Court concludes that the said contract and the payment of rent is in violation of the rent regulations under the Housing and Rent Act of 1947, being Public Law 129, The Eightieth Congress.

JUDGMENT

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED That in compliance with said Findings of Fact and Conclusions of Law, the plaintiffs in said action have and recover from the said defendants the sum of \$45.82, together with a reasonable attorney fee of \$50.00 for the use and benefit of plaintiffs' attorneys, together with all costs of this action. *The solicitors fee of \$50.00 is hereby waived*

IT IS THE FURTHER ORDER OF THE COURT That the Clerk of said Court be, and is hereby directed to enter said judgment upon the minutes, records and journals of said office.

Witness my signature this 28 day of September, 1948.

Raymond H. ...
UNITED STATES DISTRICT JUDGE

APPROVED:

J. C. Swinney
ATTORNEY FOR PLAINTIFFS

Joe ...
ATTORNEY FOR DEFENDANTS

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF COLUMBIA

WILLIAM H. HARRIS,)
Plaintiff,)
vs.)
THE DISTRICT OF COLUMBIA,)
Defendant.)

No. 2308 1711 31228

NOTE C. HOGAN
Chief U. S. District Court

ORDER

Now, on this 28th day of September, 1948,

the above entitled matter coming on for a trial upon the stipulation of the parties, or dismissal with prejudice and it appearing to the court that the parties have settled said case, the court has been filed a certain written stipulation herein for dismissal with prejudice to a new action at the cost of the defendant but without attorneys' fees to either side, and the court being well and sufficiently advised in the premises,

IT IS ORDERED, ADJUDGED AND DECREED that the above entitled matter be and the same is hereby dismissed with prejudice to a new action at the cost of the defendant but without attorneys' fees to either side.

James H. [Signature]
Judge

APPROVED:
[Signature]
[Signature]
Attorneys for Plaintiff
[Signature]
[Signature]
Attorneys for Defendant

IN THE DISTRICT COURT OF THE UNITED STATES OF AMERICA FOR THE DISTRICT OF DELAWARE.

J. H. SMITH,)
Plaintiff,)
vs.)
J. H. SMITH AND)
COMPANY, a corporation,)
Defendant.)

No. 2543 Civil

FILED

10 31 1948

NOBLE C. HOOD
Clerk U. S. District Court

Now, on this 30 day of October, 1948, the above entitled matter coming on for hearing upon the stipulation of the parties for dismissal with prejudice and it appearing to the court that the parties have settled said cause out of court and have filed their written stipulation herein for dismissal with prejudice to a new action at the cost of the defendant but without attorneys' fees to either side, and the Court being well and sufficiently advised in the premises,

IT IS ORDERED, ADJUDGED AND DECREED that the above entitled matter be and the same is hereby dismissed with prejudice to a new action at the cost of the defendant but without attorneys' fees to either side.

James H. [Signature]
Judge

APPROVED:

Joseph C. Brown
Attorney for Plaintiff

A. C. Wallace

John H. [Signature]

[Signature]
Attorneys for defendant.

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE

PLAINTIFF,

vs.

JOHN J. SPICER

DEFENDANT,

Defendant.

Order
ORDER DISMISSING WITH PREJUDICE

Now on this 4th of October, 1948, on motion of the
said Plaintiff to dismiss with prejudice, the court orders that this
case be dismissed with prejudice.

Raymond H. ...

Judge of the United States District Court.

IN SENATE
COMMISSIONERS OF THE LAND OFFICE
STATE OF ALABAMA

LEONORA M. ...
by her mother, her guardian
and next friend, ...

Plaintiff,

vs.

ALBERT ...

Defendant.

NO. 2271-Civil

VERDICT AND JUDGMENT

Now on this 4th of October, 1936, the above matter
came on for hearing, the plaintiff, a minor, by her mother and next
friend, Bette ... and her attorney, E. J. Glendinning, the defendant
appearing by attorney T. W. Tabor, both parties announce ready for
trial, waiving a jury; evidence being produced and the court being
fully advised in the premises, finds that the plaintiff should recover
and sets the amount of recovery in the sum of \$3,000.00.

George H. ...

Judge of the United States District
Court.

UNITED STATES DISTRICT COURT OF THE DISTRICT OF COLUMBIA
DISTRICT OF COLUMBIA
* * *

John ...
Plaintiff,
-vs-
BORG CO. ... STEEL CORPORATION,
Defendant.

No. 2882 - Civil
1946
HOOB
District Court

J U D G E M E N T

This cause having come on for trial this 30th day of ... 1946, plaintiff, ... present in person and ... attorney, ... and the defendant, Borg Corporation, being present by its officers and ... attorneys, Irvine S. ... and Charles L. Whitebook ... the cause was tried at this court and the Court having heard the evidence and argument of counsel and being fully advised in the premises, in accordance with the Principles of Law and Conclusions of Law previously made herein, finds and leaves for the defendant and that plaintiff is not entitled to any relief herein.

... JUDGE ... AND ... that judgment to ... in favor of defendant, Borg Corporation, as aforesaid.

... defendant be discharged ... that it recover its costs herein expended. Costs to be taxed to plaintiff.

[Signature]
District Judge

U. S. District Court
...
...
Irvine S. ... and Charles L. ...



Plaintiff
 Defendant
 -7-
 Plaintiff
 Defendant

No. 2220-Civil

FILED

OCT 6 1948

NOBLE C. HOOD
 Clerk U. S. District Court

J. P. ...

On this the 27th day of September, 1948, this cause came to be heard before the Honorable Judge ... Savage, Judge of the United States District Court for the Southern District of Florida, at Miami, Florida, said Judge having been requested for this date, and said parties defendant having waived their right to trial by jury and no jury being demanded by either party; Plaintiff was present in person and by his attorneys of record, ... and Charles ... Esq. both of Miami, Florida, and the defendant corporation appearing by its attorneys of record, ... Esq. of Miami, Florida.

Upon witnesses duly sworn and examined in open court, the cause proceeded to trial.

The Court having heard the evidence of all witnesses duly sworn and examined, and after due deliberation, finds upon its finding of fact and conclusions of law that judgment should be and is hereby rendered in the first cause of action in the ... in favor of the defendant; and the second cause of action should be and is hereby dismissed out of the Court.

As in the further order of the court and the
plaintiff pay the costs herein.

George H. Adams

Judge of the United States
District Court for the Northern
District of California.

Henry Porter

Charles H. Burns

Attorney for Plaintiff

Attorney for Defendant

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

State of Oklahoma, ex rel
Mac Q. Williamson, Attorney General
of the State of Oklahoma,

Petitioner,

va.

Certain parcels of land in Ottawa
County, Oklahoma, containing approxi-
mately 10.24 acres, more or less; the
United States of America; Susanna Young
Dandy (restricted), a widow; et al,

Defendants.

CIVIL NO.

