

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

I. N. Miller, et al.,)
)
 Plaintiffs)
)
)
 E. I. du Pont de Nemours &)
 Company, Inc.,)
 Defendants)
)
 The United States of America,)
)
 Intervener)

No. 1732-CIVIL

FILED

NOV 1 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OVERRULING MOTION TO REMAND AND DISMISSING ACTION AND ORDER GIVING PLAINTIFFS AND INTERVENERS TIME TO ANSWER

This court coming on for hearing before me, Royce H. Savage, Judge of the said court, on this the 24th day of October, 1948, for decision on motion to dismiss this cause filed by the defendant, E. I. du Pont de Nemours & Company, Inc., and the application of the plaintiffs and interveners to remand this cause to the District Court of Mayes County, Oklahoma; and the plaintiffs and interveners appearing by their attorney, Fred W. Martin, and the defendant, E. I. du Pont de Nemours & Company, Inc., appearing by its attorneys, Peter B. Collins of Wilmington, Delaware, and Spillers & Spillers of Tulsa, Oklahoma, by G. C. Spillers, and the intervenor The United States of America appearing by Whit E. Henry, United States District Attorney for the Northern District of Oklahoma; and the court being fully advised in the premises finds that the said motion to remand this cause to the District Court of Mayes County, Oklahoma, should be denied, to which the plaintiffs and interveners object and except.

The court further finds that the Act of Congress known as the Portal-to-Portal Act of 1947 is constitutional, and that this court under and by virtue of the terms of the said act has no jurisdiction to pass upon further matters involved in controversy in this cause, and that this cause should be dismissed for want of jurisdiction, to which the plaintiffs and interveners object and except.

It is, therefore, ORDERED, ADJUDGED, DECREED and DECREED by the court that the motion of the plaintiffs and interveners to remand this cause to the District Court of Mayes County, Oklahoma, be and the same is

heretofore overruled, to which plaintiffs and interveners object and except.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that this cause be and the same is hereby dismissed, at the cost of the plaintiffs and interveners, to which plaintiffs and interveners object and except, and therefore, at the request of plaintiffs and interveners, the said plaintiffs and interveners are hereby given thirty (30) days from and after the date hereof within which to file an amended complaint and interventions, to which defendant, E. I. du Pont de Nemours & Company, objects and excepts.

George H. Savage
Judge

APPROVED AS TO FORM:

Fred W. Martin
Fred W. Martin

Attorney for Plaintiffs and Interveners

FRANK A. COLLINS, Wilmington, Delaware

SPILLERS & SPILLERS, Tulsa, Oklahoma

By F. C. Spillers
F. C. Spillers

Attorneys for defendant, E. I. du Pont de Nemours
& Company, Inc.

Whit G. Spawny
Whit G. Spawny

United States District Attorney for the
Northern District of Oklahoma

Attorney for Intervener, The United States of America.

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

Vers. E. I. du Pont, et al.,

Plaintiffs

No. 1797-Civil

FILED

E. I. du Pont de Nemours & Company, Inc.,

Defendant

NOV 1 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OVERRULING MOTION TO REMAND AND
DISMISSING ACTION, AND ORDER GIVING PLAINTIFFS AND
INTERVENERS TIME TO ANSWER

This cause coming on for hearing before me, Royce E. Savage, Judge of the said court, on this the 14th day of October, 1948, for decision on motion to dismiss this cause filed by the defendant, E. I. du Pont de Nemours & Company, Inc., and the application of the plaintiffs and interveners to remand this cause to the District Court of Mayes County, Oklahoma; and the plaintiffs and interveners appearing by their attorney, Ernest E. Brown, and the defendant, E. I. du Pont de Nemours & Company, Inc., appearing by its attorneys, Peter B. Collins of Wilmington, Delaware, and Spillers & Spillers of Tulsa, Oklahoma, by G. C. Spillers, and the court being fully advised in the premises finds that the said motion to remand this cause to the District Court of Mayes County, Oklahoma, should be denied, to which the plaintiffs and interveners object and except.

The court further finds that the Act of Congress known as the Portal-to-Portal Act of 1947 is constitutional, and that this court under and by virtue of the terms of the said Act has no jurisdiction to pass upon further matters involved in controversy in this cause, and that this cause should be dismissed for want of jurisdiction, to which the plaintiffs and interveners object and except.

IT IS, THEREFORE, CONSIDERED, ORDAINED, ADJUDGED AND DECREED by the court that the motion of the plaintiffs and interveners to remand this cause to the District Court of Mayes County, Oklahoma, be and the same is hereby overruled, to which plaintiffs and interveners object and except.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that this cause be and the same is hereby dismissed, at the cost of the plain-

tiffs and interveners, to which plaintiffs and interveners object and
except, and thereupon, at the request of plaintiffs and interveners, the
said plaintiffs and interveners are hereby given thirty (30) days from and
after the date hereof within which to file an amended complaint and inter-
ventions, to which the defendant, E. I. du Pont de Nemours & Company, Inc.,
objects and excepts.

George H. Savage
Judge

EMPLOYED AS TO FORM:

Ernest P. Brown
Ernest P. Brown

Attorney for Plaintiffs and Interveners

EWING P. COLLIER, Wilmington, Delaware

SPILLERS & SPILLERS, Tulsa, Oklahoma

By G. C. Spillers
G. C. Spillers

Attorneys for Defendant, E. I. du Pont de Nemours
& Company, Inc.

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

K. E. Hart, et al.,)	
)	
Plaintiffs)	
)	
vs.)	
)	
E. I. du Pont de Nemours)	No. 1820-Civil
& Company, Inc.,)	
)	
Defendant)	
)	
The United States of America,)	
)	
Intervener)	

FILED

NOV 1 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OVERRULING MOTION TO REMAND AND
DISMISSING ACTION, AND ORDER GIVING PLAINTIFFS
AND INTERVENERS TIME TO AMEND

This cause coming on for hearing before me, Royce H. Savage, Judge of the said court, on this the 14th day of October, 1948, for decision on motion to dismiss this cause filed by the defendant, E. I. du Pont de Nemours & Company, Inc., and the application of the plaintiffs and interveners to remand this cause to the District Court of Mayes County, Oklahoma; and plaintiffs and interveners appearing not, and the defendant, E. I. du Pont de Nemours & Company, Inc., appearing by its attorneys, Peter B. Collins of Wilmington, Delaware, and Spillers & Spillers of Tulsa, Oklahoma, by G. C. Spillers, and the intervenor The United States of America appearing by Whit Y. Mauzy, United States District Attorney for the Northern District of Oklahoma; and the court being fully advised in the premises finds that the said motion to remand this cause to the District Court of Mayes County, Oklahoma, should be denied, to which the plaintiffs and interveners object and except.

The court further finds that the Act of Congress known as the Portal-to-Portal Act of 1947 is constitutional, and that this court under and by virtue of the terms of the said Act has no jurisdiction to pass upon further matters involved in controversy in this cause, and that this cause should be dismissed for want of jurisdiction, to which the plaintiffs and interveners object and except.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the court that the motion of the plaintiffs and interveners to remand this



cause to the District Court of Mayes County, Oklahoma, be and the same is hereby overruled, to which plaintiffs and interveners object and except.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that this cause be and the same is hereby dismissed, at the cost of the plaintiffs and interveners, to which plaintiffs and interveners object and except, and thereupon at the request of Fred W. Martin, as friend of the court, the said plaintiffs and interveners are hereby given thirty (30) days from and after the date hereof within which to file an amended complaint and interventions, to which the defendant, E. I. du Pont de Nemours & Company, Inc., objects and excepts.

Woyce H. Savage
Judge

I, G. C. Spillers, one of the attorneys for the defendant in the above entitled cause, hereby certify that on the 14th day of October, 1948, I mailed a true and correct copy of the above and foregoing Order to the attorney of record for the plaintiffs and interveners, Jack L. Wersbach, Attorney at Law, Vinita, Oklahoma.

G. C. Spillers
G. C. Spillers

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

L. M. Sump, et al.,

Plaintiffs

vs.

E. I. du Pont de Nemours &
Company, Inc.,

Defendant

The United States of America,

Intervener

No. 1939-Civil

FILED

NOV 1 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OVERRULING MOTION TO REMAND AND
DISMISSING ACTION, AND ORDER GIVING PLAINTIFFS
AND INTERVENERS TIME TO AMEND

This cause coming on for hearing before me, Royce H. Savage, Judge of the said court, on this the 14th day of October, 1948, for decision on motion to dismiss this cause filed by the defendant, E. I. du Pont de Nemours & Company, Inc., and the application of the plaintiffs and interveners to remand this cause to the District Court of Mayes County, Oklahoma; plaintiffs and interveners appearing not, and the defendant, E. I. du Pont de Nemours & Company, Inc., appearing by its attorneys, Peter B. Collins of Wilmington, Delaware, and Spillers & Spillers of Tulsa, Oklahoma, by G. C. Spillers, and the intervener The United States of America appearing by Whit Y. Manzy, United States District Attorney for the Northern District of Oklahoma; and the court being fully advised in the premises finds that the said motion to remand this cause to the District Court of Mayes County, Oklahoma, should be denied, to which the plaintiffs and interveners object and except.

The court further finds that the Act of Congress known as the Portal-to-Portal Act of 1947 is constitutional, and that this court under and by virtue of the terms of the said Act has no jurisdiction to pass upon further matters involved in controversy in this cause, and that this cause should be dismissed for want of jurisdiction, to which the plaintiffs and interveners object and except.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the court that the motion of the plaintiffs and interveners to remand this cause to the District Court of Mayes County, Oklahoma, be and the same is

heraby overruled, to which plaintiffs and interveners object and except.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that this cause be and the same is hereby dismissed, at the cost of the plaintiffs and interveners, to which plaintiffs and interveners object and except, and thereupon at the request of Fred W. Martin, as a friend of the court, the said plaintiffs and interveners are hereby given thirty (30) days from and after the date hereof within which to file an amended complaint and interventions, to which the defendant, H. I. du Pont de Nemours & Company, Inc., objects and excepts.