2352

O R D E R

This matter comes on to be heard this 7th day of October, 1948,
upon the petition of the above named petitioner for an order appointing
commissioners in said cause, and it being made to appear to the Judge that
the petitioner has the right of eminent domain and may condemn land for
the purpose of using the same for a public highway; that the Department
of Highways has laid out a public highway, and that to improve and complete
present construction on said highway, it is necessary for the petitioner
to acquire the following described property, to-wit:

(SEE NEXT PAGE)

Thompson Young et al.

TRACT NO. 1.

A strip, piece or parcel of land lying in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, T 26 N, R 24 E in Ottawa County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Beginning at the SE corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, thence North along the East line of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 817 feet, thence Southwesterly on a curve to the left having a radius of 2000.1 feet a distance of 98 feet, thence Southeasterly on a radius of said curve a distance of 15 feet, thence Southwesterly on a curve to the left, having a radius of 1985.1 feet, a distance of 678.6 feet, thence N 85° 53' W a distance of 225 feet, thence Southwesterly on a curve to the left having a radius of 2210.1 feet a distance of 84.6 feet to a point on the South line of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, thence East along said South line a distance of 423 feet to point of beginning.

Containing 2.82 acres, more or less.

TRACT NO. 2.

A strip, piece or parcel of land lying in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T 26 N, R 24 E in Ottawa County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Beginning at a point on the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, 622.4 feet South of the NE corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, thence South along said East line a distance of 164.2 feet, thence N 58° 30' W a distance of 698.1 feet, thence Northwesterly on a curve to the right having a radius of 1990.1 feet a distance of 648 feet to a point on the North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ 249 feet East of the NE corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, thence East along said North line a distance of 190 feet, thence Southeasterly on a curve to the left having a radius of 1850.1 feet a distance of 478 feet, thence S 58° 30' E a distance of 612.3 feet to point of beginning.

Containing 3.92 acres, more or less.

TRACT NO. 3.

A strip, piece or parcel of land lying in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 24 E in Ottawa County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Beginning at a point on the South line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, 836.8 feet East of the SW corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, thence East along said South line a distance of 253.3 feet, thence N 58° 30' W a distance of 1284.4 feet to a point on the West line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, 622.4 feet South of the NW corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, thence South along said West line a distance of 158.4 feet, thence S 58° 30' E a distance of 981.3 feet to point of beginning.

Containing 3.50 acres, more or less.

That the Department of Highways of the State of Oklahoma has been unable, by private purchase, to secure the same. That due notice of this application has been given by petitioner, served by the Marshal, pursuant to the order of this court, upon the defendants, Susanna Young Darity, Thompson Young and Bertie Young, the persons in whose possession the land stands, and also upon the defendant, the United States of America. That petitioner would, this day, apply to this Court for appointment of commissioners in this proceeding.

That petitioner has applied for an order of this court allowing the cause to be dismissed as to the known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any, of each of Mary Young, deceased, and Adam Young, deceased, defendants. And the Court, being fully advised in such premises, finds that such application should be, and therefore it hereby is, granted and allowed, and the known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any, of each of Mary Young, deceased, and Adam Young, deceased, (other than Susanna Young Darity, Thompson Young, Bertie Young) are dismissed as parties defendant in this proceeding.

The Court finds that the application of the petitioner for the appointment of commissioners in this condemnation proceeding should be granted.

It is therefore ordered that Wm. B. Sharp and W. H. Beckman, three disinterested freeholders selected from the current jury list of this Court, be and they are hereby appointed as commissioners to inspect said real property, above described, and consider and appraise the injury and damage, if any, which the defendants, as the owners thereof, will sustain by such appropriation of their land, the value of the land taken and the amount of injury and damage done to the remainder of the real estate, either directly or indirectly, by reason of said appropriation and the construction, improvement and maintenance of a public highway over, across and upon said real estate, or the subjection of same to highway user purposes, and said commissioners are hereby authorized, empowered and directed to take the oaths prescribed by law, and to forthwith inspect said property and make their report, as by law required.



IT IS ORDERED that the case is dismissed
and judgment is entered for the respondents.

Alfred C. Murray
United States Circuit Judge

Edgar J. Vaughn
United States District Judge

Royce H. Savage
United States District Judge

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

Civil Action No. 2286

TECHNICAL WORKS, Housing Expediter)
Office of the Housing Expediter)
Plaintiff)
vs)
MERRY CRINNIGAR, JR., et ux)
LOIS CRINNIGAR)
Fairland, Oklahoma)
Defendants)

FINAL JUDGMENT FILED
OCT 8 1948
NOBLE C. HOOD
Clerk U. S. District Court

Now on this 13th day of September, 1948, the above styled and numbered cause of action comes on for consideration before the Court upon the Plaintiff's Motion to Quash and Strike and for Summary Judgment, the Plaintiff being represented by his Attorney, Sanford H. Palmer, and the Defendant appearing neither in person nor by counsel.

Whereupon, after considering the evidence and the statement of counsel, the Court finds that the Motion for Summary Judgment should be sustained and that Judgment should be entered against the Defendant, ordering him to make restitution to the tenant, A. W. Andrews, in the amount of \$90.00, and that the cost of this action should be taxed against the Defendants, and that the Injunction should be issued as prayed for in the Complaint.

It is, therefore, ORDERED, ADJUDGED, AND DECREED by the Court that the Defendant is hereby commanded and ordered to make restitution to the tenant, A. W. Andrews, in the amount of \$90.00 and that the cost of this action should be taxed against the Defendants for which let execution levy.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the Defendants, their agents, servants, employees, representatives and each of them be restrained and enjoined from directly or indirectly:

- (a) Soliciting, demanding, accepting or receiving any rent in excess of the maximum legal rent prescribed by the Controlled Housing Rent Regulation as heretofore or hereafter amended, or in excess of the

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE NORTHERN DISTRICT OF OKLAHOMA
Civil Action No. 2807

TIGHE L. WOODS, Housing Expediter
Office of the Housing Expediter

Plaintiff

vs.

W. N. DUKE, et ux, JIMMIE K. DUKE
806 South Kanthas Street, Tulsa, Okla.
and H. N. KIRK, 1310 North 34th Street,
Fort Smith, Arkansas

Defendants

JUDGMENT

FILED

OCT 8 1948

NORLE C. HOOD
Clerk U. S. District Court

Now on this 13th day of September, 1948, the above styled and numbered cause of action comes on for consideration before the Court at a pre-trial conference. The Plaintiff being represented by his attorney, Sanford H. Palmer, and the Defendants being represented by their attorney, Quinn E. Dickason.

Whereupon, after hearing the statements and argument of counsel, the Court finds:

1. That judgment should be entered against W. N. Duke and Jimmie K. Duke ordering restitution to the tenant, Yearin Bagley, in the amount of \$122.50;
 2. That the injunction should be issued as prayed for in the Complaint;
 3. That the costs should be taxed against the Defendants, W. N. Duke and Jimmie K. Duke;
 4. That this action should be dismissed as to Defendant H. N. Kirk.
- It is, therefore, ORDERED, ADJUDGED, and DECREED:

1. That the Defendants, W. N. Duke and Jimmie K. Duke, are hereby commanded and ordered to forthwith make restitution to the tenant, Yearin Bagley, in the amount of \$122.50;
2. That the costs of this action be taxed against the Defendants, W. N. Duke and Jimmie K. Duke, for which let execution levy.

It is further ORDERED, ADJUDGED, and DECIDED by the Court:

1. That the Defendants, E. H. Duke and Jimmie K. Duke, their agents, servants, employees, representatives, and each of them, be restrained and enjoined from directly or indirectly:

- (a) Soliciting, demanding, accepting or receiving any rent in excess of the maximum legal rent prescribed by the Controlled Housing Rent Regulation as heretofore or hereafter amended, or in excess of the maximum legal rent permitted by any other Regulation or order heretofore or hereafter adopted pursuant to the Housing and Rent Act of 1947 as heretofore or hereafter amended or extended or superseded, or from otherwise violating the Controlled Housing Rent Regulation or the Housing and Rent Act of 1947 as heretofore or hereafter amended, or from violating any other Regulation as heretofore or hereafter adopted pursuant to the Housing and Rent Act of 1947 as heretofore or hereinafter amended or extended.

It is further ORDERED, ADJUDGED, and DECIDED:

1. That this cause of action be dismissed as to the Defendant,
E. H. Kirk.

Harold H. Savage
UNITED STATES DISTRICT JUDGE

APPROVED:

Sanford H. Palmer
Sanford H. Palmer
Attorney for Plaintiff

Quinn M. Dickason
Quinn M. Dickason
Attorney for Defendants

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

Civil Action No. 2309

TIMES E. ROYDS, Housing Expediter
Office of the Housing Expediter

Plaintiff

VS

G. A. VISSER
1315 S. Guthrie
Tulsa, Oklahoma

Defendant

J U D G M E N T

Now on this 13th day of September, 1948, came on to be heard the within cause by default and it appearing to the Court that the Defendant has not answered within the time required by law, and that the Defendant is neither an incompetent, a minor, nor a member of the armed forces, and the Plaintiff appeared by his attorney, Sanford H. Palmer, and the Defendant appeared in person not represented by counsel.

Whereupon, after hearing the statements of counsel and the evidence and the statement of the Defendant, the Court finds that the Defendant should make restitution to the tenant, J. W. Nethers, in the amount of \$102.50 for overcharges in rent collected in excess of the maximum legal rent, and that the injunction should be issued as prayed for in the Complaint, and that the cost of this action should be taxed against the Defendant for which execution should be levied.

It is, therefore, ORDERED, ADJUDGED, AND DECREED that the Defendant is hereby ordered and commanded to make restitution to the tenant, J. W. Nethers, in the amount of \$102.50, and that the costs of this action should be taxed against the Defendant, for which let execution levy.

It is, therefore, ORDERED, ADJUDGED, AND DECREED that the Defendant, his agents, servants, employees, representatives, and all persons in active concert or participation with any of them be and each of them is hereby enjoined and restrained from directly or indirectly:

- (a) Soliciting, demanding, accepting or receiving any rent in excess of the maximum legal rent prescribed by the Controlled Housing Rent Regulation as heretofore or hereafter amended, or in excess of the

maximum legal rent permitted by any other Regulation or order heretofore or hereafter adopted pursuant to the Housing and Rent Act of 1947 as heretofore or hereafter amended or extended or superseded, or from otherwise violating the Controlled Housing Rent Regulation or the Housing and Rent Act of 1947 as heretofore or hereafter amended, or from violating any other Regulation as heretofore or hereafter adopted pursuant to the Housing and Rent Act of 1947 as heretofore or hereinafter amended or extended.

Foyce H. Savage
United States District Judge

APPROVED:

Sanford H. Selmer
Attorney for Plaintiff

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

Marie Grimmett,

Plaintiff,

vs.

Standard Paving Company, a
corporation,

Defendant.

No. 2312 Civil

FILED

OCT 8 1948

NOBLE C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

Now on this 8th day of October, 1948, this cause comes on for hearing upon its merits. The plaintiff appeared in person and by her counsel, Amos T. Hall, and the defendant appeared by its counsel, Hudson, Hudson & Wheaton.

Both parties having announced ready for trial, and having waived a jury, the court proceeded to the trial of said cause. The plaintiff introduced her evidence and rested. And the court being fully advised in the premises, finds that plaintiff is entitled to judgment against the defendant in the sum of **Nine Hundred Seventy-five (\$975.00) Dollars**, and the costs of this suit.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff, Marie Grimmett, have and recover judgment against the defendant, Standard Paving Company, a corporation, in the amount of **Nine Hundred Seventy-five (\$975.00) Dollars**, for all of which let execution issue.

O.K.

Royce K. Savage
U. S. District Judge

Amos T. Hall
Attorney for Plaintiff
Hudson, Hudson & Wheaton
Attorneys for Defendant

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE NORTHERN DISTRICT OF CALIFORNIA

Civil Action No. 4325

TIMOTHY K. ROOPE, Housing Expediter
Office of the Housing Expediter

Plaintiff

VS

ROBERT H. WATSON

Defendant

J U D G M E N T

OCT 8 1948

NOBLE C. HOOD
Clark U. S. District Court

Now on this 14th day of September, 1948, the above styled and numbered cause of action came on to be heard by default and it appearing to the Court that the Defendant has not answered within the time required by law, and that the Defendant is neither an incompetent, a minor, nor a member of the armed forces, and the Plaintiff appearing by his Attorney, Sanford H. Palmer, and the Defendant having been duly served with summons appeared neither in person nor by Attorney, and having served no answer on the Plaintiff or any response to the Plaintiff's Request for Admissions in this cause as required by law, makes default whereupon the Plaintiff presented evidence in open Court in support of the allegations of the Complaint, and the Court having heard the remarks of counsel, finds from the evidence that the Plaintiff is entitled to Judgment as ORDERED below.

It is, therefore, ORDERED, ADJUDGED AND DECREED that the Defendant is hereby commanded and ordered to make restitution to the tenant, Leo C. Winkle, in the amount of \$49.00 for rents collected in excess of the maximum legal rent, and that the cost of this action should be taxed against the Defendant, for which let execution levy.

It is further ORDERED, ADJUDGED, AND DECREED that the Defendant, his agents, servants, employees, representatives, and attorneys, and each of them be restrained and enjoined from directly or indirectly:

- (a.) Soliciting, demanding, accepting or receiving any rent in excess of the maximum legal rent prescribed by the Controlled Housing Rent Regulation as heretofore or hereafter amended, or in excess of the maximum legal

rent permitted by any other Regulation or order heretofore adopted pursuant to the Housing and Rent Act of 1947 as heretofore or hereafter amended or extended or superseded, or from otherwise violating the Controlled Housing Rent Regulation or the Housing and Rent Act of 1947 as heretofore or hereafter amended, or from violating any other Regulation as heretofore or hereafter adopted pursuant to the Housing and Rent Act of 1947 as heretofore or hereinafter amended or extended.