George H. Sawyer
Judge

I, G. C. Spillers, one of the attorneys for the defendant in the above entitled cause, hereby certify that on the 14th day of October, 1948 I mailed a true and correct copy of the above and foregoing Order to the attorney of record for the plaintiffs and interveners, Jack I. Korschach, Attorney at Law, Vinita, Oklahoma.

G. C. Spillers, Jr.
G. C. Spillers, Jr.

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

M. A. Foulter, et al.,

Plaintiffs

vs.

E. I. du Pont de Nemours &
Company, Inc.,

Defendant

No. 1876-Civil

FILED

NOV 1 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OVERRULING MOTION TO REMAND
AND DISMISSING ACTION
AND ORDER GIVING PLAINTIFFS AND INTERVENERS TIME TO AMEND

This cause coming on for hearing before me, Royce H. Savage, Judge of the said court, on this the 14th day of October, 1948, for decision on motion to dismiss this cause filed by the defendant, E. I. du Pont de Nemours & Company, Inc., and the application of the plaintiffs and interveners to remand this cause to the District Court of Mayes County, Oklahoma; and the plaintiffs and interveners appearing by their attorney, J. G. Follens, and the defendant, E. I. du Pont de Nemours & Company, Inc., appearing by its attorneys, Peter B. Collins of Wilmington, Delaware, and Spillers & Spillers of Tulsa, Oklahoma, by G. C. Spillers, and the court being fully advised in the premises finds that the said motion to remand this cause to the District Court of Mayes County, Oklahoma, should be denied, to which the plaintiffs and interveners object and except.

The court further finds that the Act of Congress known as the Portal-to-Portal Act of 1947 is constitutional, and that this court under and by virtue of the terms of the said Act has no jurisdiction to pass upon further matters involved in controversy in this cause, and that this cause should be dismissed for want of jurisdiction, to which the plaintiffs and interveners object and except.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the court that the motion of the plaintiffs and interveners to remand this cause to the District Court of Mayes County, Oklahoma, be and the same is hereby overruled, to which plaintiffs and interveners object and except.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that this cause be and the same is hereby dismissed, at the cost of the plaintiffs

and interveners, to which plaintiffs and interveners object and except, and thereupon at the request of plaintiffs and interveners, the said plaintiffs and interveners are hereby given thirty (30) days from and after the date hereof within which to file an amended complaint and interventions, to which the defendant, E. I. du Pont de Nemours & Company, Inc., objects and excepts.

James H. Savage
Judge

APPROVED AS TO FORM:

J. E. Collins
J. E. Collins

Attorney for Plaintiffs and Interveners

PETER B. COLLINS, Wilmington, Delaware

SPILLERS & SPILLERS, Tulsa, Oklahoma

By G. C. Spillers
G. C. Spillers

Attorneys for defendant, E. I. du Pont
de Nemours & Company, Inc.

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

James Parks,

Plaintiff,

vs.

Ruth Parks, et al,

Defendants,

United States of America
and Nannie Ellis,

Interveners,

No. 2093 Civil

FILED
In Open Court
NOV 4 1948
NOBLE C. HOOD
Clerk U. S. District Court

ORDER CONFIRMING SALE

Now, on this 4th day of Nov., 1948, comes on for hearing the motion of James Parks, plaintiff, for an order of the court confirming the Marshal's sale of real estate in question in this cause, and it appearing to the court that public notice of the time and place of the sale of the property hereby ordered to be sold, was given over 30 days before the sale thereof by advertisement in the Nowata Star-Times, a newspaper printed in and of general circulation in Nowata County, Oklahoma, and that on said notice offered for sale at public auction and sold the same to Arthur Turner and Lee Berry, for the sum of \$2200.00, that being the highest and best bid for said property and being more than two-thirds of the appraised value thereof, and it further appearing that all of said proceedings have been had according to law, and the court being satisfied with the legality thereof:

It is therefore ordered that the said sale be and the same is hereby approved and confirmed by the court, and the clerk is directed to make entry accordingly on the journal of this court; and the United States Marshal for the Northern District of Oklahoma, is directed to make, execute, and deliver a good and sufficient conveyance of said premises to the purchaser Arthur Turner and Lee Berry, upon payment by him of the purchase price, pursuant to such sale.

And it is further ordered that the costs of these proceedings be first deducted from the proceeds of said sale and paid into court, including all costs incurred in the District Court of Nowata County, Oklahoma, prior to the removal of the said cause to this court, that the sum of \$220.00 attorney fees for plaintiff's attorney be paid from the balance remaining, and that the balance be paid to the Treasurer of the United States for the use and benefit of the following:

Ruth Parks,	5/18 interest
Lucy Parks, nee Blalock	5/18 interest
Edith Parks, nee Waters	5/18 interest
James Parks,	1/6 interest

and that the same be forwarded to the Superintendent of the Five Civilized Tribes Agency, at Muskogee, Oklahoma.

/s/ ROYCE H. SAVAGE
U. S. District Judge

O. K.
Whit Y. Mauzy
U. S. Atty.

UNITED STATES DISTRICT COURT OF THE DISTRICT OF COLUMBIA
DISTRICT OF COLUMBIA
U. S. DISTRICT COURT

B. S. M. ...

Plaintiff,

-vs-

MARSHALL C. ... now
MARSHALL C. THOMPSON and E. L.
CHANEY,

Defendants.

Civil - No. 2298

FILED

NOV 8 1948

NOBLE C. HOOD
Clerk U. S. District Court

J U D G M E N T

This cause having come on for trial this 12th day of October, 1948, plaintiff being present in person and by his attorneys, Irvine E. Ungerman and Charles A. Whitehead, defendant, E. L. Chaney, being present in person and both defendants appearing through their attorneys, Spillers & Spillers, and a jury having been duly impaneled, the evidence of both the plaintiff and the defendant is adduced, and both sides having rested plaintiff files his motion for directed verdict and for judgment for plaintiff, and the Court upon considering the evidence and hearing argument of counsel, being fully advised in the matter, on the basis of the admitted and undisputed evidence, and the testimony of the defendant, E. L. Chaney, sustains plaintiff's motion for judgment, and having found that no genuine issue of fact for submission to the Jury remains, and having discharged the Jury the Court on the basis of the admitted and undisputed evidence and the testimony of the defendant, E. L. Chaney, makes its findings of fact and conclusions of law and orders judgment in favor of plaintiff and as against the defendant and each of them in the sum of \$530.00 plus an attorney's fee of \$150.00 and costs.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that plaintiff have judgment and recover from the defendant, Maurice G. Forshaw, now Maurice C. Thompson, and E. L. Chaney and each of them, the sum of \$530.00, together with an attorney's

For the sum of \$150.00, Clerk's costs in the sum of \$15.00,
and Marshal's Fee, taxed as costs in the sum of .75.00, or a total
judgment of \$175.00 with interest on the sum of \$150.00 at the
rate of six per cent per annum from this date until paid. For
all of which execution issue. *10 all of which the
liberators expect and expect.*

Joseph H. Savage
Judge of the United States District Court

U. S. No. 100000

Irvine C. Angerman

Chas. F. Whitebrook
Attorneys for Plaintiff

U. S. No. 100000

By H. C. Spillers
Attorneys for Defendant.

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

A. J. VALLEPA,)
)
 Plaintiff,)
)
 vs.) No. 2800 Civil
)
 PETROLEUM ENGINEERS PRODUCING)
 COMPANY, INC., a corporation, et al.) FILED
)
 Defendants.) Nov 8 - 1946

NOBLE C. HOOD
Clerk U. S. District Court

JUDGMENT UPON SPECIAL ISSUE

Upon the findings of fact and conclusions of law made upon the special issue stated in said findings and conclusions it is SAID, ADJUDGED AND DECREEED that

I

The claim of the plaintiff to 800 shares of the capital stock of the defendant Petroleum Engineers Producing Corporation, and all claims of the plaintiff against said defendant which are pleaded in the complaint and are based upon the plaintiff's claim to the ownership of said 800 shares of stock are denied, and the complaint insofar as it relates to any and all of such claims is dismissed.

II

The complaint is dismissed as to the defendant Standard Oil Company (Indiana).

III

The costs of this action are assessed against the plaintiff.

O. K. as to former

J. D. Moxley
W. B. [unclear]
E. Ellis [unclear]
Attorneys for Plaintiff

[Signature]
Judge of the United States
District Court

H. F. Smith
Chas. W. Harris, Jr.
Attorneys for Defendant
Petroleum Engineers Pro-
ducing Corporation

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

G. G. WALLACE,)
)
) Plaintiff,)
 vs.)
)
 PETROLEUM ENGINEERS PRODUCING)
 CORPORATION, a corporation, et al.,)
) Defendants.)

No. 2306 Civil

FILED

NOV 8 1946

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OVERRULING MOTION FOR NEW TRIAL

On this 8th day of November, 1946, there comes on for hearing the motion of the plaintiff for a new trial of the special issue heretofore tried and by the court determined on September 22, 1946: and the plaintiff appearing by his attorney, G. Ellis Sabie, and the defendant Petroleum Engineers Producing Corporation appearing by its attorneys, F. E. Smith and Phil C. Davis, Jr., said motion is presented and by the court is considered. Thereupon it is

ORDERED AND ADJUDGED that said motion for a new trial is overruled and denied.