Rayce H. Savage
United States District Judge

WITNESSETH:

Stanford M. Palmer
Attorney for Plaintiff

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

Civil Action No. 2321

TIMES E. WOODS, Housing Expediter
Office of the Housing Expediter

Plaintiff

VS

A. H. SHORTON, et ux
MRS. T. H. SHORTON

Defendants

FINAL JUDGMENT

EILED

OCT 11 1948

NOBLE C. HOOD
Clerk U. S. District Court

Now on this 13th day of September, 1948, the above styled and numbered cause of action comes on for consideration before the Court for the entry of the Final Judgment, the Plaintiff being represented by his Attorney, Sanford H. Palmer, and the Defendants being represented by their Attorney, Thomas A. Landrith, Jr. whereupon after hearing the statements of counsel, the Court finds that the tenant has moved and that the eviction problem is now moot, and that this cause of action should be dismissed with costs taxed against the Defendant.

It is, therefore, ORDERED, ADJUDGED, AND DECREED by the Court that this cause of action be dismissed and that the costs of this action be taxed against the Defendants.

United States District Judge

APPROVED:

Sanford H. Palmer
Attorney for Plaintiff

Thomas A. Landrith, Jr.
Attorney for Defendant

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

Civil Action No. 2321

FILED

OCT 11 1948

NOBLE C. HOOD
Clark U. S. District Co

TIGHE E. HOOD, Housing Expediter
Office of the Housing Expediter

Plaintiff

VS

R. H. SHORTON, et ux
MRS. R. H. SHORTON

Defendants

ORDER DISMISSING

DEFENDANTS' CROSS COMPLAINT

Now on this 13th day of September, 1948, the above styled and numbered cause of action came before the Court for consideration of the Defendants' Cross-Complaint, whereupon, after hearing the argument of the counsel, the Court finds that the Defendants' Cross-Complaint should be dismissed.

It is, therefore, ORDERED, ADJUDGED, AND DECREED by the Court that the Defendants' Cross-Complaint is hereby dismissed.

United States District Judge

APPROVE:


Attorney for Plaintiff


Attorney for Defendant

IN THE UNITED STATES COURT FOR THE NORTHERN
DISTRICT OF OKLAHOMA

FILED
OCT 13 1948

Katie Whiteturkey and
Edward J. Wheeler,

Plaintiffs,

NOBLE C. HOOD
Clerk U. S. District Court

vs.

No. 2099 Civil

The Heirs of John Wheeler,
et al.

Defendants.

ORDER APPROVING THE ELECTION OF GEORGIE SMITH
TO TAKE CERTAIN TEN ACRES OF LAND AT APPRAISED
VALUE AND DIRECTING THE MARSHAL~~X~~ TO EXECUTE A
DEED THEREFOR AND TO ADVERTISE AND SELL THE
BALANCE OF THE LAND

Now on this 13th day of October, 1948, comes on to be heard in its regular order the election heretofore filed by Georgie Smith to take the following described property situated in Rogers County, Oklahoma, to-wit:

Southeast Quarter of Northeast Quarter of Southwest Quarter of Section 26, Township 23 North, Range 17 East,

at the appraised value of \$100.00 and she has agreed to pay said sum to the Court Clerk to be distributed under the further order of this court.

The court finds that none of the other parties has elected to take said property at the appraised value and that said election of Georgie Smith should be approved and the Marshal~~X~~ ordered to execute a deed to Georgie Smith to the above described land upon receipt of the \$100.00.

The court further finds that none of the parties has elected to take at the appraised value Tract No. 1 described as:

The East Half of Northeast Quarter of Northwest Quarter and the Northwest Quarter of Northeast Quarter of Northwest Quarter of Section 23, Township 23 North, Range 13 East, Washington County, Oklahoma;

and Tract No. 2 described as:

The Northwest Quarter of Southeast Quarter of Northwest Quarter of Section 23, Township 23 North, Range 13 East, Washington County, Oklahoma;

and that the time of election heretofore granted has expired and that

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

Louis Meek,)
)
 Plaintiff,)
)
 vs.) No. 2278 Civil
)
 National Zinc Company, a)
 corporation,)
)
 Defendant.)

FILED
in open Court
OCT 13 1948

NOBLE C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGEMENT

Now on this 13th day of October, 1948, this cause comes on for hearing upon its merits; the plaintiff appeared in person and by his counsel, Green & Farmer, and the defendant appeared by its counsel, Hudson, Hudson & Wheaton.

Both parties having announced ready for trial, and having waived a jury, the court proceeded to the trial of said cause. The plaintiff introduced his evidence and rested. And the court being fully advised in the premises, finds that plaintiff is entitled to judgment against the defendant in the sum of \$3,250.00.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff, Louis Meek, have and recover judgment against the defendant, National Zinc Company, a corporation, in the amount of Three Thousand Two Hundred Fifty and No/100 (\$3,250.00) Dollars.

For all of which let execution issue.

O.K.

Green & Farmer

By [Signature]
Attorneys for Plaintiff

Hudson, Hudson & Wheaton

By [Signature]
Attorneys for Defendant

[Signature]
U. S. District Judge

U. S. DISTRICT COURT FOR THE DISTRICT OF OKLAHOMA
SOUTHERN DISTRICT

with _____
petitioner
vs.
61.51 acres of land, more or
less, situate in Creek County,
Oklahoma, and Jack Abraham, et
al.
defendants

No. 2234-Civil

FILED
In Open Court

OCT 14 1948

NOBLE C. HOOD
Clerk U. S. District Court

U. S. DISTRICT COURT FOR THE DISTRICT OF OKLAHOMA

Now on this 14th day of October, 1948, this matter set for hearing upon the application for confirmation of stipulation, written and entered in open court, and the court, having been fully advised in the premises, finds that the value of tract No. A-2, involved in this proceeding, has been agreed upon by the owners thereof and the petitioner; that it is unnecessary to proceed further in this proceeding as to said tract, and that it is proper at this time that an appropriate judgment be entered upon said stipulation.

The court further finds that a deposit has been made under the declaration of taking as to said tract.

It is, therefore, ordered, that the agreed value and stipulation be, and the same is hereby, confirmed and approved in all respects by this court as to said tract No. A-2, in the following amount, to-wit:

Tract No. A-2

Agreed Value \$2,500.00
-deposited \$2,500.00

It is hereby ordered, advised and decreed that said amount is final in all respects as to the fair, cash, market value, including interest and all damages of whatsoever nature as to said tract of land. The judgment on the declaration of taking heretofore entered is reaffirmed.

IT IS ORDERED that the petitioners be and they are hereby notified that as to said tract No. 4-2, no further deposit need be made, said tract having been heretofore fully paid for by the United States of America.

S) Royce H. Savage

By Curtis P. Harris
Special Attorney, Department of
Justice



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

THE CARTER OIL COMPANY,
a corporation,
Plaintiff.

vs.

GLENN S. DILLE, ET AL.,
Defendants.

NO. 2295-Civil.

FILED

SEP 14 1948

ORDER DISMISSING CASE

NOBLE C. HOOD
Clerk U. S. District Court

On this September 15, 1948, comes on for hearing defendant Dille's motion to dismiss, all parties appearing by counsel, and defendant Glen S. Dille appearing in person, whereupon the Court stated that in its judgment the disposition of the motion turns largely upon the interpretation of the amended complaint filed by defendant Dille in the suit of Dille v. Zephyr Drilling Company and L. S. Delaney, Jr. in the District Court of Garvin County, Oklahoma; that there is no reason for the Court to speculate upon the claim so made in said amended petition, and the Court desired to call upon said Dille to state what claim he makes in said amended petition so that the Court may be reasonably certain as to whether there is an existing controversy between defendant Dille, and plaintiff herein.

Thereupon, in open Court, the defendant Glen S. Dille, through his counsel of record, and personally, made the following statements, admissions, waivers and agreements:

1. That plaintiff is the owner of a full undivided 60% interest in all of the oil and gas leases covering the



lands described in Exhibit "A" to the agreement of March 5, 1946, between J. A. Delaney, Jr. and Zephyr Drilling Company and the plaintiff, which agreement is attached as Exhibit "A" to the complaint in this case and that Dille neither has nor claims any interest in such GO. interest owned by plaintiff, his claim being limited to and asserted against the interest in the leases owned by Delaney and Zephyr.

2. The agreement of March 5, 1946, Exhibit "A" to the complaint herein, is in full force and effect and is binding upon defendant Dille and upon any and all right, title and interest he may have or be determined to have in and to the leases described in said agreement and in Exhibit "A" thereto.

3. Any consents heretofore or hereafter given by either J. A. Delaney, Jr. or the Zephyr Drilling Company under the terms of or in connection with the agreement of March 5, 1946, including consents to or acceptances of costs and expenses of operation and development, and plaintiff's accounts and billings to Delaney and Zephyr therefor shall be and are binding and conclusive upon Dille and upon any interest he may own or be determined to own in said leases.

4. That insofar as the plaintiff is concerned the leaseholds are intact and Dille has and claims and will hereafter claim no right to partition the same against the plaintiff.

5. That he does not have and will not assert any claim or demand against the plaintiff for or on account of any oil, gas or casinghead gas produced or sold or hereafter produced and sold from said leases, whether purchased by plaintiff or others, from the date of first production to the date



Dille is finally adjudged by a court of competent jurisdiction to be the owner of all or a part of the 40% interest in said leases now claimed by W. A. Delaney, Jr. and Zephyr Drilling Company and Dille does release, discharge and acquit the plaintiff of and from all claims, demands, liabilities, accountings and rights of action therefor.

6. Dille waives any and all rights against the plaintiff for an accounting in connection with the operation and development of said leases and the sale or purchase by it of oil, gas or casinghead gas produced from said leases for the period of time preceding the time Dille is finally adjudged to be the owner of an interest in said leases.

Thereupon, upon consideration of said statements, admissions, waivers and agreements and of the allegations in the complaint herein and in the motion to dismiss, the Court finds that there is no justiciable controversy between the plaintiff and the defendant Glen S. Dille and that this case should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff's complaint, the answer and cross-claim of the defendant Zephyr Drilling Company, the answer and cross-claim of the defendant W. A. Delaney, Jr., the amended answer, counterclaim and cross-claim of defendant Zephyr Drilling Company, the motion for summary judgment of the defendant W. A. Delaney, Jr., and each of them, and this entire case, be and they and it are hereby dismissed without prejudice, it being a condition of this order that the Court makes no adjudication of any rights as between the defendants, Glen S. Dille,



W. A. Salaney, Jr., and Zephyr Drilling Company.

(S) Walter H. Savage
DISTRICT JUDGE.

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

TAURUS INCORPORATED,

Plaintiff,

vs.

NATCHEZ OIL COMPANY, a corporation,
CANNON B. McMAHAN and the GENERAL
NATIONAL BANK OF OKMULGEE, a
National banking association,

Defendants.

Civil Action

Number 2300

FILED

OCT 15 1948

JUDGMENT AND DECREE

NOBLE C. HOOD
Clerk U. S. District Court

NOW on this 15th day of October, 1948, the above styled and numbered action came on regularly to be heard by the court.

The said defendant, Natchez Oil Company, appeared not, it having failed to appear herein and file its answer or other defense, and more than twenty (20) days having elapsed since due service of summons upon it, excluding the day of service thereof, on application of plaintiff the default of said defendant was entered herein on the 13th day of July, 1948, and it was ordered that the complaint in this action be taken as confessed against the said defendant, Natchez Oil Company, and from which no proceeding has been taken to set the same aside.

The said defendant, The Central National Bank of Okmulgee, appeared herein by its attorneys, Almond D. Cochran and John L. Norman, Esquires, of Okmulgee, Oklahoma, and filed its answer wherein the allegations relating to the mortgage complained of are admitted and says that said mortgage indebtedness has been fully satisfied and disclaims any right, title, interest or estate in or to or any lien on or against the property involved in this action.

The defendant, Cannon B. McMahan, appeared herein PRO SE; and the plaintiff appeared by its attorneys, O. C. Essman and Merrick A. Whipple, Esquires, of Tulsa, Oklahoma; and the plaintiff and the said defendant, Cannon B. McMahan, filed herein their stipulation and agreement dated the 15th day of October, 1948, wherein plaintiff releases the said defendants, Cannon B. McMahan and The Central National Bank of Okmulgee, of and from all claims and demands which

it now has or might have against them, or either of them, for and on account of the collection and receipt of monies in an agreed sum of \$2,226.15 being the proceeds from the sale of oil and gas accruing and apportionable to the mineral interest herein involved for the period of from January 1940 to May 1st 1948, and withdraws its claim and demand for judgment thereon herein, and wherein the said defendant, Cannon B. McMahan, admits and confesses the material averments and allegations of the complaint and consents and agrees that judgment and decree be entered herein in favor of and as demanded by plaintiff, except as otherwise stipulated and agreed as aforesaid, but at plaintiff's costs.

Upon consideration thereof, and of said stipulation and agreement which is hereby approved, and of the proof adduced in support of the complaint, and the statements of counsel for the plaintiff and the defendant McMahan, the court finds and concludes that there is no genuine issue as to any material fact, and that the material averments of the complaint are supported by the proof adduced herein, and that the plaintiff is entitled as a matter of law to judgment in its favor as demanded and stipulated.