[Signature]

Judge of the United States
District Court

G. G. as to Form:
[Signature]
[Signature]

Attorneys for Plaintiff

G. E. as to Form:
[Signature]
[Signature]

Attorneys for Defendant
Petroleum Engineers Pro-
ducing Corporation

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

F. W. HALLAPPE,

Plaintiff,

vs.

OKLAHOMA PETROLEUM ENGINEERS PRODUCING
CORPORATION, a corporation, et al.,

Defendants.

No. 2307 Civil

FILED

NOV 9 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER
OF VOLUNTARY DISMISSAL

On this 8th day of November, 1948, the plaintiff
appears by his attorney, G. Ellis Cable, and the defendant
Petroleum Engineers Producing Corporation appears by its attor-
neys, H. L. Smith and Phil W. Smith, Jr., and thereupon the
plaintiff orally moves the court to dismiss, without prejudice,
this case except as to the special issue heretofore tried and
by the court determined on September 28, 1948. Whereupon it is

ORDERED that this action except as to said special
issue be and it is dismissed, at the plaintiff's instance,
without prejudice

Raymond M. ...

Judge of the United States
District Court

U. S. vs. ...

G. Ellis Cable
Robert W. ...
attorneys for plaintiff

U. S. vs. ...

H. L. Smith
Phil W. Smith, Jr.
attorneys for defendant
Petroleum Engineers Pro-
ducing Corporation

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

DAN BISHOP,)
)
 Plaintiff,)
)
 - vs -)
)
 NATIONAL HARDWOOD COMPANY, a corporation,)
 its successors and assigns;)
 GUARANTY TRUST COMPANY OF DETROIT, a cor-)
 poration, its successors and assigns;)
 J. L. HOWARD;)
 ELLER HOWARD;)
 JOHN DUNHAM;)
 F. H. CRON;)
 WILLIAM FIELDS;)
 BETSY DAVIS, nee FIELDS; and)
 The unknown heirs, executors, adminis-)
 trators, devisees, trustees and assigns,)
 immediate and remote, of CHARLES FIELDS,)
 Cherokee Citizen, Roll No. 20332, de-)
 ceased;)
)
 Defendants,)
)
 UNITED STATES OF AMERICA,)
)
 Intervener.)

No. 906 Civil

FILED

NOV 15 1948

NOBLE C. HOOD
Clerk U. S. District Court

JUDGMENT QUINTING TITLE

On this 20th day of September, 1944, the same being a regular day of the ~~January~~ term of the United States District Court for the Northern District of Oklahoma, and the above entitled and numbered cause came on for hearing before the Honorable Royce H. Savage, Judge of said Court; and the plaintiff being represented by L. Keith Smith, his attorney of record, and the United States of America, intervener herein, being represented by the Honorable Whit Y. Mauzy, United States Attorney; and it being first proven to the satisfaction of the Court that all of the defendants set out in the caption above had been duly served with summons in said cause; the Court having examined the affidavit for publication and the summons by publication, and the summons issued to the Sheriff of Delaware County, Oklahoma, and the return thereof, and the notice to the United States Marshal in and for the Northern District of Oklahoma, and the return thereof, and the affidavits of mailing and of non-mailing on file in said cause; and having found each and all of the same to be good and sufficient, and the Court having approved said affidavits, the summons by publication, the publication thereof, and the proof of said publication, and the summons issued to the Sheriff of Delaware County, Oklahoma, and the return thereof, and the notice to the United States Marshal, and the return thereof, and each and all of

said defendants having been three times called to the bar of the Court to appear, except, demur, plead or answer the plaintiff's petition herein, and each of them came not; whereupon, the plaintiff, through his attorney, filed an affidavit as provided for in the Soldiers' and Sailors' Civil Relief Act of October 17, 1940, as amended, in instances where it cannot be ascertained with certainty whether or not any non-answering defendants may be in the military service of the United States, as defined by said Act of Congress, the Court made and entered an order appointing an attorney as provided for in said Act to plead, answer or demur to the plaintiff's petition, or to take some action as he may deem necessary to protect the rights of such defendants; and the Court having appointed Ad V. Coppedge, of Grove, Oklahoma, a member of the Bar of Delaware County, Oklahoma, as such attorney, and said attorney having on the 20th day of September, 1944, filed an answer herein for all non-answering defendants who may be in the military service of the United States, as defined by the Soldiers' and Sailors' Civil Relief Act of 1940, as amended;

And now, on this 20th day of September, 1944, the same also being a regular day of said term of said Court, the Court again has all defendants three times called, and save for the answer filed by said Ad V. Coppedge, as attorney appointed by the Court as provided for in the Soldiers' and Sailors' Civil Relief Act of October 17, 1940, as amended, each of said defendants came not; whereupon, the Court proceeded to hear and determine said cause.

After hearing and considering the evidence adduced on behalf of the plaintiff, and having been fully and sufficiently advised in the premises, the Court finds that the plaintiff herein is the legal and equitable owner thereof, and is now in the actual, open, notorious, peaceful and adverse possession of the following described property, to-wit:

The East half ($E\frac{1}{2}$) of the Southwest quarter ($SW\frac{1}{4}$), and the South half ($S\frac{1}{2}$) of the Northwest quarter ($NW\frac{1}{4}$) of the Southeast quarter ($SE\frac{1}{4}$), of Section 26, Township 20 North and Range 23 East, Delaware County, Oklahoma.

The Court further finds that each and every allegation of the plaintiff's petition is true and correct; and that the plaintiff is the owner of the fee simple title and equitable estate in and to the above described real estate as alleged in his petition, and is entitled to a judgment decreeing the heirship and ownership of said estate and quieting the title thereto in the plaintiff as against all the defendants named in said petition.

The Court further finds that the claims of the defendants, or any claim which any of them might attempt to claim or assert in and to any of the above described premises are void and of no effect, but that such claim or attempted claims constitute clouds on the title of the plaintiff in and to said premises, and the same should be decreed void and barred.

The Court further finds that at one time Charles Fields, Cherokee Citizen, Roll No. 20332, was the owner of the property hereinabove described, and that the said Charles Fields died intestate in Delaware County, Oklahoma, the exact date of his death being unknown, but being more than three years prior hereto, leaving as his only heirs at law a son, William Fields, and a daughter Betsy Davis, nee Fields; that more than three years have elapsed since the date of the death of the said Charles Fields, and that no Court of competent jurisdiction has ever determined who by name or number were and are the heirs of said deceased; but the Court finds that the heirs of the said Charles Fields, Cherokee Citizen, Roll No. 20332, deceased, are as set out in plaintiff's petition and as hereinabove found by the Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff, Dan Bishop, is the owner of the legal and equitable fee simple title in and to the above described real estate.

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE of the Court that the heirs of Charles Fields, Cherokee Citizen, Roll No. 20332, deceased, are as set forth in plaintiff's petition, and as hereinabove found by the Court.

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE of the Court that the title to the above described real estate be, and the same is hereby, quieted in the plaintiff, Dan Bishop, as against each and all of the defendants herein, and that said defendants, and each of them, be and they are hereby barred, restrained and enjoined from setting up or asserting any right, title, interest or estate in or to said premises, or any part thereof, and each of them are adjudged to have no right, title, interest, or estate in or to said real estate above described.

IT IS THE FURTHER ORDER OF THE COURT that this judgment be entered as against all non-answering defendants who may be in the military service of the United States, as the term is defined by the Soldiers' and Sailors' Civil Relief Act of October 17, 1940, as amended.

(s) Royal H. Savage
JUDGE

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

Harlan E. Grimes,)
)
Plaintiff,)
)
vs.)
)
Streeter Speakman, et al.,)
)
Defendants.)

FILED
NOV 16 1948
NOBLE C. HOOD
Clerk U. S. District Court
Number 2324 Civil

ORDER SUSTAINING MOTIONS TO SUPPRESS
INTERROGATORIES AND TO DISMISS.

This cause comes on to be heard on this 4th day of November, 1948, upon the motions of the defendant, C. O. Beaver, to suppress the interrogatories submitted by the plaintiff herein, and to dismiss said action as to said defendant, C. O. Beaver, the plaintiff appearing in person and said defendant, C. O. Beaver, appearing by his counsel, George H. Jennings, and the court being advised in the premises finds that said motions should be sustained.

It is therefore ordered, adjudged and decreed that the motion of the defendant, C. O. Beaver, to suppress said interrogatories be, and the same is hereby sustained.

It is further ordered and decreed that the motion of the defendant to dismiss be, and the same is hereby sustained, and that the action be, and it is hereby dismissed as to the defendant, C. O. Beaver.

/s/ Royce H. Savage
Judge

Approved: As to form
Exceptions reserved

/s/ Harlan E. Grimes
Plaintiff

Approved:

/s/ George H. Jennings
Counsel for Defendant, C. O. Beaver

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

WILLIAM L. GOODES, Housing Expediter,)
Office of the Housing Expediter,)
Plaintiff,)

Vs.)

G. R. GREIDER,)
1123 E. 20th Street)
Tulsa, Oklahoma)

NO. 2298 CIVIL
(Greider)

ROBERT E. BENNETT,)
115 E. 11th Street,)
Tulsa, Oklahoma,)

NO. 2297 CIVIL
(Bennett)

Defendants.)

FILED

NOV 17 1948

JOURNAL ENTRY OF JUDGMENT

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

NO., on this 1st day of October, 1948, the Findings of Fact and Conclusions of Law as be the Court made, having been entered in the above entitled and numbered causes of action,

IT IS ORDERED, ADJUDGED AND DECREED By the Court, as follows:

(a) This Court has jurisdiction of the above causes by virtue of Section 206(b) of the Housing and Rent Act of 1947, as amended (50 U.S.C.A. App. 1881-1902).

(b) The defendant, G.R. Greider, is hereby ordered to make restitution of rent overcharges to the following tenants under the Housing and Rent Act of 1947, as Amended, in the following amounts set opposite their names:

1. Mr. and Mrs. Clifford Johnson, \$25.00.
2. Mrs. LaVawn Frith, \$175.00.

(c) The defendant, Robert E. Bennett, is hereby ordered to make restitution of rent overcharges to the following tenants under the Housing and Rent Act of 1947, as Amended in the following amounts set opposite their names:

1. Mr. and Mrs. Clifford Johnson, \$100.00.
2. Mrs. LaVawn Frith, \$150.00.
3. Mr. and Mrs. A. A. Holbert, \$100.00.

(d) That the injunction prayed for in the Complaints be, and the same are hereby denied, and the solicitor's fee is valued in the amount of 20.00 as to the defendant, Robert M. Bennett.

(e) The defendants, and each of them, shall make rent restitution for the amounts of overcharge, if any, under the Housing and Rent Act of 1947, as Amended, to all other of their tenants overcharged under similar conditions.

(f) The claim for overcharges for the tenant, Mrs. Thomas Larkin is hereby dismissed.

C.C. as to form:

James H. [unclear]
UNITED STATES DISTRICT COURT

Manford H. Palmer
Manford H. Palmer, litigation Atty.
Office of the Housing Expediter
Attorneys for Plaintiff

DEFENDANT: FIVE

BY: *Thomas A. [unclear]*
Attorneys for Robert M. Bennett

Bennett Thayer
KENNETH THAYER
A. W. [unclear]
A. W. [unclear],
Attorneys for G.H. Graider.

Affidavit of Service

I hereby certify that I served a true and correct copy of the within Journal Entry of Judgment upon each of the attorneys for plaintiff, and for the defendant, G.W. Greider, the latter in person, and by mailing a Copy of the same to plaintiff's attorneys, addressed:

Mr. Sanford E. Palmer
Litigation Attorney
Office of the Housing Expediter
Regional Office
422 Fidelity Building
Dallas 2, Texas

on this _____ day of November, 1948.

IN THE DISTRICT COURT OF THE UNITED STATES

OF THE SOUTHERN DISTRICT OF CALIFORNIA

Civil Action No. 2326

FILED

NOV 17 1948

THOMAS W. HOOD, Housing Expediter
Office of the Housing Expediter

Plaintiff

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL

M. S. J. BOGART and
DR. M. J. BOGART

Defendants

Now on this 17th day of November, 1948, the above styled and numbered cause of action comes on for hearing for a permanent injunction restraining the Defendants from evicting the tenant, Grace Tarver Bridges; the Plaintiff being represented by his Attorney, Sanford H. Palmer, and the Defendants being represented by their Attorney, Thomas A. Landrith, Jr.

Whereupon, the Defendants' Attorney announced to the Court that the property involved had been sold by the Defendants, and that the eviction question as set out in the Complaint was now moot, and the Court being sufficiently advised, finds 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.

George H. ...
UNITED STATES DISTRICT JUDGE

APPROVED:

Sanford H. Palmer
Attorney for Plaintiff

Thomas A. Landrith, Jr.
Attorney for Defendant

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

Rhoda Fife nee Sampson, et al.,

Plaintiffs,

v.

W. L. Connelly,
Sinclair Prairie Oil Company, et al.,

Defendants,

Mrs. B. J. Sandridge, Guardian of
Tat Hawkins, an incompetent person;
Tat Hawkins and Caesar Holmes,

Additional Defendants.

No. 2144 Civil

FILED

NOV 19 1948

NOBLE C. HOOD
Clerk U. S. District Court

JUDGMENT BY DEFAULT AGAINST
DEFENDANTS AND CROSS-CLAIMANTS
MRS. B. J. SANDRIDGE, GUARDIAN OF
TAT HAWKINS, AN INCOMPETENT PERSON,
AND TAT HAWKINS

NOW on this 15th day of November, 1948, pursuant to the order of this Court entered herein on the 4th day of November, 1948, continuing the hearing of said motion to this date, the above-entitled cause comes on for hearing upon motion of defendants, Sinclair Prairie Oil Company, The Atlantic Refining Company, Arch H. Hyden, Administrator with will annexed of the estate of Sarah C. Getty, deceased, and V. V. Harris, C. B. Hyde, F. P. Swan, W. T. Anglin, Alfred Stevenson, Roley Buck, Pearlle Buck, H. G. Barnard, Beulah Boxley, Villard Martin as Trustee for Kathryn Cornell Maxey, G. R. Eckles as Administrator of the estate of John D. Boxley, deceased, N. B. Feagin, Bar Don Oil Company, M. P. Mathis, Fannie C. Holman, Margaret May Hammons, Executrix of the estate of J. B. Hammons, deceased, and Anglin & Stevenson, a co-partnership composed of W. T. Anglin and Alfred Stevenson, for a judgment by default against defendants and cross-claimants, Mrs. B. J. Sandridge, Guardian of Tat Hawkins, an incompetent person, and Tat Hawkins, for failure to serve answers to interrogatories.

The moving defendants appear by their attorneys, Ralph W. Garrett, Robert L. Imler, C. H. Rosenstein and John Rogers. The defendants and cross-claimants, Mrs. B. J. Sandridge, Guardian of Tat Hawkins, an incompetent person, and Tat Hawkins, appear neither in person nor by attorneys.

The Court thereupon proceeded to hear said motion. The defendants in support thereof offered in evidence the following documents or pleadings on file in the office of the Clerk of this Court in this case, to-wit: the interrogatories propounded to the defendant and cross-claimant, Mrs. B. J. Sandridge, Guardian of Tat Hawkins, an incompetent, served on July 7, 1948; the interrogatories propounded to the defendant and cross-claimant, Tat Hawkins, served on July 7, 1948; the objections to the above-mentioned interrogatories of the defendant and cross-claimant, Mrs. B. J. Sandridge, Guardian of Tat Hawkins, an incompetent person, served on July 20, 1947; the objections to the above-mentioned interrogatories of the defendant and cross-claimant, Tat Hawkins, served on July 20, 1948; the order entered by the Court in this cause on the 17th day of August, 1948, overruling the objections of Mrs. B. J. Sandridge, Guardian of Tat Hawkins, an incompetent person, to the interrogatories served upon her, and overruling the objections of Tat Hawkins to the interrogatories served upon him, and granting the defendants, Mrs. B. J. Sandridge, Guardian of Tat Hawkins, an incompetent person, and Tat Hawkins, thirty days from August 17, 1948, in which to answer said interrogatories under oath; the order entered by this Court in this cause on the 22nd day of September, 1948, in which this Court upon the oral application of the defendants, Mrs. B. J. Sandridge, Guardian of Tat Hawkins, an incompetent person, and Tat Hawkins, granted said defendants fifteen additional days from September 22, 1948, in which to answer said interrogatories under oath; the motion for default judgment filed in this

cause on the 30th day of October, 1948; the notice notifying the defendants, Mrs. B. J. Sandridge, Guardian of Tat Hawkins, an incompetent person, and Tat Hawkins, and their then attorney of record, Primus C. Wade, that this motion for default judgment would be presented to this Court on November 4, 1948, including the proof of service of said notice on October 25, 1948, upon the defendant, Mrs. B. J. Sandridge, Guardian of Tat Hawkins, an incompetent person, and Tat Hawkins, and the acknowledgment of service thereof on October 25, 1948, by Primus Wade, the then attorney of record for the defendants, Mrs. B. J. Sandridge, Guardian of Tat Hawkins, an incompetent person, and Tat Hawkins; and the statement of counsel for the moving defendants that answers to said interrogatories had been served upon none of the moving defendants.

The Court finds that the written interrogatories heretofore served on the defendants and cross-claimants, Mrs. B. J. Sandridge, Guardian of Tat Hawkins, an incompetent person, and Tat Hawkins, on July 7, 1948, are competent and relevant to the issues of fact in this case; that said defendants and cross-claimants have failed to answer said written interrogatories under oath within the time allowed by Rule 33 of the rules governing the procedure in district courts of the United States in suits of a civil nature or within the time allowed said defendants to answer said written interrogatories under oath by the extensions of time heretofore granted by this Court; that said defendant and cross-claimant, Tat Hawkins, is represented by a general guardian, to-wit: Mrs. B. J. Sandridge, who has heretofore appeared generally in this action; that said defendants and cross-claimants and their then attorney of record were served with a written notice of this application and motion for default judgment more than three days prior to the date originally fixed for the hearing of this application and that on said date said defendants and cross-claimants and each of them appeared in person

in open court and also by their then attorney of record, Primus C. Wade; that on said date their then attorney of record, Primus C. Wade was granted permission to withdraw as attorney of record for said defendants and cross-claimants and the hearing of this motion was in open court continued until this date in order to permit said defendants and cross-claimants, Mrs. B. J. Sandridge, Guardian of Tat Hawkins, an incompetent person, and Tat Hawkins, an opportunity to procure other counsel to represent them in this action. That since said date no other counsel has appeared for said defendants and cross-claimants and no further extension of time to procure counsel has been requested by said defendants and cross-claimants, and the Court expressly finds and determines that there is no just cause or reason for further delay in the entry of a final judgment against said defendants and cross-claimants, Mrs. B. J. Sandridge, Guardian of Tat Hawkins, an incompetent person, and Tat Hawkins, and that said motion for default judgment should be sustained and granted.