NOW, THEREFORE, it is

ORDERED, ADJUDGED AND DECREED, That the said mineral deed dated the 25th day of January, 1940, wherein North American Petroleum Company, Limited, as grantor, purports/^{to}grant, bargain, sell, convey, transfer, assign and deliver unto Natchez Oil Company, as grantee, an undivided One-eighth (1/8th) interest (an undivided twenty acre interest) in and to all of the oil, gas and other minerals in and under and that may be produced from the following described lands situated in Creek County, State of Oklahoma, to-wit:

The Southwest Quarter (SW/4) of Section 33,
Township 16 North, Range 9 East, containing
160 acres, more or less;

and which was filed for record on the 16th day of February, 1940 in the office of the County Clerk of said Creek County and appears of record therein in Book 451 at page 551, be, and it is hereby cancelled, annulled, set aside and decreed utterly void and of no effect whatsoever; and it is further

ORDERED, ADJUDGED AND DECREED, THAT the said mineral deed dated the 8th day of February, 1940, wherein Natchez Oil Company,

as grantor, purports to grant, bargain, sell, convey, transfer, assign and deliver unto Cannon B. McMahan, as grantee, an undivided One-eighth (1/8th) interest (an undivided twenty acre interest) in and to all of the oil, gas and other minerals in and under and that may be produced from the lands hereinabove described; and which was filed for record on the 10th day of February, 1940 in the office of the County Clerk of said Creek County and appears of record therein in Book 461 at page 552, be, and it hereby is, cancelled, annulled, set aside and decreed utterly void and of no effect whatsoever; and it is further

ORDERED, ADJUDGED AND DECREED, That the said mortgage dated the 4th day of March, 1940, wherein Cannon B. McMahan, as mortgagor, purports to bargain, sell, convey, transfer, assign, alien, set over and mortgage unto the Central National Bank of Okmulgee, Oklahoma, a national banking association, as mortgagee, the aforesaid mineral interest in and to the above described lands, among other property therein described; and which was filed for record on the 5th day of March, 1940 in the office of the County Clerk of said Creek County and appears of record therein in Book 465 at page 97, be, and it hereby is, cancelled, annulled, set aside and decreed void and of no effect whatsoever insofar as the same undertakes to convey, transfer, mortgage or in any manner encumber the aforesaid mineral interest in and to the above described lands; and it is further

ORDERED, ADJUDGED AND DECREED, That plaintiff be, and it hereby is, decreed the owner and seized of the title in and to the aforesaid mineral interest in and to the lands above described; and the title of the plaintiff thereto is forever settled and quieted as against any and all claims and demands of the said defendants, Natchez Oil Company, Cannon B. McMahan and The Central National Bank of Okmulgee, and each of them, and they, and each of them, and all persons, firms and corporations, claiming or to claim by, through or under them, or either of them, are hereby perpetually enjoined and restrained from setting up or claiming any right, title, interest or estate in and to the aforesaid mineral interest in and to the lands above described; and it is further

ORDERED, ADJUDGED AND DECREED, That the plaintiff take nothing upon its said demand, as against the defendants, Cannon B.

McMahan and The Central National Bank of Okmulgee, for monies collected as aforesaid in the sum of \$2,233.15 and released by agreement; and which judgment in this respect shall not operate to prejudice, bar or estop the plaintiff from instituting, maintaining or prosecuting such causes of action as it now has or may have against the said defendant, Natchez Oil Company, by independent suit for the wrongs laid in said complaint; and it is further

ORDERED, ADJUDGED AND DECREED, That all costs of this action be taxed against the plaintiff,

James H. [Signature]
District Judge

APPROVED:

For Taurus Incorporated

[Signature]
Its Counsel and Secretary

and

[Signature]
Attorneys for Plaintiff

For Cannon B. McMahan

[Signature]
Defendant, PRO SE

2-1-48
UNITED STATES OF AMERICA, SS:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

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

GREETING:

Whereas, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Nana M. Cooper and Mary Cooper, plaintiffs, and New York Life Insurance Company, a corporation, defendant, No. 2101, Civil, the judgment of the said district court in said cause, entered on September 24, 1947, was in the following words, viz:

* * * * *

"It is, Therefore, By the Court Declared, Adjudged and Decreed that

"(1) Death of Conrad E. Cooper resulted from accident as defined under the double indemnity provisions of policy of insurance No. 11 197 461 issued by the defendant to Conrad E. Cooper as the Insured under date of the 30th day of January, 1931, and that the defendant, New York Life Insurance Company, is obligated to pay double indemnity benefits as a death claim in accordance with the terms of said policy and the endorsements thereon dated January 30, 1931, in monthly installments in the sum of Two Hundred Six and 17/100 Dollars (\$206.17) each on the 23rd day of each calendar month, beginning the 23rd day of October, 1942, to

"(a) Nana M. Cooper for a period of ten years, beginning October 23, 1942, and as long thereafter as she shall survive;

"(b) In case said Nana M. Cooper shall die before one hundred and twenty monthly installments shall have been paid, the remainder of said one hundred and twenty monthly installments shall be payable in like manner to Mary Cooper, if living;

"(c) In case said Nana M. Cooper and said Mary Cooper shall both die before all of said one hundred and twenty monthly installments shall have been paid, the remainder of said one hundred and twenty monthly installments shall be commuted and paid in one sum to the Executors or Administrators of the one dying last.

"Plaintiff, Nana M. Cooper, have and recover of and from the defendant, New York Life Insurance Company, fifty-nine (59) of said unpaid monthly installments of \$206.17 each which

matured consecutively, the first thereof on the 23rd day of October, 1942, and the last on the 23rd day of August, 1947, with interest at the rate of six per cent. per annum from due date of each installment to the 5th day of September, 1947, amounting to the total sum of Thirteen Thousand, Nine Hundred Fifty Two and 32/100 Dollars (\$13,952.32), and interest thereon from the 5th day of September, 1947, until paid at the rate of six per cent. per annum, and her costs, for which let execution issue.

"To each and every finding and judgment of the Court the defendant New York Life Insurance Company excepted and its exceptions are allowed."

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

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed.

-- April 16, 1948.

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

WITNESS, the Honorable FRED M. VINSON, Chief Justice of the United States, the 19th day of October, in the year of our Lord one thousand nine hundred and forty-eight.

COSTS Of ---

Clerk: Flat Fee \$ ---

Preparation of printed record \$ ---

Printing record \$ ---

/s/ Robert B. Cartwright
Clerk of the United States
Court of Appeals, Tenth Cir

ENDORSED: Filed October 21, 1948. NOBLE C. HOOD, CLERK U. S. DISTRICT COURT

IN SENATE
JANUARY 1948

WILLIAM H. ...)
Petitioner,)
-vs-)
)
16.01 acres or more, more or less,)
situate in Creek County, Oklahoma,)
and Jack Abraham, et al.,)
Respondents.)

No. 2834-Civil

FILED

OCT 25 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER SETTING ASIDE

Now on this ~~25~~¹⁷ day of October, 1948, this cause came on to be heard, pursuant to due notice given, and the Court, having been fully advised in the premises, finds that the estate taken in this proceeding, as set out in the petition for condemnation and Declaration of Taking filed herein, in and to the lands involved in this proceeding was, at the time of taking by the petitioner, vested as follows to-wit:

Tract No. A-1

North 20.69 acres of Lot 1, and North Half of Northeast Quarter of North-west Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$), in Section 19, Township 17 North, Range 10 East of the Indian Base and Meridian, in Creek County, Oklahoma, containing 40.69 acres, more or less. **TITLE VESTED IN:**

Betty Fulson, Cash Fulson, Carol Fulson, Louis Fulson, M. A. Stevens 1/16th interest; J. M. Jones 1/24th interest; Wm. L. Howell 1/24th interest; Gordon Pulliam, Pearl Doyle Pulliam 1/48th interest; Sallie Beaver, Thomas Beaver, William (Bakie) Beaver 3/4th interest; Oliver Charles 1/16th interest; F. B. Little and Mrs. F. W. Little 1/18th interest

Tract No. A-2

North Half of Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 24, Township 17 North, Range 9 East of the Indian Base and Meridian, in Creek County, Oklahoma, containing 80.00 acres, more or less. **TITLE VESTED IN:**

Herbert Abraham, Katherine Abraham, Jack Abraham, Ruth Abraham, Francile Abraham Moore, Lucy C. Moore, Pauline Abraham Jackson and Paul Jackson

Tract No. A-3

Southeast Quarter of Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 13, Township 17 North, Range 9 East of the Indian Base and Meridian, in Creek County, Oklahoma, containing 40.00 acres, more or less. **TITLE VESTED IN:**

Edith W. Ma Dem (an undivided 1/2); Agnes Ricks Witwer 2/18ths; Jean Ricks Delvin 2/18ths; James Moore Ricks, Jr. 2/18ths; Ethel Ricks 1/6th, subject to possible oil and gas lease owned by Harry Glasser, or others

Tract No. A-4

West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 13, Township 17 North, Range 9 East of the Indian Base and Meridian, in Creek County, Oklahoma, containing 80.00 acres, more or less. **TITLE VESTED IN:**

Ernest R. Anthis and Elizabeth G. Anthis, subject to possible outstanding oil and gas lease as owned by William Shibley, Harris Drilling Company and J. A. Delaitre

Tract No. A-6

Northeast Quarter of Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), and South half of Northeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$), and Northeast Quarter of Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 13, Township 17 North, Range 9 East of the Indian Base and Meridian, in Creek County, Oklahoma, containing 160.00 acres, more or less. **TITLE VESTED IN:**

Leslie Speakman and Streeter Speakman, subject to possible outstanding oil and gas lease in favor of Harris Drilling Company and William Shibley

Tract No. A-7

Lot 1 and Northeast quarter of Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 18 Township 17 North, Range 10 East of the Indian Base and Meridian, in Creek County, Oklahoma, containing 81.46 acres, more or less. **TITLE VESTED IN:**

E. Kelle, subject to agricultural lease as owned by Casey Jones

Tract No. A-8

West Half of Northeast Quarter ($W\frac{1}{2} NE\frac{1}{4}$) of Section 18, Township 17 North, Range 10 East of the Indian Base and Meridian, in Creek County, Oklahoma, containing 80.00 acres, more or less. RESTRICTED IN:

Estate Land Company, a business trust, of Bristow, Oklahoma

Tract No. A-9

North Half of Northwest Quarter of Southeast Quarter ($N\frac{1}{2} NW\frac{1}{4} SE\frac{1}{4}$) and North Half of South Half of Northwest Quarter of Southeast Quarter ($N\frac{1}{2} S\frac{1}{2} NW\frac{1}{4} SE\frac{1}{4}$) of Section 18, Township 17 North, Range 10 East of the Indian Base and Meridian, in Creek County, Oklahoma, containing 30.00 acres, more or less. RESTRICTED IN:

Katherine J. Adams 1/3; C. A. McKee 1/3; and C. E. Scoble 1/3

Tract No. A-11

East Half of Southwest Quarter ($E\frac{1}{2} SW\frac{1}{4}$), and Southeast Quarter of Northwest Quarter ($SE\frac{1}{4} NW\frac{1}{4}$) of Section 18, Township 17 North, Range 10 East of the Indian Base and Meridian, in Creek County, Oklahoma, containing 120.00 acres, more or less. RESTRICTED IN:

Doreas S. Kelly, Albert Charles Kelly and Forest Levan Kelly, Co-executors of the Estate of Albert Kelly, Deceased; and Heirs at law of Albert Kelly, Deceased; Doreas S. Kelly, Albert Charles Kelly, Forest Levan Kelly, Oliver Tracy Kelly, Allison Aubury Kelly and William Royce Kelly; subject to possible outstanding oil and gas lease as owned by Harris Drilling Company, of Bristow, Oklahoma; N. S. Wade, Mealy-Wolfe Drilling Company, E. H. Mealy, W. W. Wolfe, Louis Abraham, Elizabeth Abraham and William Shibley; subject to outstanding mineral interest owned by Atlantic Oil Producing Company, a corp., Doreas S. Kelly, Albert Charles Kelly, Forest Levan Kelly, Oliver Tracy Kelly, Allison Aubury Kelly, William Royce Kelly, E. H. Phillips and L. G. Kepplers; subject to agricultural lease as owned by Casey Jones.

Tract No. A-12

Lots 3 and 4, in Section 18, Township 17 North, Range 10 East of the Indian Base and Meridian, in Creek County, Oklahoma, containing 82.99 acres, more or less. RESTRICTED IN:

Jessie Wyatt 1/5, William A. Green 1/5, Millie S. Thompson 1/5, Marston B. Wyatt 1/5, Neulah M. Sellmeyer 1/5; subject to outstanding mineral interest as owned by Atlantic Oil Producing Company, a corp; Doreas S. Kelly, Albert Charles Kelly, Forest Levan Kelly, Oliver Tracy Kelly, Allison Aubury Kelly, William Royce Kelly, E. H. Phillips and L. G. Kepplers; further subject to possible outstanding oil and gas leases as owned by Harris Drilling Company, N. S. Wade, Mealy-Wolfe Drilling Company, E. H. Mealy, W. W. Wolfe, Louis Abraham, Elizabeth Abraham and William Shibley; and further subject to agricultural lease owned by Casey Jones

Tract No. A-13

Lot 2, in Section 18, Township 17 North, Range 10 East of the Indian Base and Meridian, in Creek County, Oklahoma, containing 41.47 acres, more or less. RESTRICTED IN:

George Barnett, Full Blood Creek Indian, Roll No. 9722 (Restricted)

Griggs R. Johnson

Plaintiff,

-vs-

Woods-Fallopier, Inc. Inc.,
Defendant.

Defendant.)

No. 2320 Civil

FILED

OCT 25 1946

NOBLE C. HOOD
Clerk U. S. District Court

O R D E R

FOR, on this 25th day of October, 1946, the above entitled matter came on for hearing upon the stipulation of the parties for dismissal with prejudice and it appearing to the Court that the parties have settled said cause out of Court and have filed their written stipulation herein for dismissal with prejudice to a new action at the cost of the defendant but without attorneys' fees to either side, and the Court being well and sufficiently advised in the premises,

IT IS ORDERED, ADJUDGED AND DECREED, that the above entitled matter be and the case is hereby dismissed with prejudice to a new action at the cost of the defendant but without attorneys' fees to either side.