It is, therefore, by the Court, ORDERED, ADJUDGED and DECREED that the motion of the defendants, Sinclair Prairie Oil Company, The Atlantic Refining Company, Arch H. Hyden, Administrator with will annexed of the estate of Sarah C. Getty, deceased, and V. V. Harris, C. B. Hyde, F. P. Swan, W. T. Anglin, Alfred Stevenson, Roley Buck, Pearlle Buck, H. G. Barnard, Beulah Boxley, Villard Martin as Trustee for Kathryn Cornell Maxey, G. P. Eckles as Administrator of the estate of John D. Boxley, deceased, D. B. Feagin, Bar Don Oil Company, M. P. Mathis, Fannie C. Holman, Margaret May Hammons, Executrix of the estate of J. B. Hammons, deceased, and Anglin & Stevenson, a co-partnership composed of W. T. Anglin and Alfred Stevenson, for judgment by default against the defendants and cross-claimants, Mrs. B. J. Sandridge, Guardian of Tat Hawkins, an incompetent person, and Tat Hawkins, because of their failure to serve

answers to the interrogatories heretofore duly served upon them, be and the same hereby is granted and sustained and the Court does hereby further ORDER, ADJUDGE AND DECREE that said defendants, Mrs. B. J. Sandridge, Guardian of Tat Hawkins, an incompetent person, and Tat Hawkins, and neither of them, has any right, title, interest, claim or estate in or to the real property in controversy in this case, to-wit, The Southwest Quarter (SW₄) of Section 16, Township 18 North, Range 7 East, Creek County, Oklahoma, or any of the income, rents or profits therefrom; and

It is further ORDERED, ADJUDGED and DECREED that the cross claims, and each of them, heretofore filed in this cause by the defendant and cross-claimant, Mrs. B. J. Standridge, Guardian of Tat Hawkins, an incompetent person, and by the defendant and cross-claimant, Tat Hawkins, be and they and each of them hereby are dismissed with prejudice to any further action.

The Court hereby expressly directs the Clerk to enter judgment as hereinbefore provided against the defendant and cross-claimant, Mrs. B. J. Standridge, Guardian of Tat Hawkins, an incompetent person, and against the defendant and cross-claimant, Tat Hawkins.



Judge.

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

United States of America,

Plaintiff,

vs.

O. O. Owens,

Defendant.

No. 2092 - Civil

FILED

NOV 26 1948

JOURNAL ENTRY OF JUDGMENT

NOBLE C. HOOD
Clerk U. S. District Court

This matter, having come on for hearing on several occasions, comes on for final hearing this 27th day of September, 1948, and the plaintiff being present by its attorney, Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendant, O. O. Owens, being present in person and the court, after hearing the evidence and being fully advised in the premises and having made its findings of fact and conclusions of law, finds that judgment should be entered for the plaintiff and against the defendant, pursuant to said findings of fact and conclusions of law.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the United States of America have and recover judgment against the defendant, O.O. Owens, for the sum of \$53,783.00, together with interest on \$54,133.00 from May 29, 1941 to December 6, 1946 and interest upon the sum of \$53,783.00 from December 6, 1946, until paid, together with the costs of this action.

FOR ALL OF WHICH LET EXECUTION ISSUE.

(S) Bowen E. Hodges
UNITED STATES DISTRICT JUDGE

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

State of Oklahoma, ex rel
Mac G. Williamson, Attorney General of
the State of Oklahoma - - - - - Petitioner,

vs

Certain parcels of land in Ottawa
County, Oklahoma, et al - - - - - Defendants.

No. 2255-
Civil.

FILED

NOV 28 1948

ORDER OF DISBURSEMENT

NOBLE C. HOOD
Clerk U. S. District Court

Now this 4th day of November, 1948, some being a judicial day of said court, this cause comes on for hearing on the application of Earl W. Tobien and his wife Jean S. Tobien, asking the disbursement of certain funds and moneys heretofore paid into the office of the Clerk of this court by the plaintiff in this action.

The applicants appear by their attorney of record and there being no objections, exceptions or adverse claims to the fund filed herein by any person whomsoever, it was then shown to the court that notice of hearing on said application has been duly given to all defendants and persons having any possible claim or interest thereto for the time and in the manner required by law and the rule of this court. Thereupon witnesses were sworn and testified in open court, and the court, having heard the evidence and being fully advised of the premises finds:

I

That the applicants, Earl W. Tobien and Jean S. Tobien are the owners of a restricted, undivided 26/30ths interest; that Blanche Boone, now Koupe, is the owner of a restricted, undivided 1/15th interest; that Walker L. Boone and Alice Boone are the owners of a restricted, undivided 1/30 th interest each in and to certain lands described in the petition herein filed as Tract No. 1 in Mary Walker, Deceased, Tract; that the plaintiff herein has condemned and appropriated 4.49 acres of said lands for state highway purposes and that the Commissioners appointed by this court have fixed and determined the damage caused by said taking in the sum of \$1,000.00, and that plaintiff has paid said sum of \$1,000.00 into the office of the Clerk of this court for the use and benefit of the lawful owners thereof.

II

The court finds that Earl W. Tobien and Jean S. Tobien are the owners of an undivided 26/30ths interest, that Blanche Boone, now Koupe is the owner of an undivided 1/15th interest, that Walker L. Boone is the owner of an undivided 1/30th interest, and that Alice Boone, now Clark is the owner of an undivided 1/30th interest in and to said funds and moneys, and that there are no other persons, firms or corporations having any right, title or interest therein. The court finds that plaintiff has taken possession of the lands so condemned and appropriated and that said persons are entitled to the payment thereof.

III

The court finds the lands so condemned and appropriated were restricted against alienation and that the Superintendent of the Five Civilized Tribes had jurisdiction over said lands and has jurisdiction of said funds and moneys.

IT IS THEREFORE ORDERED that the Clerk of this court do forthwith disburse and pay the sum of \$1,000.00 ^{to the Treasurer of the State and} to the Superintendent of the Five Civilized Tribes at Muskogee, Oklahoma, for the credit of the account of Earl W. Poben, Blanche Boone, now Rouse, Walker L. Boone and Alice Boone, now Clark, in the proportions hereinbefore found and established.

Raymond H. Stange

Judge

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

Interstate Commerce Commission,

Plaintiff,

v.

Harvey D. Jones, doing business as
Jones Truck Line,

Glenn H. Coddington, doing business
as Arco Warehouse, and

Federal Storage & Van Company, Inc.,
a corporation,

Defendants.

Civil Action
No. 1692

FILED
DEC 3 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER VACATING INJUNCTION

This matter coming on for hearing this 3rd day of December, 1948, on the oral motion in open Court of the Interstate Commerce Commission, plaintiff, for vacation of the order of this Court entered in this cause on May 14, 1946, granting a permanent injunction against the parties named above; and the Court being informed by counsel for plaintiff that the defendants, and each of them, have, to the best of plaintiff's knowledge and belief, complied fully with the order of this Court and that there is no reason to anticipate that the parties to this action will violate the Interstate Commerce Act, Part II, if the injunction should be vacated and set aside; and the Court having considered the matter and being in the premises fully informed doth hereby sustain the oral motion of plaintiff.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the decree granting a permanent injunction against each of the defendants in this cause, entered on May 14, 1946, be and the same is hereby vacated and set aside as of this date.

DONE at Tulsa, Oklahoma, on this 3rd day of December, 1948.

APPROVED:

Whit V. Mummy
United States District Attorney

Fouis J. Bailey
Attorney, Interstate Commerce Commission

George H. Savage
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Interstate Commerce Commission,
Plaintiff,

vs.

The Santa Fe Trail Transportation
Company; Nichols Transfer & Storage
Co.; Tulsa Terminal Warehouse, and
Federal Storage & Van Company, Inc.,
Defendants.

Civil No. 1693

FILED
In Open Court

DEC 3 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER VACATING INJUNCTION

This matter coming on for hearing this 3d day of December, 1948, on the application of the defendant The Santa Fe Trail Transportation Company, a corporation, to vacate the injunction order heretofore entered against it herein on May 14, 1946. The parties interested herein are represented by counsel, and the Court having considered the statements of facts and being fully advised in the premises finds that said defendant The Santa Fe Trail Transportation Company, a corporation, has in all things complied with the order of this Court entered on May 14, 1946. The Court further finds that said decree granting a permanent injunction herein should be vacated and set aside.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the decree granting a permanent injunction against the defendant herein, entered on May 14, 1946, be and the same is hereby vacated and set aside as of this date.

DONE at Tulsa, Oklahoma, on this 3d day of December, 1948.

/s/ ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Whit Y. Mauzy
United States District Attorney

/s/ Louis I. Dailey
Attorney, Interstate Commerce Commission

/s/ Rainey, Flynn, Green & Anderson
/s/ Biddison & Rheim, M. M. Gibbens
Attorneys for Defendants

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

Interstate Commerce Commission,
Plaintiff,

v.

The Santa Fe Trail Transportation
Company, a corporation,
Nichols Transfer & Storage Co.,
Tulsa Terminal Warehouse Company, and
Federal Storage & Van Company, Inc.,
corporations,
Defendants.

Civil Action

No. 1693

FILED

DEC 2 1948

NORRIS C. HOOD
Clerk U. S. District Court

ORDER VACATING INJUNCTION

This matter coming on for hearing this 3rd day of December, 1948, on the oral motion in open Court of the Interstate Commerce Commission, plaintiff, for vacation of the injunction heretofore entered against Nichols Transfer & Storage Co., Tulsa Terminal Warehouse, and Federal Storage & Van Company, Inc., on May 14, 1946, and the Court being informed that the defendants just named have, since the date indicated, complied strictly with the injunction decree in so far as the Interstate Commerce Commission is informed and believes; and the Court having been informed further that counsel for the plaintiff have no reason to anticipate that the terms of the decree will be violated or that the defendants aforesaid will accept or receive rebates in violation of Section 322(c) of the Interstate Commerce Act (Title 49, Sec. 322(c), U. S. Code), if the injunction should be vacated; and the Court being in the premises fully informed doth hereby sustain the aforesaid oral motion.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the order of this Court, entered on May 14, 1946, granting a permanent injunction in this cause against Nichols Transfer & Storage Co., Tulsa Terminal Warehouse, and Federal Storage & Van Company, Inc., be and the same is hereby vacated and set aside as of this date.

DONE at Tulsa, Oklahoma, on this 3rd day of December, 1948.

John G. Savage
UNITED STATES DISTRICT JUDGE

APPROVED:

Wm. H. Sawyer
United States District Attorney

Wm. H. Sawyer
Attorney, Interstate Commerce Commission

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

Interstate Commerce Commission,
Plaintiff,

v.

Lee Way Motor Freight, Inc., a
corporation,
Glenn H. Coddington, doing business as
Arco Warehouse, and
Federal Storage & Van Company, Inc., and
Nichols Transfer & Storage Co.,
corporations,
Defendants.

Civil Action

No. 1694 FILED

DEC 3 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER VACATING INJUNCTION

This matter coming on for hearing this 3rd day of December, 1948,
on the oral motion in open Court of the Interstate Commerce Commission,
plaintiff, for dissolution of the injunction granted in this cause on
May 14, 1946, and it appearing that the injunction already has been
dissolved by action of this Court as to Lee Way Motor Freight, Inc.;
and the Court being informed that the remaining defendants named above
have complied strictly with the decree of injunction since it was
entered in so far as the Interstate Commerce Commission can determine,
and further that there is no reason to anticipate that the remaining
defendants will be guilty of solicitation and acceptance of rebates or
violations of Section 222(c) of the Interstate Commerce Act (Title 49,
Sec. 322(c), U. S. Code), if the injunction should be vacated; and the
Court being in the premises fully informed doth hereby sustain the motion.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the permanent
injunction, entered on May 14, 1946, in this cause, in so far as it ap-
plies to Glenn H. Coddington, doing business as Arco Warehouse, Federal
Storage & Van Company, Inc., and Nichols Transfer & Storage Co., be and
the same is hereby vacated and set aside as of this date.

DONE at Tulsa, Oklahoma, on this 3rd day of December, 1948.

APPROVED:

[Signature]
United States District Attorney

[Signature]
Attorney Interstate Commerce Commission

[Signature]
UNITED STATES DISTRICT JUDGE

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

Interstate Commerce Commission,
Plaintiff,

v.

Gordon Interstate, Inc., a
corporation,
Defendant.

Civil Action

No. 1695

FILED

DEC 3 1948

NOBLE S. HOOD
Clerk U. S. District Court

ORDER VACATING INJUNCTION

This matter coming on for hearing this 3rd day of December, 1948, on the oral motion in open Court of the Interstate Commerce Commission, plaintiff, for vacation of the injunction heretofore entered against Gordon, Interstate, Inc., on May 14, 1946, and the Court being informed that Gordon, Interstate, Inc. has disposed of its operating rights and is no longer a motor carrier in interstate commerce, and further that the defendant, to the best of the knowledge and belief of the plaintiff, complied strictly with the aforesaid order so long as it remained in business as a motor carrier in interstate commerce; and the Court being in the premises fully informed doth hereby sustain the motion.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the injunction against the defendant herein, entered on May 14, 1946, be and the same is hereby vacated and set aside as of this date.

DONE at Tulsa, Oklahoma, on this 3rd day of December, 1948.

George H. Swage
UNITED STATES DISTRICT JUDGE

APPROVED:

Wm. V. Murray
United States District Attorney

Louis G. Sweeney
Attorney, Interstate Commerce Commission

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

Interstate Commerce Commission,
Plaintiff,

v.

Glenn E. Breeding and Irene Breeding,
partners, doing business as Breeding
Motor Freight Lines, and
Nichols Transfer & Storage Co., a
corporation,
Defendants.

Civil Action

No. 1696

FILED

DEC 9 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER VACATING INJUNCTION

This matter coming on for hearing this 3rd day of December, 1948,
on the oral motion in open Court of the Interstate Commerce Commission,
plaintiff, for vacation of the permanent injunction granted in this
cause on May 14, 1946; and the Court being informed that defendants,
Glenn E. Breeding and Irene Breeding, are no longer operating as a
motor carrier in interstate commerce, and further that Nichols Transfer
& Storage Co., since the granting of the injunction, has complied
strictly with its terms in so far as the Interstate Commerce Commission
is informed; and it appearing that there is no need to anticipate any
further violations of the Interstate Commerce Act, Part II, by any of
the defendants named above; and the Court being in the premises fully
informed doth hereby sustain the motion.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the permanent
injunction against the defendants herein, entered in this cause on
May 14, 1946, be and the same is hereby vacated and set aside as of
this date.

DONE at Tulsa, Oklahoma, on this 3rd day of December, 1948.

George A. Swann
UNITED STATES DISTRICT JUDGE

APPROVED:

Robert H. ...
United States District Attorney

James A. ...
Attorney, Interstate Commerce Commission

IN THE UNITED STATES COURT OF APPEALS
FOR THE TENTH JUDICIAL CIRCUIT
SITTING AT WICHITA, KANSAS

THIRD DAY, NOVEMBER TERM, WEDNESDAY, DECEMBER 1st, A.D. 1948.

PRESENT: Honorable Orle L. Phillips, Chief Judge,
Honorable Sam G. Bratton, Circuit Judge,
Honorable Walter A. Huxman, Circuit Judge,
Honorable Alfred P. Murrah, Circuit Judge,
And other officers as noted on the 29th day
of November, A. D. 1948.

FILED
DEC 3 1948

NOBLE C. HOOD
Clerk U. S. District Court

Before Honorable Orle L. Phillips, Chief Judge,
and Honorable Sam G. Bratton and Honorable
Alfred P. Murrah, Circuit Judges.

Jess Sadler et al.,
Appellants,
3824 vs.
National Zinc Company,
Inc., a corporation,
Appellee.

Case No. 1977-Civil

Appeal from the District
Court of the United States
for the Northern District
of Oklahoma.

This cause came on to be heard on the motion of
appellee to docket the cause and dismiss the appeal herein
and was submitted to the court.

On consideration whereof, it is now here ordered
by the court that the said motion be and the same is hereby
granted; that appellee may docket the cause instanter, which
is accordingly done, and that the appeal in this cause be
and the same is hereby dismissed out of this court for
failure diligently to prosecute the same.

It is further ordered by the court that the
clerk of this court forthwith transmit to the clerk of the
United States District Court for the Northern District of
Oklahoma a certified copy of this order.

A true copy as of record,

TESTE:

/s/ Robert B. Cartright
Clerk.

/SEAL/

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

DOROTHY LEE HENCKE,)
Plaintiff)
vs.)
FREDRICK WILLIAM HAMMETT,)
Defendant)

No. 2340 Civil

FILED
NOV 8 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL WITH PREJUDICE

On this 4th day of ~~November~~ ^{December}, 1948, this cause came on regularly to be heard. The plaintiff appeared by her attorney, Garland Keeling, and the defendant appeared by his attorney, Remington Rogers, and it appearing to the Court that concurrently with the rendition and entry of this order, the defendant, Fred W. Hammett has agreed to pay to plaintiff and her attorney, the total sum of \$800.00 and that in consideration thereof, the plaintiff herein has agreed that this action may be dismissed with prejudice at plaintiff's costs; and that said plaintiff has executed and is to deliver to defendant at the same time, a general release of all of her claims of every kind and character, whether known or unknown, and whether within the issues of this case or otherwise; and has further agreed that neither the payment nor the acceptance of said sum, shall be deemed as an admission of any liability of defendant to plaintiff, but that said defendant is paying said amount in full settlement and compromise of disputed claims, and that plaintiff is accepting the same as an accord and satisfaction of all of her claims, rights of action and causes of action against said defendant,

IT IS THEREFORE BY THE COURT ORDERED, ADJUDGED AND DECREED, that this action be, and the same is, hereby dismissed with prejudice at the costs of the plaintiff.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that said plaintiff be and she is hereby permanently enjoined and restrained from prosecuting any further action or cause of action, against said defendant, whether at law, in equity or in probate, for any matters or things whatsoever, which have occurred prior to the date of this order.

Enter.

Wm. H. ...
Judge of the District Court

APPROVED:

[Signature]
Plaintiff

[Signature]
Plaintiff's Attorney

Remington Rogers
Defendant's Attorney

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

Martha Staller, now Walls,
Plaintiff,
vs.
Mooney Staller, et al.,
Defendants,
United States of America,
Intervener.

NO. 2054 Civil

FILED

DEC 8 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER CONFIRMING MARSHAL'S SALE, ETC.