Gene H. ...
Clerk

APPROVED:
...
Attorney for Plaintiff
John R. Hallan
Attorney for Defendant

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE NORTHERN DISTRICT OF OKLAHOMA

Civil Action No. 2344

TYLOR W. HOOD, Housing Expediter)
Office of the housing expediter)
Plaintiff)

VS

GEORGE H. LEADY
1209 N. Madison
Tulsa, Oklahoma

Defendant)

ORDER OF DISMISSAL

FILED

OCT 25 1948

NOBLE C. HOOD
Clerk U. S. District Court

Now on this 1st day of October, 1948, the above styled and numbered cause of action comes on for consideration before the Court, and the Plaintiff announces that this case should be dismissed for the reason that an injunction as prayed for is now a moot question, and the Court being sufficiently advised finds that this cause of action should be dismissed without cost to the Defendant.

It is, therefore, ORDERED, ADJUDGED, AND DECREED by the Court that this cause of action be, and the same is hereby dismissed without cost to the Defendant.

Gregor H. Savage

UNITED STATES DISTRICT JUDGE

APPROVED:

Sanford H. Palmer

Sanford H. Palmer
Attorney for Plaintiff

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

Earl B. Seeger, Administrator of
the Estate of Cloyd L. Rutherford,
deceased,

Plaintiff,

vs.

United States of America,

Defendant.

No. 2236 Civil

FILED

OCT 29 1948

NOSLE C. HOOD
Clerk U. S. District Court

O R D E R

This matter coming on for hearing this 29 day of ~~November~~ ^{Oct},
1948, upon the application of the plaintiff and the defendant, United
States of America, for approval of a compromise settlement, the plain-
tiff appearing by his attorneys, Carl B. Livingston, Manatt & Slight
and Thomas J. Gray, and the United States of America appearing by Whit
F. Mausy, United States Attorney for the Northern District of Oklahoma
and the court after being fully advised in the premises finds:

That there has been instituted in this court an action by the
plaintiff wherein the plaintiff claims that Cloyd L. Rutherford, deceas-
ed, was injured and his death occurred by virtue of the negligence of an
employee of the defendant, United States of America, which employee was
acting within the scope of his employment at the time of said injury to
said Cloyd L. Rutherford and seeking judgment in the sum of \$1,500.00.

The court further finds that the parties have stipulated to
compromise and settle said cause of action and any and all damages aris-
ing as a result of the airplane accident occurring at the Municipal Air-
port at Tulsa, Oklahoma, in which accident Cloyd L. Rutherford sustained
injuries from which he died, by the United States of America paying to
the plaintiff the sum of \$40,000.00, said sum to be in full and complete
satisfaction, settlement, compromise and payment of any and all injuries
of every kind and character whatsoever and of any and all damages of any
kind and character whatsoever sustained by the said Cloyd L. Rutherford
and his estate.

The court further finds that the Attorney General of the United States has exercised his powers under Section 413 of the Federal Tort Claims Act and has approved said compromise agreement.

The court, after hearing the statements of various counsel and after a pre-trial conference and after being fully advised in the premises and after considering the stipulation of the parties, finds that said compromise and settlement, whereby the United States of America is to pay the said plaintiff the sum of \$40,000.00, is a just and reasonable compromise and settlement and should be approved by the court.

The court further finds that the Attorney General of the United States, pursuant to the stipulation filed in this cause relative to said compromise and settlement leaves to this court the fixing of the attorney fees for the plaintiff, the Attorney General of the United States making no recommendation as to said fee.

The court further finds that a reasonable attorney fee for plaintiff's attorney would be the sum of \$ 8000⁰⁰.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the compromise offer and settlement whereby the plaintiff is to receive from the United States of America the sum of \$40,000.00 in full and complete settlement of all claims for injuries and damages sustained by Cloyd L. Rutherford and his estate, be and the same hereby is approved.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that when the United States of America pays to the plaintiff the said sum of \$40,000.00 that this cause of action be dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that plaintiff's attorneys be and they hereby are allowed a fee in the sum of \$ 8000⁰⁰ the same being 20% percent of the amount paid by the United States of America to the plaintiff.

AND THIS IS SO ORDERED.

APPROVED:

Thomas J. Gray
Marion Knight
Carl A. Simpson
Attorneys for Plaintiff

Whit Y. Maury
Whit Y. Maury
United States Attorney for the
Northern District of Oklahoma

[Signature]
JUDGE

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

National Coal Company,

Plaintiff,

vs.

United States of America,

Defendant.

No. 2227 Civil

FILED

OCT 29 1948

NOBLE C. HOOD
Clerk U. S. District Court

O R D E R

This matter coming on for hearing this 29 day of Oct. November, 1948, upon the application of the plaintiff and the defendant, United States of America, for approval of a compromise and the plaintiff appearing by its attorneys, Carl W. Livingston, Bennett Knight and Thomas J. Bray, and the United States of America appearing by Whit Y. Hazy, United States Attorney for the Northern District of Oklahoma, and the court after being fully advised in the premises finds:

That there has been instituted in this court an action by the plaintiff wherein the plaintiff claims that a certain airplane, to-wit, a Republic See-Bee, was damaged as a result of the negligence of an employee of the United States of America acting within the scope of his employment and seeking judgment in the sum of \$5,000.00.

The court further finds that the parties have stipulated to compromise and settle said cause of action and any and all damages arising as a result of the airplane accident occurring at the Municipal Airport at Tulsa, Oklahoma, in which accident said Republic See-Bee plane was damaged, by the United States of America paying to the plaintiff the sum of \$5,000.00, said sum to be in full and complete satisfaction, settlement, compromise and payment of any and all injuries of every kind and character whatsoever and of any and all damages of any kind and character whatsoever sustained to said plane in said accident.

The court further finds that the Attorney General of the United States has exercised his powers under Section 413 of the Federal Tort Claims Act and has approved said compromise agreement.

The court, after hearing the statements of various counsel and after a pre-trial conference and after being fully advised in the premises and after considering the stipulation of the parties, finds that said compromise and settlement, whereby the United States of America is to pay the said plaintiff the sum of \$5,000.00, is a just and reasonable compromise and settlement and should be approved by the court.

The court further finds that the Attorney General of the United States, pursuant to the stipulation filed in this cause relative to said compromise and settlement leaves to this court the fixing of the attorney fees for the plaintiff, the Attorney General of the United States making no recommendation as to said fee.

The court further finds that a reasonable attorney fee for plaintiff's attorney would be the sum of \$ 1000⁰⁰.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the compromise offer and settlement whereby the plaintiff is to receive from the United States of America the sum of \$5,000.00 in full and complete settlement for any and all damages to said Republic Bee-Bee plane, he and the same hereby is approved.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that when the United States of America pays to the plaintiff the said sum of \$5,000.00 that this cause of action be dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that plaintiff's attorneys be and they hereby are allowed a fee in the sum of \$ 1000⁰⁰, the same being 20% percent of the amount paid by the United States of America to the plaintiff.

AND IT IS SO ORDERED.

Luigi A. DeLuca

JUDGE

APPROVED:

Thos. J. Bray

Marmat H. Knight

Carl H. L. ...

Attorneys for plaintiff

Whit Y. Mays

Whit Y. Mays
U. S. Attorney for the Northern
District of Oklahoma