And now on this the 3rd day of December, 1948, the same being a juridical day of the above styled court, the above entitled and numbered cause comes on for hearing in its regular order before the undersigned Judge of said Court with the plaintiff appearing by Ernest R. Brown, her attorney of record, and with the defendants William Staller and Wilson Logan, minors, appearing by Pat Malloy, their duly appointed, legally qualified and acting guardian ad litem, and with none of the other defendants either appearing in person or by counsel; the Secretary of the Interior appearing by the honorable Whit Y. Kozzy, United States Attorney for the Northern District of Oklahoma, and upon call each of the parties announce ready:

Whereupon the Court proceeds to examine the files and pleadings and therefrom finds that the sale of the lands hereinafter described has been held by the United States Marshal for the Northern District of Oklahoma in the manner and form provided by law and the previous orders and decrees of this Court and that the same should be confirmed and approved, and being fully advised in the premises:

It is, therefore, the ORDER, JUDGMENT AND DECREE of this Court that the Marshal's sale on the 29th day of October, 1948, covering the following described real property and premises situated in Mayes County, Oklahoma, to-wit:

Lot Three (3); and, the West half of the North - East Quarter of the Southwest Quarter of Section 31, Township 22 North, Range 18 East of the Indian Base and Meridian,

wherein said lands were sold by the United States Marshal for the Northern District of Oklahoma to Winthrop Ingersoll for the sum of \$250.00, be, and the same is hereby approved, ratified and confirmed and the United States Marshal for the Northern District of Oklahoma, be, and he is hereby authorized, ordered and directed to execute and deliver unto the purchaser, Winthrop Ingersoll, a good and sufficient deed or instrument of conveyance conveying said lands unto the said Winthrop Ingersoll, his heirs and assigns.

That of the proceeds the Clerk of this Court is authorized, ordered and directed to distribute and disburse the same as follows:

Court Clerk of Mayes County, Oklahoma, Court costs	40.30
Court Clerk of the U. S. Court Court costs	106.72
United States Marshal, Marshal's fees	16.02
Ernest A. Brown, Attorney's fees	25.00

and the balance to be distributed by the said Clerk unto the persons lawfully entitled thereto as follows, to-wit:

Martna Staller, now Walls	\$ 6.94
Rindy Staller	6.94
Looney Staller	6.94
William Staller	6.94
Sam Staller	6.94
Jesse Staller	6.94
Lizzie Young	6.94
Rosetta Tower	6.94
Logan Wilson	6.94

That all monies due the heirs of James Staller, deceased, as hereinabove set forth, the Clerk of this Court is authorized to pay the same to the Treasurer of the United States and deliver his voucher therefor to the Superintendent of the Five Civilized Tribes at Muskogee, Oklahoma to be disbursed unto those entitled thereto as other Indian monies are disbursed.

That said cause as to Tract 2 of plaintiff's petition is hereby dismissed.

Loyne H. Savage
United States Judge

APPROVED:

Wm. S. Lacey
United States Attorney

Art. Talley
Guardian ad Litem

Ernest H. Brown
Attorney for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF OKLAHOMA

THE UNITED STATES OF AMERICA, Plaintiff,
vs.
EUGENE J. GUINN, BISHOP OF OKLAHOMA
AND HOLY FAMILY PARISH, OF TULSA,
Defendants.

NO. 2333-Civil

FILED

OCT 11 1948

NOBLE C. HOOD
Clerk U. S. District Court

MOTION TO DISMISS

The motion of the defendants, Eugene J. Guinness, Catholic Archbishop Bishop of Diocese of Oklahoma City and Tulsa, Oklahoma, and Holy Family Parish of Tulsa, Oklahoma, to dismiss the petition of the plaintiff for want of facts sufficient to constitute a cause of action in favor of the plaintiff and against the said defendants, docketed to be heard on said 3rd day of December, 1948;

and the court being well and sufficiently advised in the premises;

It is ordered:

That the said motion be, and the same is hereby sustained, and the petition of the plaintiff insofar as the defendants Eugene J. Guinness, Catholic Archbishop Bishop of Diocese of Oklahoma City and Tulsa, Oklahoma, and Holy Family Parish of Tulsa, Oklahoma, is concerned, is dismissed.

Royce H. Swager

JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OKLAHOMA

THE STATE OF OKLAHOMA,
Plaintiff,

vs.
EUGENE J. MCANISS, OKLAHOMA
BISHOP OF OKLAHOMA CITY AND TULSA,
Defendants.

NO. 1334-CIVIL

FILED

DEC 8 1948

WORLD C. HOOD
Clerk U. S. District Court

ORDER DENYING DEFENDANT'S MOTION

The motion of the defendants, Eugene J. McAniss, Catholic Coadjutor Bishop of Diocese of Oklahoma City and Tulsa, Oklahoma, and Holy Family Parish of Tulsa, Oklahoma, to dismiss the petition of the plaintiff for want of facts sufficient to constitute a cause of action in favor of the plaintiff and against the said defendants, motion to be heard on this 8th day of December, 1948:

And the Court being well and sufficiently advised in the premises:

It is ordered:

That the said motion be, and the same is hereby sustained, and the petition of the plaintiff insofar as the defendants Eugene J. McAniss, Catholic Coadjutor Bishop of Diocese of Oklahoma City and Tulsa, Oklahoma, and Holy Family Parish of Tulsa, Oklahoma is concerned, is dismissed.

Eugene H. Savage

THE DISTRICT COURT OF THE TERRITORY OF OKLAHOMA,
SOUTHERN DISTRICT.

Dec 10 1948

JACK PATTERSON, et al.,)	
)	NORRIS C. HOOD
Plaintiffs,)	Clerk U. S. District Court
vs.)	No. 1973 Civil
CAMERON AND HENDERSON, a corporation,)	
Defendant.)	

FORMAL WRIT OF JUDGMENT ON DEFENSITIVE
MOTION FOR SUMMARY JUDGMENT.

Now, on this 10th day of December, 1948, the above
entitled cause coming on for hearing upon the motion of the
defendant for summary judgment upon the pleadings, motion
to dismiss and stipulation filed herein, said cause having
heretofore been set for hearing on this day and the defendant
appearing by its attorneys of record, Tom L. Owens, John B.
Wallace, and J. C. Wallace, and there being no appearance
on the part of the plaintiffs, either in person or by counsel,
and it appearing to the court that all the parties had due
notice of said hearing, as provided by law and the rules of
this court, and the court having examined the pleadings and
all instruments filed on behalf of the respective parties and
having well and sufficiently advised in the premises, finds
that the motion of the defendant for summary judgment should
be overruled and the same is hereby sustained. The court further finds
that the true name of the defendant is Cameron and Henderson,
Inc., and that said defendant is an Oklahoma corporation.

IT IS ORDERED, ADJUDGED AND DECREED
that plaintiffs take nothing by reason of this action and
that a judgment shall be entered in favor of the defendant with
judgment to a new action at plaintiffs' costs.

Charles H. ...

Judge.

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

FILED

DEC 10 1948

J. A. DAVIS, et al.,)
Plaintiffs,)

NOBLE C. HOOD
Clerk U. S. District Court

vs.)

No. 1970 Civil

SCOTT FENNER COMPANY, successor)
to John Doe Co., a corp., and)
Richard Roe Co., a corp., and)
Jane Q. Minion Co., a corp.,)
Defendants.)

JOURNAL ENTRY OF JUDGMENT ON DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT.

Now on this 10 day of December, 1948, the a-
bove entitled cause coming on for hearing upon the motion
of the defendants for summary judgment upon the pleadings,
motion to dismiss and stipulation filed herein, said cause
having heretofore been set for hearing on this day and the
defendants appearing by their attorneys of record, Ben F.
Stens, John A. Wallace, and A. C. Wallace, and there being
no appearance on the part of the plaintiffs, either in
person or by counsel, and it appearing to the court that all
the parties had due notice of said hearing, as provided by
law and the rules of this court and the court having examined
the pleadings and all instruments filed on behalf of the
respective parties and being well and sufficiently advised
in the premises, finds that the motion of the defendants
for summary judgment should be and the same is hereby sustained.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECLARED
that plaintiffs take nothing by reason of this action and
that said action be and the same is hereby dismissed with
prejudice to a new action at plaintiffs' costs.



Judge.

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF
SOUTH CAROLINA.

J. M. SALTER, et al.,)

Plaintiffs,)

vs.)

THE FIRST NATIONAL BANKING COMPANY,)
a corporation,)
Defendants.)

1940

WOLFE & FORD
Clerk U. S. District Court

No. 1330 Civil

JUDICIAL WRIT OF HABEAS CORPUS ON DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT.

Now on this 10th day of December, 1940, the above
entitled cause coming on for hearing upon the motion of the
defendant for summary judgment upon the pleadings, motion to
dismiss and stipulation filed herein, said cause having here-
tofore been set for hearing on this day and the defendant
appearing by its attorneys of record, Ben T. Owens, John B.
Wallace and A. G. Wallace, [and there being no appearance on
the part of the plaintiffs,] either in person or by counsel,
and it appearing to the court that all the parties had due
notice of said hearing, as provided by law and the rules of
this court and the court having examined the pleadings and
all instruments filed on behalf of the respective parties and
being well and sufficiently advised in the premises, finds
that the motion of the defendant for summary judgment should
be and the same is hereby sustained.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED
that plaintiffs take nothing by reason of this action and
that said action be, and the same is hereby dismissed with
prejudice to a new action at plaintiffs' costs.



Judge.

IN SENATE CHAMBER OF THE UNITED STATES FOR THE DISTRICT
OF THE DISTRICT OF COLUMBIA

RECEIVED

DEC 14 1948

J. W. WELLS, et al.,)
Plaintiffs,)

ROBERT C. ROODE
Clerk U. S. District Court

vs.)

No. 1983 Civil

DAVIS WELLS MINING COMPANY,)
a corporation,)
Defendant.)

JOURNAL ENTRY ON JUDGMENT ON DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT.

Now, on this 10th day of December, 1948, the
above entitled cause coming on for hearing upon the motion
of the defendant for summary judgment upon the pleadings,
motion to dismiss and stipulation filed herein, said cause
having heretofore been set for hearing on this day and the
defendant appearing by its attorneys of record, Ben T. Owens,
John H. Wallace, and A. C. Wallace, and there being no appear-
ance on the part of the plaintiffs, either in person or by
counsel, and it appearing to the court that all the parties
had due notice of said hearing as provided by law and the
rules of this court and the court having examined the plead-
ings and all instruments filed on behalf of the respective
parties and being well and sufficiently advised in the prem-
ises, finds that the motion of the defendant for summary
judgment should be and the same is hereby sustained.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECIDED
that plaintiffs take nothing by reason of this action and
that said action be and the same is hereby dismissed with
prejudice to a new action at plaintiffs' costs.

Judge.

IN SENATE, FEBRUARY 11, 1948. RECORDED AND INDEXED

1948

Plaintiffs,
vs.
Defendant.

WALTER C. HOOD
Clerk U. S. District Court

No. 1968 Civil

U. S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

On this 10th day of December, 1948, the above
captioned case coming on for hearing upon the motion
of the defendant for summary judgment upon the pleadings,
and the facts and stipulations therein, and
the evidence introduced and heard on this
motion, the undersigned, by its authority as
Judge, by oral testimony and by the admission of
the parties and the part of the plaintiff, after
the hearing of counsel, and it appearing to the court
that the facts and the law of this case are
such that summary judgment should be entered
in favor of the defendant, and all instruments
and exhibits of the respective parties and all
other matters arising in the premises should be
dismissed with prejudice and the judgment should
be entered in favor of the defendant.

WALTER C. HOOD, Clerk, U. S. District Court
for the District of Columbia, do hereby certify that the
above is a true and correct copy of the original
and filed in the office of the Clerk of said court.

Walter C. Hood
Clerk

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF
SOUTHERN DISTRICT OF NEW YORK.

FILED

DEC 16 1948

JAMES WILSON, et al.,)
Plaintiffs,)
vs.)
MAYNARD-THOMSON CO., INC.,)
a corporation,)
Defendant.)

NOBLE C. HOOD
Clerk U. S. District Court

No. 2040 Civil

JUDICIAL LETTER OF JUDGMENT ON DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT.

You, on this 10th day of December, 1948, the
above entitled cause coming on for hearing upon the motion
of the defendant for summary judgment upon the pleadings,
motion to dismiss and stipulation filed herein, said cause
having heretofore been set for hearing on this day and the
defendant appearing by its attorneys of record, Ben T. Owens,
John H. Wallace, and A. C. Wallace, and there being no
appearance on the part of the plaintiffs, other in person
or by counsel, and it appearing to the court that all the
parties had due notice of said hearing as provided by law
and the rules of this court and the court having examined
the pleadings and all instruments filed on behalf of the
respective parties and being well and sufficiently advised
in the premises finds that the motion of the defendant for
summary judgment should be and the same is hereby sustained.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECIDED
that plaintiffs take nothing by reason of this action and
that said action be and the same is hereby dismissed with
prejudice to a new action at plaintiffs' costs.



Judge.

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

United States of America,)
)
 Plaintiff,)
)
 vs.)
)
 37 cases, each containing 24 cans)
 article labeled in part "Contents)
 1 Lb. 2 Oz., Good Mustard Greens,")
)
 Defendant.)

No. 2379 Civil

FILED

NOV 10 1948

NOBLE C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY

This matter coming on for hearing this 29th day of November, 1948, in its regular order, the plaintiff, United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendant appearing not and the court being fully advised in the premises finds:

That no answer or other pleading has been filed in this cause. That the 37 cases, each containing 24 cans article labeled in part "Contents 1 Lb. 2 Oz., Good Mustard Greens," was shipped in interstate commerce by Good Canning Company, Fort Smith, Arkansas, to Scrivner Stevens Company, Tulsa, Oklahoma, on or about May 19, 1948, via Missouri, Kansas, Texas Railroad and connections.

The court further finds that said article is adulterated in interstate commerce within the meaning of 21 U.S.C. 342(a)(3), in that it consists wholly or in part of a filthy substance by reason of the presence therein of aphids, thrips and larvae.

The court further finds that the United States Marshal for the Northern District of Oklahoma, upon order of the court of October 27, 1948, to seize and arrest said merchandise, did seize and arrest 23 cases of said merchandise on November 2, 1948.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that said 23 cases, each containing 24 cans article labeled in part "Contents 1 Lb. 2 Oz., Good Mustard Greens," be and the same hereby is condemned, forfeited and confiscated.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that said merchandise be destroyed and that John P. Logan, United States Marshal for the Northern District of Oklahoma, he and he hereby is instructed and directed to destroy same and to report his acts under this order to this court within thirty (30) days from this date.

AND IT IS THE FURTHER ORDER OF THE COURT that the plaintiff, United States of America, recover the costs of this action from Scrivner Stevens Company, Tulsa, Oklahoma.

AND IT IS SO ORDERED.

George H. Daurage
U. S. DISTRICT JUDGE

O. K. as to form:

Whit Y. Maury
Whit Y. Maury, U. S. Attorney

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

UNIVERSAL AVIATION COMPANY,
a corporation,

Plaintiff,

vs.

TEXAS RAILWAY EQUIPMENT COMPANY,
a corporation,

Defendant.

CIVIL NO. 2393

FILED

DEC 17 1948

NOBLE C. HOOD
Clerk U. S. District Court

ORDER DISMISSING ACTION AND CROSS-ACTION
ON JOINT MOTION OF PLAINTIFF AND DEFENDANT

THIS CAUSE came on for hearing on the stipulation of settlement and joint motion of the parties for a voluntary dismissal wherein Plaintiff moves the Court for a dismissal of its action on the merits and with prejudice and the Defendant moves the Court for dismissal of its cross-action on the merits and with prejudice; and the Court, on consideration of said stipulation and joint motion of voluntary dismissal, and being fully informed in the premises, finds that the parties have concluded a settlement of all matters in controversy between them in this cause and that the joint motion for voluntary dismissal of the action and cross-action should be granted.

IT IS, THEREFORE, ORDERED that the action of the Plaintiff be, and it is hereby, dismissed on the merits and with prejudice to any further suit on the claim or claims of the Plaintiff set forth in the complaint and the cross-action of the Defendant is dismissed on the merits and with prejudice to any further suit on the claim or claims of the Defendant set forth in the cross-action, all at the cost of the Plaintiff.

O.K.:

Irvine E. Ungerman
Irvine E. Ungerman, Attorney
for Plaintiff

Foster V. Phipps
Foster V. Phipps, Attorney
for Defendant

Royce H. Savage
Judge

UNITED STATES OF AMERICA, vs:

THE PRESIDENTS OF THE UNITED STATES OF AMERICA,

To the Honorable the Judges of the United States District
Court for the Northern District of Oklahoma,

GREETING:

WHEREAS, lately in the United States Court of Appeals for the Tenth Circuit, in a cause between Grace W. Adkins, as Administratrix of the Estate of R. V. Adkins, Deceased, Appellant, and E. I. du Pont de Nemours & Company, Inc., Appellee, The United States of America, Intervener, wherein orders of the District Court denying an appeal in forma pauperis were entered on November 4, 1947, and December 22, 1947, and orders of the Court of Appeals denying an appeal in forma pauperis were entered on November 17, 1947, and January 5, 1948; as by the inspection of the transcript of the record of the said United States Court of Appeals which was brought into the SUPREME COURT OF THE UNITED STATES by virtue of a writ of certiorari, agreeably to the act of Congress, in such case made and provided, fully and at large appears.

AND WHEREAS, in the present term of October, in the year of our Lord one thousand nine hundred and forty-eight, the said cause came on to be heard before the said SUPREME COURT, on the said transcript of record, and was argued by counsel:

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the orders of the said District Court and of the United States Court of Appeals in this cause be, and the same are hereby, vacated.

AND IT IS FURTHER ORDERED, That this cause be, and the same is hereby, remanded to the United States District Court for the Northern District of Oklahoma for further proceedings not inconsistent with the opinion of this Court.

November 22, 1948.

You, therefore, are hereby commanded that such further proceedings be had in said cases, not inconsistent 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, the writ of certiorari notwithstanding.

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

CHARLES ELMORE CROPLEY
Clerk of the Supreme Court of the
United States

By /s/ Hugh W. Barr
Deputy

Enforcement:

Filed December 27, 1948
Noble E. Ford
Clerk U. S. District Court

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

Emma Hogston Ter Rabbit,
Plaintiff,
vs.
John W. Gaudin, et al.,
Defendants,
United States of America,
Intervener.

Civil.

FILED

1946

NOBLE C. HOOD
Clerk U. S. District Court

ORDER REGARDING JUDICIAL AND PENDING PLEASINGS .

On this the 3rd day of December, 1946, the same being a judicial day of the above styled Court, the above entitled and numbered case comes on for hearing in its regular order before the undersigned judge of said Court, with the plaintiff appearing by Ernest D. Brown, her attorney of record, and none of the defendants either appearing in person or by counsel, except the United States of America, Intervener, appearing by the honorable Whit L. Gaudy, United States Attorney for the Northern District of Oklahoma, and on oral call each of the parties announced ready, and from a statement of counsel the Court finds that said motion filed herein to vacate the order of partition entered herein on the 4th day of September, 1947, should be sustained upon the grounds and for the reasons that said order of partition is based upon the publication notices and that the description of the lands involved is erroneous, by reason whereof said order, together with all orders and proceedings subsequent thereto, should be vacated, set aside and the plaintiff admitted to amend her original petition to properly describe the lands intended to be partitioned, and the Court being fully advised in the premises:

