

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

WESTERN SURETY COMPANY,  
a corporation,

Plaintiff,

vs

U. S. SUPPLY COMPANY, a  
corporation, et al.,

Defendants.

No. 2479-Civil

FILED

JUL 1 1949

ORDER DISCHARGING PLAINTIFF

NOBLE C. HOOD  
Clerk U. S. District Court

At Tulsa, in said district, on the 1st day of July,  
1949,

The motion for discharge of the Plaintiff, Western Surety Company, filed herein having come on for hearing pursuant to due notice and Williams, Boesche & McDermott appearing for Plaintiff and Irvine E. Ungerman appearing for the Defendant, John Zink, a sole trader, doing business as the John Zink Burner Company and no other party in interest appearing either in person or by counsel and the Court having examined the pleadings and having heard statements of counsel and being fully advised in the premises finds that no party in interest is opposing said motion and that said motion should be in all respects sustained; it is therefore

ORDERED that the motion for discharge of the Plaintiff, Western Surety Company, filed herein be and the same hereby is sustained and Plaintiff is discharged of and from any and all liability to each and all the Defendants herein under the bond executed by Plaintiff as surety, a copy of which is attached as Exhibit "A" to Plaintiff's Complaint filed herein and the Order of Injunction entered herein on April 25, 1949, be and the same hereby is made permanent;

IT IS FURTHER ORDERED that a reasonable fee for

Plaintiff's attorneys in this cause be and the same is hereby fixed at Two hundred (\$200.00) dollars and that such fee together with the court costs and expenses advanced by Plaintiff in the sum of ninety-one and 19/100 (\$91.19) Dollars be paid to Plaintiff's attorneys, Williams, Boesche & McDermott by the Clerk of this Court out of the Two Thousand (\$2,000.00) Dollars deposited by Plaintiff into the registry of this Court on April 25, 1949.

*Royce H. Savage*  
\_\_\_\_\_  
Judge

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

UNITED STATES OF AMERICA, )  
 Petitioner

-vs-

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

Respondents )

No. 2354-Civil

EILER

JUL 1 1949

NOBLE C. HOOD  
 Clerk U. S. District Court

JUDICIAL COMMISSIONERS' REPORT AS TO  
TRACT NO. A-4

Now on this 1st day of July, 1949, this cause comes on to be heard upon the motion of the petitioner to confirm the Commissioners' Report as to Tract No. A-4, herein involved, and the Court, having been fully advised in the premises, finds that more than sixty days have elapsed since the filing of said Commissioners' report and that all demands for jury trial have been dismissed as to said above designated tract, and that said Commissioners' report should be confirmed and approved in every respect as to said tract hereinabove designated.

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

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Commissioners' Report on, and the same is hereby, confirmed and approved by the Court as to said tract and in the following amount, all as hereinafter set out:

<u>Tract No. A-4</u>	
Commissioners' Report . . . . .	\$ 2,800.00
Deposited . . . . .	2,400.00
Deficiency . . . . .	\$ 400.00

IT IS ORDERED HEREBY, BY THE COURT, that said amount is paid in full to the petitioner, with interest, including interest and all charges of whatsoever nature as to said tract. The applicant on the declaration of Taking hereof entered is reaffirmed.

IT IS ORDERED HEREBY, BY THE COURT, that the petitioner herein, the United States of America deposit into the Registry of this Court the sum of Four hundred and 00/100 Dollars (\$400.00) to make up the deficiency as to the heretofore designated tract.

Harce H. Savage  
JUDGE

C.L.  
UNITED STATES OF AMERICA, Petitioner  
By Curtis P. Harris  
Special Attorney-Dept. of Justice

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

MID-CONTINENT PETROLEUM CORPORATION,  
a corporation,

Plaintiff,

vs.

FRANK RUSSELL,

Defendant.

No. 1975 Civil.

FILED

JUL 13 1949

NOBLE C. HOOD  
Clerk U. S. District Court

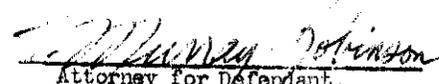
J U D G M E N T

Now, on this 1st day of July, 1949, pursuant to the Mandate of the United States Court of Appeals, Tenth Circuit, in the above entitled cause, and further proceedings in said cause in this Court pursuant to said Mandate, including Additional Supplemental Findings of Fact made and entered in said cause, it is ordered that judgment in said cause be, and is hereby, rendered in favor of the above named plaintiff and against the above named defendant for the sum of \$153,800.00, with interest at the rate of six per cent (6%) per annum from this date, until paid, and for all of the costs of the action, for all of which let execution issue.

  
Judge, United States District Court.

APPROVED AS TO FORM

  
Attorney for Plaintiff

  
Attorney for Defendant.



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

Civil Action No. 2358

FILED

ROSE S. HOOD, Housing Expediter  
Office of the Housing Expediter

Plaintiff

vs.

JAMES H. TICE  
3244 East 5th Street  
Tulsa, Oklahoma

Defendant

JUL 20 1949

NOBLE C. HOOD  
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

Now on this 30th day of June 1949 the above-styled and numbered cause of action came on regularly before the Court for trial. The Plaintiff being represented by his attorney, Sanford H. Palmer, and the Defendant being represented by his attorney, J. G. Follens.

Whereupon, after considering the evidence and argument of counsel, the Court finds that the Defendant, James H. Tice, has collected from William C. Wright rents in excess of the maximum legal rent in the amount of \$536.40, and the amount of \$150.00 has been refunded to the said tenant, William C. Wright, which leaves a balance of \$386.40 due to the tenant. Court being sufficiently advised concludes that the Defendant should make restitution to the tenant the balance of the overcharge, that an Injunction should be issued restraining further violations, and that the Court costs should be taxed against the Defendant.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Defendant, James H. Tice, is hereby directed to forthwith make restitution to the tenant, William C. Wright, the amount of \$386.40 by making payment through the office of the Plaintiff in Dallas, Texas, and that the Court costs in this action be taxed against the Defendant, for which let execution issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Defendant, his agents, servants, employees, and all persons acting in concert or participation with any of them are hereby 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 Tulsa Defense-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.

Joyce H. Savage  
United States District Judge

Approved:

Samford H. Palmer  
Attorney for Plaintiff  
OK as to form  
J. J. Tollens  
Attorney for Defendant

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

UNITED STATES OF AMERICA, )  
 )  
 ) Petitioner )  
 )  
 vs. )  
 )  
 190.90 acres of land, more or less, )  
 situate in Mayes County, Oklahoma, )  
 and Kim Dickerson, et al. )  
 ) Respondents )

No. 2429-Civil

FILED

JUL 21 1949

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER FIXING TITLE

Now on this 30th day of June, 1949, 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 fee simple title, subject, however, to existing easements for public roads and highways, for public utilities, for railroads and for pipe lines 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. 1484

North 20.00 acres and Southwest 10.00 acres of Lot 1, in Section 22, Township 17 North, Range 19 East of the Indian Base and Meridian, situate in Hayes County, Oklahoma, containing 30.00 acres, more or less.

Title is vested in the heirs of late of Sarah Ann, deceased.

Tract No. 1634

North Half of North Half of Southeast Quarter of Northeast Quarter ( $N\frac{1}{2} N\frac{1}{2} SE\frac{1}{4} NE\frac{1}{4}$ ), North Half of Northeast Quarter of Southwest Quarter of Northeast Quarter ( $N\frac{1}{2} NE\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$ ), Northeast Quarter of Northwest Quarter of Southwest Quarter of Northeast Quarter ( $NE\frac{1}{4} NW\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$ ), and North Half of Southeast Quarter of Northwest Quarter of Southwest Quarter of Northeast Quarter ( $N\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$ ), of Section 16, Township 19 North, Range 19 East of the Indian Base and Meridian, situate in Hayes County, Oklahoma, containing 10.75 acres, more or less.

Title is vested in the heirs of late of Lucinda Wynn, deceased.

Tract No. 1700

Northeast Quarter of Southwest Quarter ( $NE\frac{1}{4} SW\frac{1}{4}$ ) of Section 5, Township 19 North, Range 19 East of the Indian Base and Meridian, situate in Hayes County, Oklahoma, containing 40.00 acres, more or less.

Title is vested in Leonard W. Bailey, also all now deceased, Lemuel W. J. J. III and estate of said.

Tract No. 1716

Acres more or less of Section 5, Township 19 North, Range 19 East of the Indian Base and Meridian, situate in Hayes County, Oklahoma, containing 32.15 acres, more or less.

Title is vested in Charles Walker, Jackson Walker, Minnie Ann Walker, Mrs. W. Parkman, Albert Walker, Anna and Robert Walker.

Tract No. 1728

Lot 1, less the southwest 9.35 acres thereof, in Section 10, Township 19 North, Range 19 East of the Indian Base and Meridian, situate in Hayes County, Oklahoma, containing 30.00 acres, more or less.

Title is vested in the heirs of late of Sarah Ann, deceased.

Tract No. 1732

Northwest Quarter of Southeast Quarter ( $NW\frac{1}{4} SE\frac{1}{4}$ ) of Section 10, Township 19 North, Range 19 East of the Indian Base and Meridian, situate in Hayes County, Oklahoma, containing 40.00 acres, more or less.

Title is vested in the heirs of late of Sarah Ann, deceased.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the title to the above described real estate and estates therein taken by these proceedings was, at the time of taking by the petitioner herein vested in the persons hereinabove set out, and said persons are entitled to receive just compensation for the taking of said lands in these proceedings. Such right to receive the just compensation is subject to the paramount lien and payment of any and all taxes due, assessable and payable, of whatever nature.

*Raymond H. Savage*

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JUDGE

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

L CENA ALMA BATHS,

Plaintiff,

vs.

CROWN DRUG COMPANY,  
a corporation,

Defendant.

No. 2444-Civil

FILED

JUL 21 1949

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL

On this 21<sup>st</sup> day of July, 1949, came on for hearing

the motion of the plaintiff to dismiss with prejudice the above  
entitled cause, and it appearing to the court that a fair and  
reasonable settlement has been made of the cause, it is ordered  
that the case be, and is hereby, dismissed with prejudice to  
future action.

George H. [Signature]  
Judge of the United States  
District Court, Northern District  
of Oklahoma

APPROVED AS TO FORM

[Signature]  
Attorney for Plaintiff

APPROVED AS TO FORM

[Signature]  
Attorney for Defendant



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

Robert V. Williams,

Plaintiff,

-vs-

The Eagle Picher Mining and Smelting  
Company, a Foreign Corporation.

Defendant.

No. 2491-Civil

FILED

JUL 25 1949

NOBLE C. HOOD  
Clerk U. S. District Court

O R D E R

Now, on this 25<sup>th</sup> day of July, 1949, 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.

(s) Joyce H. Savage  
JUDGE

APPROVED:  
A. E. Beauchamp  
Attorney for Plaintiff

a. c. Wallace

John R. Wallace

Ben T. Cunn  
Attorneys for Defendant

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

UNITED STATES OF AMERICA  
Plaintiff

vs.

MRS. LILLIAN MARKHAM, a feme sole  
16 South Nogales Street  
Tulsa, Oklahoma

Defendant

JUDICIAL ENTRY OF JUDGMENT

Civil Action No. 2474

FILED

AUG 8 1949

NOBLE C. HOOD  
Clerk U. S. District Co

Now on this 30th day of June 1949 the above-styled and numbered cause of action came on regularly for trial before the Court. The Plaintiff was represented by his attorney, Sanford H. Palmer, and the Defendant was represented by her attorney, Gladys E. Friel.

Whereupon, after hearing the evidence and statement of counsel, the Court makes the following findings of Fact.

1. The Defendant, Lillian Markham, demanded and received from Robert E. and Inez M. Bailey as tenants the amount of \$65.00 per month for a period of five months beginning November 1, 1948, to April 1, 1949, for the rental unit described as the southside apartment downstairs located at 16 South Nogales Street, Tulsa, Oklahoma.

2. The southside downstairs apartment located at 16 South Nogales Street, Tulsa, Oklahoma, was rented to Charles T. and Jacqueline M. Bachels from May 1946 to on or about April 1, 1947, and said dwelling unit is not subject to decontrol.

3. The Defendant collected rent in excess of the maximum legal rent at the rate of \$15.00 per month for a period of five months, making a total overcharge of \$75.00.

4. The Defendant, Mrs. Lillian Markham, overcharged the tenants wilfully.

In accordance with the above Findings of Fact the Court concludes as a matter of law that the Defendant should make restitution to the tenants the amounts collected in excess of the maximum legal rent and that a broad injunction as prayed for in the Complaint should be issued restraining the Defendant from collecting rents in excess of the maximum legal rent, from unlawfully evicting tenants and from in

any other manner violating the Housing and Rent Act of 1947, as amended, and the Controlled Housing Rent Regulation, as amended, and that the Court costs of this action should be taxed against the Defendant. Further, the Court concludes that because of the smallness of the amount involved that treble damages should not be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Defendant, Mrs. Lillian Markham, is hereby directed to forthwith make restitution to the tenants Robert E. and Inez M. Bailey the amount of \$75.00 by payment through the office of the Plaintiff in Dallas, Texas, and that the Court costs of this action should be taxed against the Defendant.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Defendant, Mrs. Lillian Markham, her agents, servants, employees and all persons acting in concert or participation with any of them are hereby enjoined and restrained from directly or indirectly soliciting, demanding, accepting or receiving any rent on all controlled housing accommodations owned, operated or managed by said Defendant in excess of the maximum legal rent or from otherwise violating the Housing and Rent Act of 1947 as heretofore or hereafter amended or superseded and the regulations issued pursuant thereto, and evicting or attempting to evict any of the tenants in violation of said Act and Regulation.

14 Royce H. Savage  
United States District Judge

Approved:

[Signature]  
Attorney for Plaintiff

[Signature]  
Attorney for Defendant

U.S. District Court  
District of Columbia

U.S. - 11-11-49, a corporation, )  
Plaintiff, )  
v. ) 63-111  
U.S. - 11-11-49, a corporation, )  
a corporation, )  
U.S. - 11-11-49, a corporation, )  
U.S. - 11-11-49, a corporation, )  
Defendants. )

FILED

AUG 8 1949

NOBLE C. HOOD  
Clerk U. S. District Court

Final Judgment

This cause having been presented by the Court of Appeals of the Ninth Circuit on the ground of newly discovered evidence, came to be heard at the bar of this court held in Tulsa, Oklahoma; and, therefore, upon consideration thereof, it is hereby ordered, adjudged, and decreed:

1. That plaintiff, Polymorol-Inc., a corporation, is the owner of Patent No. 2,317,417, issued April 16, 1947.

2. That claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 are invalid in view of said newly discovered evidence, and do not constitute a patentable invention.

3. That the complaint of Plaintiff, Hollywood-  
Marshall, against the Defendant is not the same hereby  
is stated.

4. That the defendant's fees from the plaintiff  
for costs of the proceedings of this suit be paid by  
the plaintiff, and the defendant be relieved thereof  
and costs of the suit.

W. Bower Broadhead  
Judge

WITNESSES:

Approved: \_\_\_\_\_

Attorneys: \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_

Attorney for Plaintiff

Hollywood-Marshall Co.





IN THE UNITED STATES COURT OF APPEALS  
FOR THE TENTH JUDICIAL CIRCUIT  
SITTING AT DENVER, COLORADO

FILED  
AUG 5 1949  
NOBLE C. HOOD  
Clerk U. S. District Court

FIFTY-SIXTH DAY, MAY TERM, TUESDAY, AUGUST 2nd, A. D. 1949.

PRESENT: Honorable Orle L. Phillips, Chief Judge,  
Honorable Walter A. Huxman, Circuit Judge,  
Honorable Alfred P. Murray, Circuit Judge,  
And other officers as noted on the 6th  
day of June, A. D. 1949.

Before Honorable Crie L. Phillips, Chief Judge, and  
Honorable Walter A. Huxman and Honorable Alfred P.  
Murray, Circuit Judges.

J. R. Lawrence,

Apellant,

3952 vs.

Keokuk Steel Casting Company,  
a corporation,

Appellee.

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

This cause came on to be heard on the application of  
appellant to dismiss the appeal herein and was submitted to the  
court.

On consideration whereof, and pursuant to a written  
stipulation of counsel for the parties hereto herein filed, it  
is now here ordered by the court that the said application be  
and the same is hereby granted and that the appeal in this cause  
be and the same is hereby dismissed out of this court.

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:

/SEAL/

/s/ Robert B. Cartwright  
Clerk.

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

To the Honorable The Judges of the District  
/SEAL/ 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 Co., a corporation, et al., defendants, No. 1873, Civil, the judgment of the said district court in said cause, entered on March 4, 1949, was in the following words, viz:

\* \* \* \* \*

"It Is Ordered, Adjudged and Decreed that on Plaintiff's second cause of action that Plaintiff have and recover from the defendants, Barnes-Manley Wet Wash Laundry and L. H. Barnes, and each of them, the sum of One Hundred Sixteen Thousand Nine Hundred Fifty-eight Dollars (\$116,958.00), together with interest at the rate of six per cent (6%) per annum from the 7th day of March, 1947, until paid, and for costs of this action.

"It Is Further Ordered, Adjudged and Decreed that plaintiff's first and third causes of action be denied."

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Court of Appeals, Tenth Circuit, by virtue of an appeal by Barnes-Manley Wet Wash Laundry Company, a corporation, and L. H. Barnes, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the May Term, in the year of our Lord one thousand nine hundred and forty-nine, the said cause came on to be heard before the said United States 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 affirmed.

-- June 20, 1949.

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 out to be had, the said appeal notwithstanding.

WITNESS, the Honorable FRED M. VINSON, Chief Justice of the United States, the 3rd day of August, in the year of our Lord one thousand nine hundred and forty-nine.

/s/ Robert B. Cartwright  
Clerk of the United States Court of Appeals,  
Tenth Circuit

No. 3875

UNITED STATES COURT OF APPEALS  
Tenth Circuit  
May Term, 1949

Barnes-Manley Wet Wash Laundry Company,  
a corporation, et al.,  
Appellants,

vs.

The Automobile Insurance Company of Hartford,  
Connecticut, a corporation,  
Appellee.

M A N D A T E

ENDORSED: Filed August 5, 1949  
Noble C. Hood  
Clerk, U. S. District Court

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

WESTERN SURETY COMPANY,  
a corporation,

Plaintiff,

vs.

U. S. SUPPLY COMPANY, a  
corporation, et al,

Defendants.

No. 2479 - Civil

FILED

AUG 10 1949

NOBLE C. HOOD

FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND  
JUDGMENT

Findings of Fact

This action having been heard upon the pleadings,  
the evidence and certain stipulations of fact made by  
counsel in open Court, the Court finds:

1. That Plaintiff is a citizen and resident of  
South Dakota and Defendants are of diverse citizenship and  
residence as defined in Title 28, United States Code,  
Section 1332, other than South Dakota.

2. That the Court has jurisdiction under Title 28,  
United States Code, Section 1335 (Interpleader).

3. That each and all of the Defendants have been  
duly served with process and have filed their respective  
answers, except that

(a) The Defendants, Buck's Sporting Goods,  
Clark Electrical Supply Company, Newman's In-  
corporated, Tayloe Paper Company of Oklahoma,  
Grare Co. and Westinghouse Electric Corporation,  
have filed their respective disclaimers; and

(b) The Defendants, Electric Supply Com-  
pany, Federal Supply Co. and Oklahoma City

Hardware Company are in default.

4. That Silver Motor Freight Lines, Inc. is an Oklahoma corporation with its principal office and place of business in the City of Tulsa, Tulsa County, Oklahoma and is a common carrier engaged in the intra-state and interstate transportation of goods by motor vehicle; that on or about October 30, 1947, Plaintiff, as Surety, executed an Indemnity Bond guaranteeing remittances on all C.O.D. shipments made via Silver Motor Freight Lines, Inc. in the aggregate sum of \$2000.00; that said bond was cancelled effective March 18, 1949.

5. That the Defendants named in paragraph 3 hereof made C.O.D. shipments via Silver Motor Freight Lines, Inc. between October 30, 1947, and March 18, 1949, for which full remittance was not made by Silver Motor Freight Lines, Inc., as and when collected and, as a result thereof, said Defendants claimed from Plaintiff, as Surety on said bond, certain sums the aggregate of which exceeded Plaintiff's total liability under said bond.

6. That under date of April 25, 1949, Plaintiff filed this interpleader action and paid \$2000.00 into the registry of that Court, that being the full amount of Plaintiff's liability under said bond.

7. That under date of July 1, 1949, pursuant to Motion For Discharge, Plaintiff was discharged of and from any and all liability to each and all the Defendants herein and the Clerk of this Court was ordered to pay Plaintiff \$200.00 attorney fees and \$91.19 court costs and expenses advanced, or the total sum of \$291.19, out of the \$2000.00 paid by Plaintiff into the registry of this Court on April 25, 1949.

8. That the balance of the fund paid by Plaintiff into the registry of this Court on April 25, 1949, i.e. \$1708.81, constitutes approximately .5512% of the aggregate

claims of the Defendants who have filed answers herein claiming a pro rata share of said fund and, the following is a pro rata division of said \$1708.81 among such answering Defendants:

<u>Defendant</u>	<u>Claim</u>	<u>Pro Rata Share of \$1708.81</u>
U. S. Supply Company	\$732.56	\$ 404.10
Southwest Machinery Co.	150.57	83.09
Southwest Tile and Terrazo Co	337.18	185.96
Loeffler Green Supply Company	501.37	276.54
John Zink Burner Co.	374.49	206.53
Buda Engine Sales and Ser- vice, Inc.	63.80	35.19
F. E. Georgia Supply Co.	257.90	142.24
Metal Goods Corporation	94.74	52.27
O.K. Transfer and Storage Company	47.55	26.23
Moorman Manufacturing Company	29.40	16.22
Tom P. McDermott, Inc.,	108.00	59.57
Rockwell Manufacturing Company	400.44	220.87

9. That there is no issue of fact or controversy as to the respective claims of the Defendants named in paragraph 8 hereof.

#### Conclusions of Law

The Court concludes, as a matter of law:

1. That the Defendants named in paragraph 8 of the foregoing Findings of Fact are entitled, pro rata, as therein set out, to the \$1708.81 balance of the fund paid by Plaintiff into the registry of this Court on April 25, 1949.

2. That the Defendants named in paragraph 3 of the foregoing Findings of Fact who have disclaimed or are in default are not entitled to any part of said fund.

#### Judgment

This action having come on for trial before the Court on the 5th day of August, 1949, and the Court having made the foregoing Findings of Fact and Conclusions of Law and pursuant thereto,

IT IS ORDERED that the Defendants named in paragraph 8 of the foregoing Findings of Fact have and recover, pro rata as therein set out, the \$1708.81 balance of the fund paid by Plaintiff into the registry of this Court on April 25, 1949, and that the Clerk of this Court distribute said funds to said Defendants.

124 Robert Savoy  
Judge

IN SENATE CHAMBERS COURT OF DISTRICT CLERK FOR THE DISTRICT OF  
OREGON

Elizabeth Arden, Inc. Corporation, )  
a corporation, )  
Plaintiff, )  
vs. )  
The Vandever Dry Goods Company, )  
Defendant. )

No. 224r Civil

FILED

AUG 16 1949

NOBLE S. MOORE  
Clerk U. S. District Court

D E F E N S E

Comes now the plaintiff above named and respectfully asks the court to dismiss the above styled and numbered action without prejudice.

W. E. Nelson  
W. E. Nelson  
W. E. Nelson  
Attorneys for Plaintiff

The above styled and numbered case is dismissed without prejudice,  
at the cost of plaintiff.

Dated this 16 day of August, 1949.

Tracy S. Savage  
U. S. District Judge

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

UNITED STATES OF AMERICA,  
Petitioner

vs.

469.33 acres of land, more or  
less, situate in Mayes County,  
Oklahoma, and T. C. Bowling,  
et al,

Respondents

No. 2532-Civil

FILED

AUG 17 1949

NOBLE C. HOOD  
Clerk 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 fee simple title, 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 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 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 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 were filed at the request of Gordon Gray, 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;

(4) 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;

(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 Twenty-Two Thousand Eight Hundred Ten and 00/100 Dollars (\$22,810.00), 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;

(6) 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 Gordon Gray, 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, 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); August 1, 1888 (25 Stat. 357), March 1, 1917 (39 Stat. 948 - 33 U. S. C. 701), June 28, 1938 (52 Stat. 1215), August 18, 1941 (33 U. S. C. A. 701b at seq), and June 25, 1948 (Public Law 782-80th 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, THEREFORE, CONSIDERED BY THE COURT, AND IT IS THE ORDER, JUDGMENT AND DECREE OF THE COURT that the fee simple title in and to the lands hereinafter described, 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 Twenty-two Thousand Eight Hundred Ten and 00/100 Dollars (\$22,810.00), 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 469.33 acres, more or less, and are described as follows:

Tract No. 1498-Rev.

Part of E/2 described as: Beginning at a point 465' South of the NE corner of Sec. 23; thence Northwesterly on a straight line to a point, said point being 1320' West and 165' South of the NE corner of said Section; thence South 1155'; thence West 1320'; thence South 660'; thence East 825'; thence Southeasterly on a straight line to a point 495' West and 660' South of the NE corner of SE/4; thence East 495'; thence North 1815', more or less, to P.O.B., all in Section 23; and  
NW/4 NW/4 SW/4, SW/4 SW/4 NW/4, S/2 NW/4 SW/4 NW/4, S/2 N/2 NW/4 SW/4 NW/4, and NE/4 NE/4 NW/4 of Section 24,  
all in Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 127.50 acres, more or less.

Tract No. 1607

W/2 SW/4 SW/4 NE/4, NE/4 SW/4 SW/4 NE/4, NW/4 SE/4 SW/4 NE/4, N/2 NE/4 SE/4 SW/4 NE/4, SE/4 NE/4 SW/4 NE/4 of Section 17, Township 19 North, Range 20 East of the I.M., situate in Mayes County, Oklahoma, and containing 13.75 acres, more or less.

Tract No. 1626

All that part of Lot 1 less 10 acres in the NW corner thereof described as being 660' square; that part of Lot 3 and NE/4 NW/4 lying West of K.C.&G. RR r/w; Lot 4 less K.C.&G. RR R/W, all in Section 14, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 31.45 acres, more or less.

Tract No. 1636

Lot 3 of Section 10, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing .26 acres, more or less.

Tract No. 1684

SE 10.00 acres of Lot 2, all in Section 6, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 10.00 acres, more or less..

Tract No. 1693

N/2 NW/4 SW/4 and SE/4 NW/4 SW/4 of Section 5, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 30.00 acres, more or less.

Tract No. 1701-A

Part of Lot 8 described as; Beginning at the NW corner thereof; thence East 660'; thence South 660'; thence Northwesterly to P.O.B. all in Section 5; and

Part of Lot 3 described as: Beginning at a point 990' East of the NW corner thereof; thence East to NE corner of Lot 3; thence Southerly 660'; thence Northwesterly to P.O.B. and Part of SW/4 NE/4 described as: Beginning at a point 495' North of the SE corner thereof; thence North 330'; thence West 330'; thence South 330'; thence East 330' to P.O.B., all in Section 8, all in Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 9.96 acres, more or less.

Tract No. 1715

West 2.65 acres of Lot 6 described as: Beginning at a point 660' West of the NE corner thereof; thence West 650', more or less, to Grand River; thence Southeasterly along said river to a point; thence North 420', more or less, to P.O.B., all in Section 9, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 2.65 acres, more or less.

Tract No. 1762

W/2 SW 10.00 acres of Lot 4, all in Section 3, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 5.00 acres, more or less.

Tract No. 1763

Part of Lot 4 described as: Beginning at a point 660' North of the SW corner of Lot 4; thence East 660'; thence North 753.96', more or less; thence West 460'; thence Southwesterly 282.8', more or less; thence South 553.72', more or less, to P.O.B., all in Section 3, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 10.92 acres, more or less.

Tract No. 1763-A

Part of Lot 4 described as: Beginning at the NW corner thereof; thence East 200'; thence Southwesterly 282.8', more or less; thence North 200' to P.O.B., all in Section 3, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing .50 acres, more or less..

Tract No. 1794-A

Part of Lot 1 described as: Beginning at the SW corner thereof; thence East 990'; thence North 330'; thence East 330'; thence North 330'; thence West 1320'; thence South 660' to P.O.B., all in Section 33, Township 20 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 17.50 acres, more or less.

Tract No. 1796-A

East 1.00 acres of South 2.00 acres of the NW/4 NE/4 SW/4, and part of Lot 4 described as: Beginning at a point 247.5' North, more or less, of the SW corner of Lot 4; thence Northeasterly to a point 742.5' North, more or less; and 412.5' West, more or less; of the SE corner of Lot 4; thence South 330.0' more or less; thence East 165.0', more or less; thence Northeasterly to a point 792.0' North, more or less; of the SE corner of Lot 4; thence North 108.0' more or less; thence Southwesterly to a point 400.00' North, more or less, of SW corner of Lot 4; thence South to P.O.B., all in Section 34, Township 20 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 5.10 acres, more or less.

Tract No. 1797

Lot 4 of Section 33, and A part of SW/4 SW/4 described as: Beginning at a point 330.0 feet South, more or less, of the NW corner of SW/4 SW/4; thence East 825.0' feet, more or less; thence South 330.0 feet, more or less; thence West 165.0 feet, more or less; thence South 165.0 feet, more or less, thence Southwesterly to a point 412.5 feet East, more or less, of the SW corner of SW/4 SW/4; thence West 412.5 feet, more or less, thence North to P.O.B., in Section 34, all in Township 20 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 43.24 acres, more or less.

Tract No. 1798

E/2 NE/4 SW/4 NE/4 SW/4 of Section 34, Township 20 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 1.25 acres, more or less.

Tract No. 1804-A

A strip of land described as: Being 16.5 feet wide lying along the East and South sides of the SW/4 NW/4 NE/4 of Section 34, Township 20 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 0.25 acres, more or less.

Tract No. 1811

NE/4 SW/4, SE/4 SW/4 SW/4, N/2 NE/4 SW/4 SW/4, W/2 SE/4, W/2 W/2  
E/2 SE/4, E/2 SW/4 NE/4 SE/4 of Section 23, Township 20 North,  
Range 18 East of the T.M., situate in Mayes County, Oklahoma, and  
containing 160.00 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 17<sup>th</sup> day of August, 1949.

(s) Royce H. Savage  
JUDGE



IT IS FURTHER ORDERED, ADJUDGED AND DECIDED 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. The Judgment on the Declaration of Taking heretofore entered is reaffirmed.

IT IS FURTHER ORDERED, ADJUDGED AND DECIDED that the petitioner herein the United States of America deposit into the Registry of this Court the sum of Two Hundred and No/100 Dollars (\$200.00) to make up the deficiency as to the heretofore designated tract.

Foyce H. Swage  
JUDGE

C.M.  
UNITED STATES OF AMERICA, Petitioner  
By Curtis P. Davis  
Special Attorney-Dept. of Justice

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

DEPOSIT GUARANTEE BANK &  
TRUST COMPANY, a State  
Banking Corporation,  
Plaintiff,  
vs  
JAMES A. MURPHY and  
MAXINE B. MURPHY,  
Defendants.

No. 2420 Civil

FILED

AUG 19 1949

ORDER APPROVING MARSHAL'S SALE

NOBLE C. HOOD  
Clerk U. S. District Court

NOW on this 19<sup>th</sup> day of August, 1949, comes Milner Export & Trading Company, a corporation, assignee of the plaintiff herein by its attorneys, Conner, Winters, Lee & Randolph and Joe M. Holliman, and moves the court to confirm the sale of real estate made by the United States Marshal for the Northern District of Oklahoma on the 6th day of July, 1949, to Milner Export & Trading Company, a corporation, under a writ of execution issued out of the office of the clerk of this Court dated the 17th day of May, 1949, of the interest of Maxine B. Murphy in and to the following property:

The South Half (S $\frac{1}{2}$ ) of the North Half (N $\frac{1}{2}$ ) of the South-West Quarter (SW $\frac{1}{4}$ ) of Section 4, Township 19 North, Range 14 East, Tulsa County, Oklahoma,

said interest being an undivided one-half interest subject to the proportionate part of a mortgage in favor of Mary Jane and E. L. Daugherty in the original principal sum of Twenty-four thousand five hundred and 00/100 dollars (\$24,500.00) and covering two hundred acres of land.

And the court, having carefully examined the proceedings of said Marshal under the writ of execution is satisfied that the same have been performed in all respects in conformity to law, that due and legal notice of said sale was given by publication for over thirty (30) days in the Tulsa Daily Legal News, a newspaper printed in Tulsa County, State of Oklahoma, as shown by proof of

said publication on file herein, and that on the day fixed therein, to-wit, the 6th day of July, 1942, said property was sold to Milner Export & Trading Company, a corporation, assignee of the plaintiff herein, it being the highest and best bidder therefor; and the clerk is accordingly directed to make an entry on the journal of this court that the court is satisfied of the legality of said sale; and no exceptions being filed, nor objections made,

IT IS ORDERED AND ADJUDGED BY THE COURT that said sale and the proceedings on, and the same are hereby approved and confirmed; and it is further ordered that Virgil B. Stanley, United States Marshal for the Northern District of Oklahoma make and execute to the said purchaser at said sale, Milner Export & Trading Company, a corporation, a good and sufficient deed for the premises so sold.

/s/ Royce H. Savage  
Judge

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

UNITED STATES OF AMERICA,

Petitioners,

-VS-

190.90 Acres of Land, more or less, situate  
in Mayes County, Oklahoma, and  
KIM KICKERSON, et al.,

Respondents.

No. 2429 - Civil

*Tract No. 1716* FILED

AUG 19 1949

NOBLE C. HOOD  
Clerk U. S. District Court

O R D E R

Now, on this 19<sup>th</sup> day of August 1949, this matter coming on to be heard before me, the United States District Judge for the Northern District of Oklahoma, upon the Motion of the respondents, Cottrel Parker, Jackson Parker, Lizzie Ann Markham, and Elnora Parker Green, for an order directing the Clerk of this Court to pay to respondents the sum of Twenty and 75/100 (\$20.75) dollars, representing the excess amount of money set aside for the payment of ad valorem taxes in the above styled cause, and the court being fully advised in the premises finds that such an order should be made and entered.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Clerk of this Court be and he is hereby directed to pay to the respondents, Cottrel Parker, Jackson Parker, Lizzie Ann Markham, and Elnora Parker Green the sum of \$20.75.

*[Signature]*  
UNITED STATES DISTRICT JUDGE.

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

J. M. CARPENTARI,

Plaintiff,

vs.

RICHARD COLGIN COMPANY,  
INC.,

Defendant.

NO. 2273-Civil

FILED

AUG 22 1949

NOBLE C. HOOD  
Clerk U. S. District Court

J U D G M E N T

Upon consideration of the motion of the Plaintiff to set aside the previous order of the court dismissing Plaintiff's Second and Third Causes of Action, it is ordered that the said motion of Plaintiff be and the same is hereby overruled.

Upon consideration of the motion of the Defendant for summary judgment upon the First and Fourth Causes of Action of the Plaintiff, it is ordered that said motion be and the same is hereby sustained, and that the Defendant Richard Colgin Company, Inc. have judgment upon the issues joined thereon and for its costs.

Dated at Tulsa, Oklahoma, this 19th day of August, 1949.

(9) Rayce H. Savage  
United States District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,  
Plaintiff,  
vs.  
Susie Wortman,  
Defendant.

Number 2500 Civil. ✓

FILED  
In Open Court

AUG 23 1949

NOBLE C. HOOD  
Clerk U. S. District Court

JUDGMENT

NOW, on this 23d day of August, 1949, the above entitled action coming on for trial pursuant to regular assignment and the plaintiff appearing by Whit Y. Menzy, United States Attorney, and Hobart Brown, Assistant U. S. Attorney, for the Northern District of Oklahoma, and the defendant appearing not, and the Court having heard the evidence offered on behalf of the plaintiff finds:

That the allegations in the complaint are true and should be taken as true.

The Court further finds that the defendant is indebted to the plaintiff in the sum of \$269.55, with interest thereon at the rate of 6% per annum from December 7, 1948, as the result of the execution of a promissory note to the A & A Plumbing Company under the provisions of the Veterans Housing Act, and that said note was thereafter acquired by the plaintiff.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the plaintiff, United States of America, have judgment against the defendant Susie Wortman for the sum of \$269.55, with interest thereon at the rate of 6% per annum from December 7, 1948, and for its costs.

(2) Royce H. Savage  
 DISTRICT JUDGE

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

D. L. Brown,

Plaintiff,

vs.

No. 2523-Civil

Hellie B. Mining Company, a  
Corporation,

Defendant.

FILED

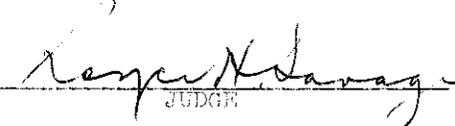
AUG 23 1949

NOBLE C. HOOD  
Clerk U. S. District Court

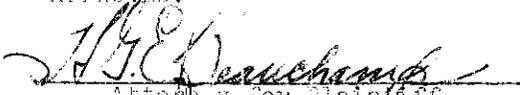
O R D E R

NOW, on this 23 day of August, 1949, 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.

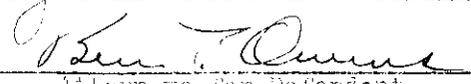
  
JUDGE

APPROVED:

  
Attorney for Plaintiff

  
\_\_\_\_\_

  
\_\_\_\_\_

  
Attorneys for Defendant

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

M. A. POULTER, et al.,

Plaintiffs,

-vs-

D. I. DU PONT DE NEMOURS & COMPANY, Inc.,

Defendant.

NO. 1846-Civil

FILED

AUG 26 1949

NOBLE C. HOOD  
Clerk U. S. District Court

DECREE OF THE COURT

This cause coming on for hearing before me, Royce H. Savage, Judge of the said court, on motion of the defendant, for summary judgment, on this the 25th day of August, 1949, and the plaintiffs and intervenors appearing by their attorneys, J. G. Follans and Ben E. Wurdock, and the defendant appearing by its attorneys, Peter E. Collins and Spillers and Spillers by G. C. Spillers, and no response having been filed by the plaintiffs and intervenors to the motion for summary judgment, and the court having heard the statements of counsel for the respective parties and having considered the motion for summary judgment, together with the affidavits and all exhibits thereto attached, and being fully advised in the premises, finds:

- (1) That no genuine issue of fact is raised or made by the allegations contained in the first alleged cause of action as set forth in the amended complaint of plaintiffs and intervenors.
- (2) That plaintiffs and intervenors have been fully paid and satisfied for all work, labor and services rendered by them or any of them for the defendant at what is known as the Oklahoma Ordinance Works near Pryor, Oklahoma.
- (3) The court further finds that no compensable claim for compensation remains due or unpaid by the defendant to the plaintiffs and intervenors, or any of them, for work, labor and services rendered at Oklahoma Ordinance Works.

(4) The court further finds that the allegations in the amended complaint, with reference to alleged time worked by the plaintiffs and intervenors, are erroneous and untrue, and the books and records of the defendant showing work done by plaintiffs and intervenors for defendant and amounts paid for such work, labor and services are true and correct, and there is no balance due plaintiffs and intervenors by the defendant.

(5) The court further finds that this action should be dismissed with prejudice and judgment rendered in favor of the defendant and against plaintiffs and intervenors for costs.

It is therefore considered ordered, adjudged and decreed by the court that the amended complaint together with all petitions of intervention be and they are hereby denied and dismissed with prejudice.

It is further ordered, adjudged and decreed by the court that judgment be and it is hereby rendered in favor of the defendant and against the plaintiffs and intervenors for all costs accrued and accruing for the collection of which let execution issue returnable according to law.

Dated this the 25th day of August, 1949.

Rayce V. Savage  
Judge

APPROVED AS TO FORM:

J. C. COLLINS AND B. N. A. MURDOCK  
Attorneys for Plaintiffs and Intervenors

By: B. N. A. Murdock

APPROVED:

PETER A. COLLINS AND SPILLERS & SPILLERS  
Attorneys for Defendant

By: Peter A. Collins

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

\* \* \* \* \*

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 -vs- )  
 )  
 HEN SCHONWALD, )  
 )  
 Defendant. )

No. 2515 - Civil

FILED

AUG 29 1949

NOBLE C. HOOD  
Clerk U. S. District Court

J U D G M E N T

Now on this 29 day of August, 1949, pursuant to the stipulations of the parties previously filed herein, and the findings of fact and conclusions of law by the Court previously made.

IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff, United States of America have judgment herein as against the defendant and the defendant, hen Schonwald, is ordered and directed to pay to the Treasurer of the United States for and on behalf of the following named tenants restitution of overcharges in the following amounts:

<u>Tenants</u>	<u>Amounts</u>
W. D. Martin	\$ 59.25
C. A. Russell	5.50
H. L. Kent	11.00
Fred Beatty	177.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Plaintiff, United States of America, have judgment herein as against the defendant for his costs. That upon payment of this judgment and costs defendant be discharged herefrom.

121 Royce H. Savage  
United States District Judge.

APPROVED:

W. Sanford H. Palmer

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Attorneys for Plaintiff, United  
States of America

Irvin F. Ungerman

C. A. Whitehead

Attorneys for Defendant, Ben  
Schonwald.

UNITED STATES OF AMERICA, ss:

SEP 1 1948

THE PRESIDENT OF THE UNITED STATES OF AMERICA

NOBLE C. HOOD  
Clerk U. S. District Court

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 Bernard B. Burkhard et al., plaintiffs, and Adeline Dix, alias Adeline Dix Burkhard, alias Adeline Nowak, alias Mrs. Stanley J. Burkhard Nowak, et al., defendants, No. 2130, Civil, the judgment of the said District court in the said cause entered on August 26, 1948, was in the following words, viz.:

"It is therefore considered, adjudged and decreed that the plaintiff Bernard B. Burkhard, and the intervenors, Yvonne Tanner, C. 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 thereon

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, C. 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 V. Burkhard, and the intervenors, C. 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 per-  
petually 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  
interveners, 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 en-  
joyment 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."

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

AND WHEREAS, at the May Term, in the year of our Lord one  
thousand nine hundred and forty-nine, the said cause came on to  
be heard before the said United States 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 affirmed.

-- July 5, 1949.

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 30th day of August, in the year of our Lord  
one thousand nine hundred and forty-nine.

/s/ Robert E. Cartwright  
Clerk of the United States Court  
of Appeals, Tenth Circuit

No. 3799

UNITED STATES COURT OF APPEALS  
Tenth Circuit

MAY TERM, 1949

Bernard B. Burkhard,

Appellant,

vs.

Adeline Dix Burkhard et al.,

Appellees.

M A N D A T E

UNITED STATES DISTRICT COURT OF THE DISTRICT OF OKLAHOMA

JERRY CALK, Plaintiff, by and through his father and next friend, RYAN CALK,

Plaintiff,

No. 9502 Civil

vs.

WESTERN AUTO SUPPLY COMPANY, a corporation,

Defendant.

FILED

SEP 6 1949

NOBLE C. HOOD  
Clerk U. S. District Court

C E R T I F I C A T E

Now on this 31st. day of August, 1949, came on before the Court the pre-trial conference; plaintiff appearing by attorney, Hugh Baker, and the defendants appearing by attorney, E. W. Tabor, the issues being discussed with the law applicable following which the defendant, Herbert Needham, moved the court to dismiss the case as to him on the ground that the facts were insufficient to sustain a cause of action.

After the premises considered, the court being fully advised in the premises orders and decrees that this action as to the defendant, Herbert Needham, is dismissed, to which ruling of the court the attorney for the plaintiff took exception.

Approved:

Hugh Baker  
Attorney for Plaintiff

E. W. Tabor  
Attorney for Defendants

Noble C. Hood  
Judge of the District Court of the United States for the Northern District of Oklahoma



45

FILED

SEP 6 1949

NOBLE C. HOOD  
Clerk U. S. District Court

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Additional services are identified as follows:  
 1 - Items; 2 - Laundry of items; 3 - sold services.

Name	No. of Rooms	No. of Occupants	Date Overcharge to Room	Date Overcharge Added	Amount of Rent Collected Per Month	Services Received		Base Rate	Additional Services	Total Rate Per Month	Over-charges per Month	Number of Over-charges	Total Overcharges
						Laundry	Service						
South Haller	3	1	7-1-46	6-1-46	\$45.00	No	No	\$37.50		\$37.50	\$7.50	11	\$82.50
Miss Foster	3	3	7-1-46	6-1-46	33.33	Yes	Yes	1.72	1.72	35.05	\$7.50	15	\$52.55
Miss Foster	1	3	7-1-46	6-1-46	1.43	Yes	Yes	1.15	1.15	2.58	\$7.50	1	\$10.08
Robert E. Brewer Oliver Fritchell John McFarland	3	3	6-5-46	6-1-46	75.00	Yes	No	37.50	2 2.50 2 2.50 Y 2.50	45.00	30.00	9	\$75.00
Reconrolled to April 1, 1946 Joseph J. Foster	1	1	4-1-46	6-1-46	40.00	Yes	Yes	31.65	2.50	34.15	5.87	2	40.02
Louise Lawrence	3	2	7-1-46	6-1-46	45.00	No	No	37.50		37.50	7.50	11	\$45.00
Doris K. Hubbard	3	1	7-1-47	6-1-46	47.50	Yes	Yes	37.50	2 2.50 Y 2.50	45.00	2.50	5	\$47.50
Velma Fink	3	2	7-1-46	6-1-46	50.00	Yes	No	40.00	2 2.50 Y 2.50	45.00	5.00	11	\$50.00
Walt Snyder	3	2	7-1-46	6-1-46	43.13	Yes	Yes	33.13		45.13	2.00	2	\$47.13
Alice Young	2	2	7-1-46	6-1-46	42.50	No	No	37.50		37.50	5.00	11	\$42.50
Reconrolled to 4-1-46 A. G. Jacobson	3	1	7-1-46	6-1-46	75.00	Yes	Yes	46.00	1 2.50 Y 2.50	53.50	21.50	2	\$75.00
Clarence H. May	3	1	7-1-46	7-1-46	50.00	Yes	Yes	37.50	1 7.50 Y	45.00	5.00	11	\$50.00
Reconrolled to 4-1-46 William G. Geary	3	2	4-1-46	6-1-46	62.50	Yes	Yes	51.75		51.75	10.75	2	\$62.50
Reconrolled to 4-1-46 Belmar Robertson	3	2	7-1-46	6-1-46	75.00	Yes	Yes	51.75		51.75	23.25	2	\$75.00





UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

James M. Crow and Lella Crow,

Defendants.

Number 2482 Civil.

FILED

SEP 16 1949

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL

NOW, on this 14th day of September, 1949, the plaintiff appearing by Whit Y. Mausy, United States Attorney, and John W. McCune, Assistant U. S. Attorney, for the Northern District of Oklahoma, and it being represented and shown to the Court that the cause of action herein has heretofore been compromised by the payment of \$100.00 by the defendant, which sum has been accepted by the Attorney General of the United States as a compromise of said cause of action,

IT IS, THEREFORE, ORDERED BY THE COURT that said cause of action be dismissed with prejudice to future action upon payment of court costs in the sum of \$20.00.

*Raymond Hoover*  
DISTRICT JUDGE.



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Number 2499 Civil.
	)	
Albert E. Armour,	)	
	)	
Defendant.	)	

FILED

SEP 14 1949

ORDER OF DISMISSAL

NOBLE C. HOOP  
Clerk U. S. District Court

NOW, on this 12th day of September, 1949, the plaintiff appearing by Whit Y. Mauzy, United States Attorney, and John W. McCune, Assistant U. S. Attorney, for the Northern District of Oklahoma, and it being represented and shown to the Court that cause of action herein has been heretofore compromised by the payment of Two Hundred Dollars (\$200.00) by the defendant, which sum has been accepted by the Attorney General of the United States as compromise in said cause of action,

IT IS, THEREFORE, ORDERED BY THE COURT that said cause of action be dismissed with prejudice to future action and the costs in the sum of \$29.80 be taxed against the defendant.

*R*

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DISTRICT JUDGE.



UNITED STATES DISTRICT COURT OF THE DISTRICT OF ST. LOUIS, MISSOURI

WESTERN PIPE & SUPPLY COMPANY

WESTERN PIPE & SUPPLY COMPANY, )  
a Co-partnership, consisting of )  
FRANK H. WATNEY and CHARLES CLAYTON, )  
Partners, )

Plaintiff, )

-vs-

ST. LOUIS AND SAN FRANCISCO )  
RAILWAY COMPANY, A Corporation, )  
ATKINS, HARRIS AND SANTA FE )  
RAILWAY COMPANY, A Corporation and )  
THE MISSOURI PACIFIC RAILROAD )  
COMPANY, A Corporation, )

Defendants. )

No. 2364 - Civil

FILED

SEP 15 1949

NOBLE C. HOOD  
Clerk U. S. District Court

J U N 1 5 1 9 4 9

Now on this 15<sup>th</sup> day of September, 1949, trial of this case having regularly been had on June 2, 1949, jury waived, the Court having heard the evidence adduced, and having considered arguments and briefs of counsel, makes its Findings of Fact and Conclusions of Law determining the issues in favor of the plaintiff and as against the defendants herein.

IT IS, therefore, ORDERED, ADJUDGED and DECREED that plaintiff, Western Pipe & Supply Company, a Co-partnership, have judgment herein as against the defendants, The St. Louis and San Francisco Railway Company, The Missouri, Topeka and Santa Fe Railway Company and The Northern and Southern Railway Company, jointly and severally, and recovery of the said defendant the sum of \$1,199.74 as overcharges and damages and the further sum of 100.<sup>00</sup> as and for its attorneys fee, together with the costs of this action.

IT IS, further, ORDERED, ADJUDGED and DECREED that the judgment for attorneys fee be taxed as costs and that this entire judgment shall bear interest at the rate of six per cent

per annum from the date hereof until paid. For all of which  
let exec. for issue.

Rayce H. Savage  
United States District Judge.

WITNESSES:

Wm. E. Rogers

C. D. Whitcomb  
Attorneys for Plaintiff.

Rainey Flynn & Green

Talbot Reddison

Attorneys for Defendants.



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

\* \* \* \* \*

LESCO, INC., a Corporation,	)	
Plaintiff,	)	
-vs-	)	No. 2369
	)	
PENN-MOORE SUPPLY COMPANY, a	)	FILED
co-partnership consisting of	)	
JOHN PENN and FRANK MOORE,	)	SEP 16 1949
Defendant.	)	
		NOBLE C. HOOD
		Clerk U. S. District Court
		<u>J U D G M E N T</u>

On the 23rd day of August, 1948, on motion of plaintiff, this cause came on regularly to be heard and was noticed "for disposition" on the regular motion docket of this Court. Pursuant thereto, plaintiff appeared by its attorney, Irvine E. Ungerman, and the defendant, Penn-Moore Supply Company, a co-partnership, consisting of John Penn and Frank Moore, did not appear, but made default, as did the said John Penn and Frank Moore, the members of said partnership.

Thereupon the Court examined the record in this cause and having found that the defendant herein was duly served with summons and that John Penn and Frank Moore were each personally served with summons on October 4, 1948, and that defendant has wholly failed to plead or otherwise defend this action, and is in default. The Court, therefore, ordered that the defendant be adjudged to be in default, and that the allegations of plaintiff's petition be taken as true and confessed as against it.

Thereupon the Court examined the petition herein, and found that this is an action on a verified account, for goods and merchandise sold and delivered to defendant, and that a full and complete itemization of said account, properly verified under oath, is attached to said petition; examined counsel for plaintiff in open court; and being then fully advised in the premises

found the issues in favor of the plaintiff, and as against the defendant, and found that judgment as prayed for in the petition should be granted. Thereafter, proper affidavit in compliance with the Soldier's and Sailor's Civil Relief Act, as amended, was filed and showing had to the Court that John Penn and Frank Moore are not in the Military Service of the United States.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff, Lesco, Inc., have and recover of and from the defendant, Penn-Moore Supply Company, a co-partnership, consisting of John Penn and Frank Moore, both of whom were personally served with summons, the sum of \$2,379.82, together with all the costs of this action; for all of which let execution issue against said partnership, Penn-Moore Supply Company, and the joint property of the partnership be subjected to the payment of the said amount, and if the partnership property be insufficient to satisfy this judgment, then let execution issue against the individuals composing the partnership.

IT IS FURTHER ORDERED that this judgment bear interest at the rate of six per cent per annum from this date until fully paid.

This judgment made and entered at Tulsa, Oklahoma on this 15 day of September, 1949.

*Royce H. Savage*  
United States District Judge.

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

FILED

SEP 16 1949

UNITED STATES OF AMERICA,

Petitioner

vs.

796.79 acres of land, more or less,  
situate in Mayes County, Oklahoma,  
and Ellen Abernathy, et al,

Respondents

NOBLE C. HOOD  
Clerk U. S. District Court

No. 2497-Civil

FINAL JUDICIAL TITLE

16 <sup>TA</sup>  
Now on this ~~9th~~ day of September, 1949, 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 full fee simple title in and to  
the lands involved in this proceeding, subject, however, to existing  
easements for public roads and highways, public utilities, railroads and  
pipe lines, was, at the time of taking by the petitioner, vested as follows,  
to-wit:

Tract No. 1444

South 15.41 acres of Lot 7 of Section 26; and E/2 NE/4, NE/4 NW/4 NE/4, W/2 NE/4 SE/4, E/2 E/2 NW/4 SE/4 of Section 34; and Lots 3 and 4 and W/2 SW/4 NW/4, and East 10.85 acres of Lot 5 of Section 35, all in Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 213.16 acres, more or less.

**Title vested in Grover Marion Boothe, an incompetent, Margaret Boothe, Evelyn Boothe, F. M. Boothe, Jr., Francis L. McKinley, Harnon Boothe, Virginia Pearl Boothe and Mason H. Boothe, Guardian of Grover Marion Boothe, an incompetent**

Tract No. 1469

Part of Lot 7 described as: Beginning at a point 1002.9' more or less North and 600' East of the SW corner of said Lot 7; thence North 114.3'; thence East 200'; thence South 114.3'; thence West 200' to P.O.B., all in Section 26, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 0.52 acres, more or less.

**Title vested in Eula M. Cox**

Tract No. 1472

Part of Lots 2 and 6, described as: Beginning at a point 600' East and 140.1' North of the SW corner of said Lot 6; thence in a northwesterly direction to a point on the west line of Lot 2, said point being 825' more or less north of the SW corner of Lot 2, thence north to Grand River, thence southeasterly along west bank of Grand River to a point due East of P.O.B., thence west 200' more or less to P.O.B., all in Section 26, Township 19 North, Range 19 East of the I.M.; situate in Mayes County, Oklahoma, and containing 11.27 acres, more or less.

**Title vested in Lester T. Grant, Ollie Louise Grant, Tom M. Masengale, E. Catherine Masengale, Eula M. Cox, C. W. Krebs, Floyd W. Campbell, Nina A. Campbell, W. M. Phillips, Loma M. Phillips, William Butler and Emily J. Butler and Maxine Krebs**

Tract No. 1478

E/2 SE/4 NE/4, NW/4 SE/4 NE/4 of Section 21, and SW/4 NW/4 of Section 22, all in Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 70.00 acres, more or less.

**Title vested in Ellsworth L. Dennison, Mrs. E. L. Dennison, Mrs. Nell Dorsey, for herself and as guardian of John N. Dorsey and Frances Jean Dorsey, minors, John N. Dorsey, a minor and Frances Jean Dorsey, a minor**

Tract No. 1483

Lot 6 of Section 14; and SE/4 SE/4, E/2 SW/4 SE/4, SW/4 SW/4 SE/4 of Section 15; and E/2 NW/4 NE/4, and NW/4 NW/4 NE/4 of Section 22, all in Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 114.50 acres, more or less. **Title vested as follows, to-wit:**

N/2 NW/4 NW/4 and SE/4 NW/4 NE/4 of Sec. 32; and S/2 SW/4 SE/4 and NE/4 SW/4 SE/4 of Sec. 15 - **title vested in Janie Vann, Leroy W. Vann, William C. Vann and James Melvin Vann, Jr.** North Half of Southeast quarter of Southeast Quarter (E/2 SE/4 SE/4) and S/2 SE/4 SE/4 of Sec. 15 and Lot 6 of Sec. 14 - **title vested in the heirs at law of Sarah Vann, deceased.**

Tract No. 1487

SE 11.17 acres of Lot 6 of Section 22, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 11.17 acres, more or less.

**Title vested in Hugh Booth**

Tract No. 1492

Lot 2 of Section 23, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 3.75 acres, more or less.

**Title vested in Hugh Boothe**

Tract No. 1495-D

Lot 15, Blk 1 of Subdivision in NE/4 NW/4 of Section 23, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 0.05 acres, more or less.

**Title vested in All Steel Coach and Trailer Corporation**

Tract No. 1612

S/2 SW/4 NW/4, S/2 N/2 SW/4 NW/4, NW/4 SE/4 NW/4 of Section 17, Township 19 North, Range 20 East of the I.M., situate in Mayes County, Oklahoma, and containing 40.00 acres, more or less.

**Title vested in the heirs at law of Willie Murphy, deceased**

Tract No. 1628

Lots 2 and 5, of Section 14; and NE/4 SE/4, Lot 7 less SW 10.00 acres, NE/4 SW/4 NE/4, East 2.50 acres of lot 6, of Section 15, all in Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 114.40 acres, more or less.

**title vested in Hugh Boothe**

Tract No. 1629

S/2 NW/4 SE/4 and NW/4 SW/4 SE/4 of Section 15, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 30.00 acres, more or less.

**Title vested in Sarah Fisher and Bernice McElwee**

Tract No. 1643

West 6.08 acres of NW 11.08 acres of Lot 1, all in Section 18, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 6.08 acres, more or less.

Title vested in Charles D. Hill

Tract No. 1648

E/2 NE/4 SW/4 NE/4 lying East of RR ROW, subject to ROW for Hwy No. 69, all in Section 14, Township 19 North, Range 18 East, of I.M., situate in Mayes County, Oklahoma, and containing 1.88 acres, more or less.

Title vested in Henry Ross

Tract No. 1656

Part of NW/4 described as: Beginning at the SE corner of said NW/4, thence West 990', m/l, thence North 1320' m/l, thence Northeasterly to a point on East line of said NW 1980' North of SE corner thereof, thence South to P.O.B.; all in Section 11, Township 19 North, Range 18 East of the I.M.; situate in Mayes County, Oklahoma, and containing 37.50 acres, more or less.

Title vested in Cecil W. Tipton and Mary Katherine Tipton, subject to mortgage held by the Federal Land Bank of Wichita

Tract No. 1664-A

NE/4 SE/4 SE/4 NE/4, N/2 SE/4 SE/4 SE/4 NE/4, and S/2 SE/4 NE/4 SE/4 NE/4 of Section 5, Township 19 North, Range 18 East of the I.M., situate in Mayes County, Oklahoma, and containing 5.00 acres, more or less.

Title vested in W. K. Tipton, subject to mortgage held by the Federal Land Bank of Wichita

Tract No. 1674

SW 11.05 acres of Lot 4, less SE 2.50 acres, all in Section 7, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 8.55 acres, more or less.

Title vested in A. P. Oliver, Mary Lee Oliver, Osie Hickles, Callie Lee Hickles, Elizabeth McCowan, Alice E. Crosslin and Joe Crosslin

Tract No. 1676

W/2 W/2 NE/4 NE/4 SW/4 of Section 7, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 2.50 acres, more or less.

Title vested in Joe Crosslin

Tract No. 1679

S/2 SE/4 SE/4 NE/4 NW/4 of Section 7, Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 1.25 acres, more or less.

Title vested in Angelina Liggins, L. L. Liggins, William A. Rider, Corlelia Rider, Ellen Abernathy, Cicero Abernathy and Lettie Banks Rider

Tract No. 1685

SW 10.00 acres of Lot 2 of Section 6, Township 19 North, Range 19 East of the I.M.; situate in Mayes County, Oklahoma, and containing 10.00 acres, more or less.

Title vested in M. A. Patterson, Marion F. Patterson, Minnie E. Boan, Lora E. Crosson, O. L. Patterson, Stella Pickerson, Irvin T. Patterson, Elmer L. Patterson and Elma C. Patterson, all subject to homestead rights of M. A. Patterson

Tract No. 1690-A

SW/4 NE/4 NE/4 of Section 7, Township 19 North, Range 19 East of the I.M.; situate in Mayes County, Oklahoma, and containing 10.00 acres, more or less.

Title vested in William A. Rider, Corlelia Rider, Angelina Rider Liggins, L. L. Liggins, Ellen Abernathy, Cicero Abernathy and Lettie Banks Rider

Tract No. 1697-A

NW 10.61 acres of lot 3, in Section 5, Township 19 North, Range 19 East of the I.M.; situate in Mayes County, Oklahoma, and containing 10.61 acres, more or less.

Title vested in Lizzie H. Pugh

Tract No. 1705

E/2 NE/4 SE/4 of Section 8, and Lot 7 of Section 9, all in Township 19 North, Range 19 East of the I.M.; situate in Mayes County, Oklahoma, and containing 54.45 acres, more or less.

Title vested in G. F. Corn, Effie Corn, Paul Corn, Ollie Corn, Della Bowen, E. D. Bowen, Georgia Garrouette, M. R. Corn, Janie Corn, May Hardin, Isaac C. Harding, Carl Corn, Jessie Corn, Ida Ellis Roberts, H. H. Roberts and G. H. Ellis, guardian for minor heirs, Margie Ellis and Edward Ellis and H. B. Garrouette

Tract No. 1725

SE/4 SW/4 NE/4 NW/4 of Section 10 Township 19 North, Range 19 East of the I.M., situate in Mayes County, Oklahoma, and containing 2.50 acres, more or less.

Title vested in Steve Downing

Tract No. 1766

Part of Lot 7 described as: Beginning at a point 396.00 feet West and 330.00 feet North of the center of said Section 4; thence North 209.22 feet, thence West 209.22 feet, thence South 209.22 feet, thence East 309.22 feet to P.O.B., all in Section 4, Township 19 North, Range 19 East of the I.M., situate in Hayes County, Oklahoma, and containing 1.00 acres, more or less.  
Title vested in Board of County Commissioners of Hayes County, Oklahoma

Tract No. 1795-A

NW 10.00 acres of Lot 1 and West 5.00 acres of NE 10.00 acres of Lot 1, all in Section 33, Township 20 North, Range 19 East of the I.M., situate in Hayes County, Oklahoma, and containing 15.00 acres, more or less.

Title vested in Eldee Arterberry nee McCracken

Tract No. 1795

Lot 1 of Section 34, Township 20 North, Range 19 East of the I.M., situate in Hayes County, Oklahoma, and containing 11.65 acres, more or less.

Title vested in V. W. Purcell and Celeste Purcell

Tract No. 1803

NE/4 SE/4 NW/4 of Section 34, Township 20 North, Range 19 East of the I.M., situate in Hayes County, Oklahoma, and containing 10.00 acres, more or less.

Title vested in Julia E. Cook, L. C. Cook, W. J. Cook, A. R. Cook, Margaret Lustie Hensley, L. J. Cook, Della M. Patterson and Irene Latham

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the title to the above described real estate and estates therein taken by these proceedings was, at the time of taking by the petitioner herein vested in the persons heretofore set out, and said persons are entitled to receive just compensation for the taking of said lands in these proceedings. Such right to receive the just compensation is subject to the paramount lien and payment of any and all taxes due, assessable and payable, of whatever nature.

151 Royce W. Savage  
JUDGE

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

UNITED STATES OF AMERICA,

Petitioner

-vs-

796.79 acres of land, more or less,  
 situate in Mayes County, Oklahoma,  
 and Ellen Abernathy, et al.

Respondents

No. 2497-Civil

FILED  
 In Open Court

SEP 16 1949

NOBLE C. HOOD  
 Clerk U. S. District Court

J U D G E M E N T

Now on this <sup>16<sup>th</sup></sup> ~~9<sup>th</sup>~~ day of September, 1949, this cause comes on to be heard, and the Court, having been fully advised in the premises, finds that written contracts introduced in evidence, fix the value of certain tracts, including all damages and interest, as agreed upon by and between the petitioner and the owners of said tracts.

The Court further finds that said agreed values should be confirmed and approved.

The Court further finds that a deposit has been made under the Declaration of Finding filed herein as to said tracts, and that no deficiency exists.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the agreed values be, and the same are hereby, confirmed and approved in all respects by this Court, as to the following tracts and in the following amounts, to-wit:

Tract No. 1469

Agreed Value . . . . . \$ 25.00  
 Deposited . . . . . 25.00

Tract No. 1472

Agreed Value . . . . . \$ 175.00  
 Deposited . . . . . 175.00

Tract No. 1478

Agreed Value . . . . . 3,845.00  
Deposited . . . . . 3,845.00

Tract No. 1625

Agreed Value . . . . . 2,250.00  
Deposited . . . . . 2,250.00

Tract No. 1676

Agreed Value . . . . . 700.00  
Deposited . . . . . 700.00

Tract No. 1679

Agreed Value . . . . . 50.00  
Deposited . . . . . 50.00

Tract No. 1680--

Agreed Value . . . . . 300.00  
Deposited . . . . . 300.00

Tract No. 1705

Agreed Value . . . . . 1,500.00  
Deposited . . . . . 1,500.00

IT IS HEREBY DECLARED AND ORDERED that said amounts are final and all respects as to the fair, cash, market value of said tracts, including all interest and all damages of whatsoever nature as to said tracts of land. The agreement on the declaration of taking heretofore entered is reaffirmed.

Loyce H. Savage  
1907

U.S.  
SHERIFF OF DISTRICT OF COLUMBIA, petitioner  
By Curtis L. Harris  
Special Attorney - Dept. of Justice



Tract No. B-1

E/2 SE/4 SW/4 of Section 12; and NW/4 NE/4 of Section 13, all in Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, containing 60.00 acres, more or less.

Tract No. B-2

NW/4, N/2 SW/4 and SW/4 SW/4 of Section 13, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, containing 360.00 acres, more or less.

Tract No. B-7 Revised

E/2 SW/4 and NW/4 SW/4 of Section 14; N/2 S/2 S/2, S/2 SW/4 SE/4, part of SW/4 SE/4 SE/4 described as: Beginning at NW corner thereof; thence Easterly 660' more or less; thence diagonal to SW corner of said SW/4 SE/4 SE/4; thence Northerly 660', more or less, to P.O.B., S/2 SE/4 SW/4, SE/4 SW/4 SW/4, N/2 SW/4 SW/4 SW/4, N/2 S/2 of Section 15; N/2 SE/4 SE/4, N/2 S/2 SE/4 SE/4, E/2 NE/4 SW/4 SE/4, NE/4 SE/4 SW/4 SE/4 of Section 16; and N/2 NW/4 NE/4, N/2 S/2 NW/4 NE/4, NE/4 NW/4, E/2 NW/4 NW/4, SE/4 SW/4 NW/4 NW/4, N/2 N/2 SE/4 NW/4, N/2 NE/4 SW/4 NW/4 and E/2 NW/4 SW/4 NW/4 of Section 22, all in Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, containing 570.00 acres, more or less.

Tract No. B-23

NW/4 of Section 15, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, containing 160.00 acres, more or less.

Tract No. B-29

S/2 NE/4 SE/4, SE/4 SE/4 and NE/4 SW/4 SE/4 of Section 9, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, containing 70.00 acres, more or less.

Tract No. B-73

SE/4, less a tract described as: beginning at the SE corner of SE/4 SE/4, thence West 600', thence Northeasterly to a point on East line of SE/4 SE/4 and 990' North of the SE corner thereof, thence South 990' to P.O.B., of Section 12, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, containing 153.20 acres, more or less.

Tract No. B-77

N/2 NE/4 and N/2 S/2 NE/4 of Section 12, Township 17 North, Range 9 East of the I.M., and Lot 2, West 23.56 acres of South 31.06 acres of Lot 1 of Section 7, Township 17 North, Range 10 East of the IM, all situate in Creek County, Oklahoma, containing 184.98 acres, more or less.

Tract No. B-78

S/2 S/2 NE/4 of Section 12, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, containing 40.00 acres, more or less.

Tract No. B-79

NE/4 NW/4 of Section 12, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, containing 40.00 acres, more or less.

Tract No. B-98

SE/4 NW/4 of Section 6, Township 17 North, Range 10 East of the I.M., situate in Creek County, Oklahoma, containing 40.00 acres, more or less.

Tract No. B-106

NE/4 SW/4, N/2 NW/4 SE/4, Lot 6, NW 10.59 acres of Lot 7, N. 8.58 acres of S/2 10.58 acres of Lot 7, all in Section 6, Township 17 North, Range 10 East of the I.M., situate in Creek County, Oklahoma, containing 119.89 acres, more or less.

It is, therefore, ORDERED, ADJUDGED AND DECREED that the title to the above described real estate and estates therein taken by these proceedings was, at the time of taking, by the petitioner herein vested in the persons hereinabove set out, and said persons are entitled to receive just compensation for the taking of said lands in these proceedings. Such right to receive the just compensation is subject to the paramount lien and payment of any and all taxes due, assessable and payable, or whatever nature.



---

JUDGE

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

UNITED STATES OF OKLAHOMA,	)	
Petitioner	)	
-vs-	)	No. 2437-Civil
1,716.07 acres of land,	)	
more or less, situate	)	
in Creek County, Oklahoma,	)	FILED
and Lattie Abbott, et al,	)	SEP 25 1949
Respondents	)	

NOBLE C. HOOD  
Clerk U. S. District Court

J U D G M E N T

Now on this 16th day of September, 1949, this cause comes on to be heard, and the Court, having been fully advised in the premises, finds that stipulations filed herein and written contracts introduced herein fix the value of certain tracts, including all damages and interest, as agreed upon by and between the petitioner and the owners of said tracts.

The Court further finds that said agreed values should be confirmed and approved.

The Court further finds that a deposit has been made under the Declaration of Taking filed herein as to said tracts, and that no deficiency exists, but that over deposits do exist as to certain tracts, all as hereinafter set out.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the agreed values be, and the same are hereby, confirmed and approved in all respects by this Court, as to the following tracts and in the following amounts, to-wit:

Tract No. B-1

Agreed Value. . . . .	\$ 3,570.00
Deposited . . . . .	4,075.00
Over deposit. . . . .	<u>505.00</u>

Tract No. B-2

Agreed Value. . . . . \$ 9,840.00  
Deposited . . . . . 12,150.00  
Over deposit. . . . . 2,310.00

Tract No. B-73

Agreed Value. . . . . \$ 6,500.00  
Deposited . . . . . 7,115.00  
615.00

Tract No. B-77

Agreed Value. . . . . \$ 5,600.00  
Deposited . . . . . 5,700.00  
Over deposit. . . . . 100.00

Tract No. B-78

Agreed Value. . . . . \$ 1,000.00  
Deposited . . . . . 1,300.00  
Over deposit. . . . . 300.00

Tract No. B-79

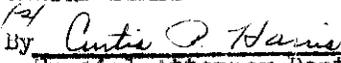
Agreed Value. . . . . \$ 1,500.00  
Deposited . . . . . 1,750.00  
Over deposit. . . . . 250.00

Tract No. B-106

Agreed Value. . . . . \$ 4,300.00  
Deposited . . . . . 4,300.00

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

  
\_\_\_\_\_  
JUDGE

O.K.  
UNITED STATES OF AMERICA, Petitioner  
By   
Special Attorney-Dept. of Justice

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

MARY SWEETSEX CRAIG, )  
 )  
 PLAINTIFF, )  
 )  
 VS. )  
 )  
 JOSEPH J. SCHUMAN, ET AL., )  
 )  
 DEFENDANTS. )

No. 2766-Civil

FILED

SEP 10 1949

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL.

UPON THE APPLICATION OF PLAINTIFF FILED HEREIN,  
IT IS ORDERED THAT THE ABOVE ENTITLED CAUSE BE AND IT IS  
HEREBY DISMISSED WITH PREJUDICE.

) Raymond H. Lanyon  
JUDGE.

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

O. D. Mayor,

Plaintiff,

vs.

C. R. Jackson, et al.,

Defendants.

No. 2484 Civil

No. 2485 Civil

FILED

SEP 20 1949

ORDER REMANDING CAUSE TO STATE COURT.

NOBLE C. HOOD  
Clerk U. S. District Court

And now on this the 1st day of July, 1949, the same being a juridical day of the above styled Court, there comes on for hearing in this cause, a motion to remand said cause to the State Court, and it appearing to the satisfaction of the Court that this cause and Civil Cause No. 2485 in this Court are identical and that the motion to remand in said Civil Cause No. 2485 having this date been sustained, the Court examines the files and pleadings in this cause and finds that the same are identical, substantially, with the files and pleadings in Civil Cause No. 2485, and that this cause should be remanded to the State Court for further proceedings, and being fully advised in the premises:

IT IS SO ORDERED:

/s/ ROYCE H. SAVAGE  
UNITED STATES JUDGE

APPROVED:

/s/ Ernest R. Brown  
Attorney for Plaintiff

Rosenstein, Fist & Shidler

By /s/ Joe N. Shidler  
Attorneys for Defendant  
Dubuque Fire & Marine Insurance  
Company, A Capital Stock  
Company.



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Number 2536 Civil.
	)	
Troy B. Byrd,	)	
	)	
Defendant.	)	

JUDGMENT

NOBLE O HOOD  
Clerk U. S. District Court

NOW, on this 20 day of September, 1949, there coming on for trial the above entitled action, and the plaintiff appearing by WHIT Y. MAUZY, 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 on behalf of the plaintiff, and from the evidence and examination of the files finds that the defendant was served with summons more than twenty (20) days prior to this date and is in default.

THE COURT FURTHER FINDS that the defendant is indebted to the plaintiff in the sum of \$143.50 as alleged in said complaint and that by reason thereof the plaintiff is entitled to judgment against the defendant.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the plaintiff have judgment against the defendant, Troy B. Byrd, in the sum of \$143.50, with interest thereon at the rate of six (6) per cent per annum from October 1, 1948, and for its costs.

*Royce H. Savage*  
DISTRICT JUDGE.

IN SENATE  
COMMISSIONERS OF THE DISTRICT COURT  
OF THE DISTRICT OF COLUMBIA  
DOING BUSINESS AS THE DISTRICT COURT  
IN AND FOR THE DISTRICT OF COLUMBIA  
IN SENATE  
DOING BUSINESS AS THE DISTRICT COURT  
IN AND FOR THE DISTRICT OF COLUMBIA

No. 235 1949

FILED

SEP 30 1949

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER DENYING DEFENDANT'S MOTION TO DISMISS

And do hereby deny and dismiss the above captioned motion and move the Court for an order dismissing the same with an admonition to the grounds that the defendants have not answered or pleaded any counterclaim, and such denial will not in any way prejudice said defendants.

Done in open Court on 26, 1949.

By Ralph J. May  
Clerk of the Court

ORDER DENYING DEFENDANT'S MOTION TO DISMISS

This case is to be heard on plaintiff's motion for voluntary dismissal of action, and in denying said motion the Court finds that the defendants have not answered or pleaded any counterclaim against plaintiffs and that the defendants will not be prejudiced or disadvantaged by said dismissal.

And do hereby deny said motion and the same is hereby dismissed without prejudice.

By Royce A. Savage  
Judge of the District Court

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

BESSIE M. ROSKO, as Executrix  
of the Last Will of  
FELIX JOE ROSKO, Deceased,

Plaintiff,

vs.

NATIONAL ZINC COMPANY,

Defendant.

No. 2492 Civil

FILED

OCT 8 1949

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL WITH PREJUDICE

Now on this 3<sup>rd</sup> day of <sup>Oct</sup>~~September~~, 1949, this cause comes on for hearing on the dismissal of the plaintiff, and it appearing to the Court that plaintiff and defendant have settled and compromised their differences, and plaintiff has dismissed her cause of action with prejudice at the cost of the plaintiff.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that plaintiff's cause of action be and the same is hereby dismissed at the cost of the plaintiff.

Raye Sanger  
JUDGE

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

Grace W. Adkins as Administratrix of	)	
the Estate of F. V. Adkins, Deceased,	/	
	/	
Plaintiff	/	
	/	
vs.	/	No. 1720-Civil
	/	
E. I. du Pont de Nemours & Company, Inc.,	/	
	/	
Defendant	/	
	/	
The United States of America,	/	
Intervener	)	

**FILED**

OCT 4 1949

DECREE OF THE COURT ON MOTION FOR  
SUMMARY JUDGMENT

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

This cause coming on for hearing before me, Royce H. Savage, Judge of the said court, on motion of the defendant for summary judgment, on this the 30th day of September, 1949, and plaintiff and intervener claimants appearing by their attorneys, Porter & Porter, by John W. Porter, Jr., and intervener United States of America appearing not, and the defendant appearing by its attorneys, Peter B. Collins and Spillers & Spillers, by G. C. Spillers, and no response having been filed to the motion for summary judgment, and the Court having heard the argument of counsel for the respective parties and having examined and considered the motion for summary judgment, together with all exhibits and affidavits thereto attached, and being fully advised in the premises, upon consideration thereof finds that there is no genuine issue as to any material fact and that defendant is entitled to a judgment as a matter of law.

The Court further finds that the complaint of plaintiff, all amendments thereto, and intervening petitions of all intervening claimants, are wholly without merit and should be dismissed with prejudice at the cost of plaintiff and intervener claimants.

The Court further finds that no costs should be taxed against intervener United States of America.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that the petition, all amendments thereto, and all petitions of intervention of intervener claimants, should be and the same are hereby dismissed with prejudice, at the cost of plaintiff and intervener claimants.

IT IS FURTHER ORDERED that no cost be taxed against intervener United States of America.

IT IS FURTHER DECREED that judgment be and it is hereby rendered in favor of defendant and against plaintiff and all intervener claimants for all accrued and accruing costs herein, to satisfy which let execution issue, returnable according to law; to all of which plaintiff and intervener claimants object.

Dated this the 30th day of September, 1949.

*Royce H. Savage*  
\_\_\_\_\_  
Royce H. Savage

Judge

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

LOIS JOAN DEVENNEY, et al.,

Plaintiff,

vs.

OKLAHOMA TELEPHONE COMPANY, et al,

Defendant.

No. 2333-CIVIL

FILED

OCT 4 1949

NOBLE C. HOOD  
Clerk U. S. District Court

JOURNAL ENTRY OF VERDICT

On the 14th day of May, 1949, the above styled and numbered cause came on regularly for trial, and a jury having been duly empanelled and sworn, both parties made their opening statements and the plaintiff thereupon offered all evidence and rested.

The Court thereupon entertained a motion by the defendant for an instructed verdict, and is of the opinion and now orders that the said motion be sustained, and thereupon directed the jury to return its verdict, which was accordingly done in favor of the defendant and against the plaintiff. It is therefore considered ordered, adjudged and decreed that the plaintiff take nothing by this action, but that the defendant have judgment for its costs.

~~Cost affidavits having been signed and the Court having considered the same, finds that costs should be taxed against the plaintiff in the sum of \$100.00.~~

*Wm. H. Savage*  
Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

WILMA DEAN WHEELER, etc.,

Plaintiff,

vs.

OKLAHOMA NATURAL GAS COMPANY, et al,

defendant.

No. 2334-CIVIL

FILED

MAY 4 1949

JOURNAL ENTRY OF JUDGMENT

NOBLE C. HOOD  
Clerk U. S. District Court

On the 16th day of May, 1949, the above styled and numbered cause came on regularly for trial, and a jury having been duly impaneled and sworn, both parties made their opening statements and the plaintiff thereupon offered all evidence and rested.

The Court thereupon entertained a motion by the defendant for an instructed verdict, and is of the opinion and now orders that the said motion be sustained, and thereupon directed the jury to return its verdict, which was accordingly done in favor of the defendant and against the plaintiff. It is therefore considered ordered adjudged and decreed that the plaintiff take nothing by this action, but that the defendant have judgment for its costs.

~~Cost affidavits having been signed and the court having considered the same, finds that costs should be taxed against the plaintiff in the sum of \_\_\_\_\_ Dollars.~~

(5) Foyce H. Swage  
Judge

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

MRS. F. H. DEJARNETTE,  
ADMINISTRATRIX OF THE ESTATE  
OF F. H. DEJARNETTE, DECEASED

PLAINTIFF

vs.

No. 2196-CIVIL

ST. LOUIS & SAN FRANCISCO  
RAILROAD COMPANY,  
A CORPORATION

DEFENDANT

FILED

OCT 4 1949

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL

ON THIS 3RD DAY OF OCTOBER, 1949, THE PLAINTIFF APPEARS IN  
OPEN COURT AND PRESENTS HER MOTION TO DISMISS SAID CAUSE, ADVISING THE COURT  
THAT A COMPROMISE AND SETTLEMENT HAS BEEN ENTERED INTO BETWEEN THE PARTIES,  
AND THE COURT BEING FULLY ADVISED IN THE PREMISES,

IT IS ORDERED THAT THE ABOVE ENTITLED AND NUMBERED CAUSE BE  
AND THE SAME IS HEREBY DISMISSED WITH PREJUDICE TO A NEW ACTION IN THE SAME  
BEHALF, AT THE COST OF DEFENDANT.

*C. H. Ownby & W. H. ...  
Attorneys for Plaintiff*

*(s) Royce H. Savage*  
JUDGE, UNITED STATES DISTRICT  
COURT FOR THE NORTHERN DISTRICT  
OF OKLAHOMA -



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

JERRY DALE BRADSHAW, by and through  
GUY BRADSHAW, as father and next  
friend of JERRY DALE BRADSHAW,  
  
vs.  
  
WESTERN AUTO SUPPLY COMPANY,  
a corporation, and HERBERT  
NEEDHAM, an individual

Plaintiff,  
  
  
  
Defendants.

No. 2502-Civ

FILED

OCT 5 19

NOBLE C. H.  
Clerk U. S. Dist

ORDER OF DISMISSAL

Now on this 5th day of October, 1949, came on for hearing on the regular trial assignment the above cause; the case being called for trial in its regular assignment and the defendant announcing ready for trial, and on motion of the plaintiff to dismiss the cause, the court being fully advised in the premises orders and decrees that this cause be dismissed with prejudice to the plaintiff bringing any further action, at the cost of the plaintiff.

Done this 5th day of October, 1949.

*Royce A. Savage*  
Judge of the United States  
District Court for the Northern  
District of Oklahoma

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 Libelant, )  
 vs. )  
 One 1948 Pontiac Sedan, Motor )  
 Number K6PB-5190; 302.55 Gall- )  
 ons Taxpaid Distilled Spirits; )  
 24 Pints Taxpaid Distilled )  
 Spirits; William P. Culver, )  
 Leonard C. Culver, Rose E. )  
 Culver, and First State Bank )  
 of Fairfax, Oklahoma, a )  
 Corporation, )  
 Claimants. )

Number 2511 Civil.

FILED

OCT 6 1949

NOBLE C. HOOD  
Clerk U. S. District Court

JUDGMENT

NOW, on this *6th* day of October, 1949, the above en-  
 titled cause having come on for trial pursuant to regular assign-  
 ment, the libelant appearing by Whit Y. Maszy, United States  
 Attorney, and the above described Pontiac Sedan, Motor Number  
 K6PB-5190, 302.55 gallons of taxpaid distilled spirits and 24  
 pints of taxpaid distilled spirits having been heretofore seized  
 by the United States Marshal for the Northern District of Oklahoma  
 under monition issued by this court; the claimants having hereto-  
 fore entered their appearance in said action and having filed  
 their disclaimers herein, and the court having heard the evidence  
 and testimony presented and being fully advised in the premises  
 finds all issues in favor of the libelant and against the claim-  
 ant herein.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that a forfeiture herein be and the same is hereby allowed as to the said 1948 Pontiac Sedan, Motor Number K6PB-5190, and that said automobile is ordered delivered by the United States Marshal to the United States Treasury Department for the use of the Bureau of Internal Revenue, Alcohol Tax Unit, Kansas City, Missouri, in the enforcement of the Internal Revenue Laws pursuant to Section 304 of the Liquor Law Repeal and Enforcement Act, together with all of its equipment and accessories.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all storage charges incident to the seizure herein be and the same are hereby paid by the United States Treasury Department.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said 302.55 gallons taxpaid distilled spirits and 24 pints taxpaid distilled spirits be and the same is hereby ordered forfeited and the United States Marshal of the Northern District of Oklahoma is hereby ordered to forthwith dispose of the same according to law.

  
District Judge.

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )

Libelant, )

vs. )

Number 2514 Civil. )

One 1948 One-ton Dodge Truck, )  
Motor Number TL46-26037; William )  
P. Culver and First State Bank )  
of Fairfax, Oklahoma, a Corporation, )

Claimant. )

FILED

OCT 7 1949

NOBLE C. HOOD  
Clerk U. S. District Court

JUDGMENT

NOW, on this 7<sup>th</sup> day of October, 1949, the above entitled cause having come on for trial pursuant to regular assignment, the libelant appearing by Whit Y. Mauzy, United States Attorney, and the above described 1948 One-ton Dodge Truck, Motor Number TL46-26037, having been heretofore seized by the United States Marshal for the Northern District of Oklahoma under monition issued by this Court; the Claimants having heretofore entered their appearance in said action and having filed their disclaimers herein, and the Court having heard the evidence and testimony presented and being fully advised in the premises finds all issues in favor of the libelant and against the claimants herein.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that a forfeiture herein be and the same is hereby allowed as to the said 1948 Dodge Truck, Motor Number TL46-26037, and that said Dodge Truck is ordered delivered by the United

States Marshal to the United States Treasury Department for the use of the Bureau of Federal Supply in the enforcement of the Internal Revenue Laws pursuant to Section 304 of the Liquor Law Repeal and Enforcement Act, together with all of its equipment and accessories.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT all charges incident to the seizure herein be and the same are hereby paid by the United States Treasury Department.

  
Royce H. Savage

DISTRICT JUDGE.

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Kate Ross Maxey, et al, )  
 )  
 Plaintiffs, )  
 )  
 vs. )  
 )  
 United States of America, )  
 et al, )  
 )  
 Defendants. )

No. 2510 Civil

FILED

OCT 10 1949

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL

This matter coming on for hearing this 30th day of September, 1949, upon the motion of the United States to dismiss and plaintiffs appearing by their attorney, Max Cohen, and the United States of America appearing by Whit E. Mouzy, United States Attorney for the Northern District of Oklahoma, and the defendants, Sherman Dinsmore, John Dinsmore, Hazel Dinsmore and Susie Dinsmore, appearing by their attorney, H. A. Wilkerson, and the court, after statements and argument of counsel and after being fully advised in the premises, finds that this action was instituted against the United States by virtue of the Tucker Act. That the plaintiffs are seeking to quiet title to the land described in their petition and are seeking a money judgment against the United States. That the defendants, Sherman Dinsmore, John Dinsmore, Hazel Dinsmore and Susie Dinsmore, are necessary parties to this litigation and the court further finds that the motion to dismiss this action should be sustained because the court is without jurisdiction to grant the relief prayed for by the plaintiffs.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the motion of the United States to dismiss be and the same hereby is sustained and IT IS FURTHER ORDERED and DECREED that this action be and the same hereby is dismissed at the cost of the plaintiffs without any solicitor's fee.

AND IT IS SO ORDERED.

(s) Joyce H. Savage  
UNITED STATES DISTRICT JUDGE

O. K.

Max Cohen  
Max Cohen  
Attorney for Plaintiffs

IN SENATE  
JANUARY 10, 1940

THE SENATE  
JANUARY 10, 1940

1940  
JANUARY 10, 1940

CIVIL

FILED

1940

NOBLE C. HOOD  
Clerk U. S. District Court

10  
The undersigned, being duly sworn, deposes and says that the within and foregoing is a true and correct copy of the original of the same as the same appears in the files of the undersigned.

Witness my hand and seal of office this 10th day of January, 1940.

Notary Public for the State of New York

Subscribed and sworn to before me this 10th day of January, 1940.

Notary Public

Witness my hand and seal of office this 10th day of January, 1940.



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Harold W. Miles, )  
 )  
 Defendant. )

Number 2531 Civil. ✓

FILED

OCT 11 1949 JT

NOBLE C. HOOD  
Clerk U. S. District Court

JUDGMENT

NOW, on this 10th day of October, 1949, the above entitled 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, and the Court having heard the evidence of the plaintiff and from examination of the file and record herein finds that the defendant, Harold W. Miles, was served with summons more than twenty (20) days prior to this date, and being in default should be so adjudged, and that a proper affidavit of non-military service has been filed herein.

The Court further finds that the defendant is indebted to the plaintiff in the sum of \$32.66, with interest thereon at the rate of six (6%) per cent per annum from November 15, 1946, for transportation and meals furnished to him pursuant to certificate of settlement issued by the General Accounting Office of the United States of America.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that

the plaintiff have judgment against the defendant, Harold V. Miles, for the sum of \$82.66, with interest thereon at the rate of six per cent per annum from November 15, 1946, and for its costs.

Royce H. Savage

DISTRICT JUDGE.

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

FILED

OCT 11 1949

THURMOND L. CHEEK, a minor, by and )  
through his next friend and Guardian )  
Ad Litem, Ed Foster, )  
 )  
Plaintiff )  
 )  
ve. )  
 )  
MILO EVANS, )  
 )  
Defendant )

NOBLE C. HOOD  
Clerk U. S. District Court

No. 2398 Civil

JOURNAL ENTRY OF JUDGMENT

Now on this 11 day of October, 1949, this cause comes on for trial pursuant to regular setting and both plaintiff and defendant appeared by counsel and agreed to submit this cause to the Court and both sides waived their right of trial to a jury and agreed to submit this cause to the Court. Whereupon the Court ordered said cause to proceed to trial. Whereupon the defendant, Milo Evans, by and through his attorneys, offered to confess judgment in open court in the sum of Three Thousand Two Hundred and Fifty Dollars (\$3,250.00), which offer was by the plaintiff accepted.

Whereupon the Court finds that this Court has jurisdiction of the persons and of the subject matter of this action and that plaintiff's petition and complaint states a good and sufficient cause of action against the defendant.

The Court finds that plaintiff should recover of and from the defendant, Milo Evans, on defendant's confession of judgment, the sum of Three Thousand Two Hundred Fifty Dollars (\$3,250.00) and the costs of this action, the Court finding that said amount fairly and adequately compensates the plaintiff for the detriment and damage sustained by him as a result of the injuries to his person.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover of and from the defendant, Milo Evans, a judgment for the sum of Three Thousand Two Hundred Fifty Dollars (\$3,250.00) and for the

costs of his action.

Royce N. Savage  
JUDGE

O. K. as to form:

Hermon Clark  
Plaintiff

Ed Foster  
Ed Foster, Guardian Ad Litem

R. L. Connor  
Jack C. Brown  
Attorneys for Plaintiff

Joseph Fairmyer W. G. ...  
Jack C. Brown  
Attorneys for Defendant

UNITED STATES DISTRICT COURT  
DISTRICT OF OKLAHOMA

Plaintiff,

vs.

No. 2336 - Civil

WESTERN BANK & TRUST COMPANY,  
a corporation, et al.,

Defendants.

FILED

NOV 17 1948

NOBLE L. HOOD  
Clerk U. S. District Court

ORDER REMANDING CAUSE TO STATE COURT

This cause was set for hearing on the 10th day of September, 1948 in the District Court of Oklahoma, Plaintiff appearing by her attorneys, JAMES H. SANDERS and DAVID A. SANDERS; and the defendants appearing by their attorneys, FRANK C. FORK and DAVID A. SANDERS. After hearing the advice of the attorneys, and the Court, it is ordered that the cause be sustained and that same should be remanded forthwith to the District Court of Tulsa County, State of Oklahoma.

It is further ordered, AND SO ORDERED that this cause be, and same is hereby, remanded to the District Court within and for the County of Tulsa, State of Oklahoma.

*(Signature)*  
UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT

FRANK C. FORK  
DAVID A. SANDERS  
JAMES H. SANDERS

*(Signature)*

UNITED STATES DISTRICT COURT

FRANK C. FORK  
DAVID A. SANDERS  
*(Signature)*  
JAMES H. SANDERS

UNITED STATES OF AMERICA, SS:

FILED

OCT 20 1948

THE PRESIDENT OF THE UNITED STATES OF AMERICA

NOBLE C. HOOD  
Clerk U. S. District Court

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 Carter Oil Company, a corporation, plaintiff, and Glen S. Dille et al., defendants, No. 2295, Civil, the judgment of the said district court in the said cause entered on October 14, 1948, was in the following words, viz:

\* \* \* \* \*

"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. Delaney, Jr., and Zephyr Drilling Company."

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Court of Appeals, Tenth Circuit, by virtue of an appeal by W. A. Delaney, Jr., et al. 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-eight, the said cause came on to be heard before the said United States Court of Appeals, on the transcript of the record from the said district court and was argued by counsel.

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

SILBY M. WINSON,

Plaintiff

vs.

No. 2469 Civil

F. A. (ARNOLD) SMITH,

Defendant

FILED

OCT 21 1949

NOBLE C. HOOD  
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

Now on this the 4th day of October, 1949, this cause comes on for trial pursuant to regular setting. The respective parties appeared in person and by their respective counsel of record and announced ready for trial. A jury was duly impaneled and sworn to try the cause. Plaintiff introduced his evidence and rested, and at the conclusion of plaintiff's evidence the defendant interposed a demurrer which was by the Court overruled and exception saved to the defendant.

Whereupon the defendant started his evidence and during said time it became five o'clock and the Court was properly recessed until the following morning, October 5th. Defendant resumed his evidence and completed same and rested, and at the conclusion thereof plaintiff put on rebuttal evidence.

At the conclusion of all the evidence the defendant interposed a motion for judgment in his favor generally and then a motion for judgment in his favor as to punitive damages and the Court overruled same and exception was saved to the defendant. Whereupon the cause was argued to the jury and thereafter the Court instructed the jury and the cause was submitted to the jury, and in open court the jury returned a verdict which is in words and figures as follows, to-wit, omitting the caption:

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

/s/ Howard F. Lawyer, Sr.,  
Foreman"

Said verdict was received by the Court, read in open court, and the jury polled, and upon an affirmative finding by all the jurors that this was their verdict, same was directed by the Court to be received by the Clerk and judgment pronounced thereon.

BE IT THEREFORE ORDERED, ADJUDGED AND DECREED, pursuant to verdict of the jury in this cause, that judgment be rendered for the defendant and that the plaintiff take nothing and that the costs of this action be charged to the plaintiff.

Done and dated in open court this the day and year first above written.

Royce H. Savage  
JUDGE

O. K. as to form:

Richard S. Heatley  
Attorneys for Plaintiff

Green & Farmer by W.E. Green  
Attorneys for Defendant



U. S. DISTRICT COURT, DISTRICT OF COLUMBIA  
OFFICE OF CLERK

Grace Mearns, Administratrix  
of the Estate of Eloya Eugene Hariss,  
deceased,  
Plaintiff,  
vs.  
Anthony Joseph Zivalich and  
William Quinn,  
Defendants.

No. 2498 Civil

FILED

OCT 21 1949

NOBLE C. HOOD  
Clerk U. S. District Court

J U D G M E N T

Now on the 21th day of October, 1949, this matter comes on for trial upon its merits. The parties appearing by their respective counsel and having announced ready for trial, the court proceeded to impanel a jury in said cause. And thereupon the plaintiff introduced her evidence and at the conclusion of said evidence the defendant William Quinn interposed his motion to dismiss plaintiff's cause of action as against said defendant, for the reason that all of the evidence introduced by the plaintiff was wholly insufficient to establish any claim for relief as against the defendant William Quinn. And the court having considered said motion concluded that said motion should be sustained.

It is therefore ORDERED and ADJUDGED that plaintiff's cause of action as against the defendant William Quinn be, and the same is hereby dismissed at cost of plaintiff.

And the court having overruled a motion to dismiss interposed by the defendant Zivalich, said defendant then introduced his evidence. And all of the evidence in said cause having been introduced, the arguments of counsel having been heard by the jury, the court having instructed the jury, said jury retired to consider its verdict, and on the 6th day of October, 1949 said jury returned its verdict in open court in favor of the defendant Anthony Joseph Zivalich and against the plaintiff.

And thereupon the court ordered the clerk to enter said verdict upon the proper records of the court and enter judgment in favor of the defendant Zivalich upon said verdict.

It is the order of the Court, after reading the pleadings, that the plaintiff, Grace Rosemond Hariss, administratrix of the estate of Floyd Eugene Hariss, deceased, take nothing and that the defendant Anthony Joseph Trivich have judgment for his costs herein expended.

Royce H. Savage  
U. S. District Judge

Thomas L. Sandwith Jr.  
Attorney for Plaintiff

Ed. Hudson  
Attorney for Defendants

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

CIVIL ACTION NO. 2507

FILED

OCT 21 1949

NOBLE C. HOOD  
Clerk U. S. District Court

UNITED STATES OF AMERICA )  
 )  
 PLAINTIFF )  
 )  
 VS. )  
 )  
 DENNIS FLOURNOY, and )  
 LOLA FLOURNOY, s/b/e )  
 DENNIS FLOURNOY, REALTORS ))

ORDER

The Court having considered the above motion  
ORDERS that this cause of action is hereby dismissed with  
prejudice and without costs being taxed against the de-  
fendant.

Dated this 21 day of October, 1949.

/s/ Royce H. Savage  
United States District Judge

Approved: /s/ Sanford H. Palmer  
Attorney for the Plaintiff

Approved: /s/ Carl H. Livingston  
Attorney for the Defendant

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

Plaintiff,

vs.

-vs-

Radical Rifle and Pistol Company,  
a Foreign Corporation,

Defendant.

No. 10-11711

FILED

OCT 21 1948

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER

On this 21<sup>st</sup> 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 had settled said case out of court and the plaintiff stipulated herein for dismissal with prejudice to a resumption of the part of the defendant but without attorneys' fees in either case, and the Court being well and sufficiently advised in the premises,

It is ordered, that the said DEFENSE BEING also a stipulated matter be and the same is hereby dismissed with prejudice to a resumption of the part of the defendant but without attorneys' fees in either case.

Clarence H. Swartz  
Clerk

H. G. E. Beauchamp  
Attorney for Plaintiff

Acwallan  
John R. Allan  
Ben J. Owens  
Attorneys for Defendant.

IN THE DISTRICT COURT OF THE UNITED STATES FOR  
THE SOUTHERN DISTRICT OF TEXAS

Floyd J. Peiser,

Plaintiff,

vs.

No. 2542-Civil

Federal Mining and Milling Company,  
a Nevada Corporation,

Defendant.

FILED

OCT 24 1948

O R D E R

NOBLE C. HOOP  
Clerk U. S. District Court

Now, on this 24 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.

(S) Royce H. Savage  
JUDGE

APPROVED:

F. J. Peiser  
Attorney for Plaintiff

W. C. Waller

John P. Hallan

Sam A. Owens  
Attorneys for Defendant.

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA.

United States of America,

Libelant,

vs.

No. 2256 Civil.

One 1946 Ford Coupe, Motor No.  
TIA-270574, 36 Gallons of As-  
sorted Tarnish Whiskey, and  
Virgil Thomas Bringer, Jr.,

Claimants.

FILED  
JUL 20 1946  
NOBLE C. HOOD  
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

Now on this 20 day of October, 1946, the above entitled cause having come on for trial pursuant to regular assignment, the libelant appearing by Whit T. Manzy, United States Attorney, and Robert Brown, Assistant United States Attorney, for the Northern District of Oklahoma, and the above described One 1946 Ford Coupe, Motor No. TIA-270574, and 36 gallons of assorted tarnish whiskey having been heretofore seized by the United States Marshal for the Northern District of Oklahoma under warrant issued by this Court; and the claimant, Virgil Thomas Bringer, Jr., having heretofore entered his appearance in said action and having filed his answer herein; and the libelant and claimant herein by and through their respective attorneys having stipulated that the evidence and testimony presented herein is the same as the evidence and testimony presented in the Criminal Case, United States of America v. Virgil T. Bringer, No. 11307, and the Court being fully advised in the premises finds all issues in favor of the libelant and against the claimants herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that a forfeiture hereto be, and the same is hereby allowed as to the said 1946 Ford



Car, Motor No. 10A-270574, and the 36 gallons of assorted taxaid whiskey seized with said automobile, and that said automobile is ordered delivered to the United States Treasury Department for the use of the Bureau of Internal Revenue in the enforcement of the Internal Revenue Laws pursuant to Section 30, of the Liquor Law Repeal and Enforcement Act together with all of its equipment and accessories.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the above described 36 gallons of assorted taxaid whiskey be delivered into the possession of the Alcohol Tax Unit, Bureau of Internal Revenue, for proper disposition according to law.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that all the storage charges incident to the seizure herein be and the same are hereby ordered paid by the United States Treasury Department.

*[Signature]*  
 JUDGE.

U. S. vs. [redacted]  
 [redacted]  
 Whit Y. Mauzy,  
 United States Attorney.  
 [redacted]  
 Hobart Brown,  
 Assistant U. S. Attorney.  
 [redacted]  
 Irvine Ungerman,  
 Attorney for Claimant.



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA.

United States of America,

Libelant,

vs.

One 1938 International Truck,  
Motor #GRD233-97498, and Earl  
Cleburn Merryman,

Claimants.

No. 2575 Civil. ✓

FILED

OCT 27 1948

NOBLE C. HOOD  
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

NOW on this 27 day of October, 1948, the above entitled cause having come on for trial pursuant to regular assignment, the libelant appearing by Whit Y. Maury, United States Attorney, and Hobart Brown, Assistant United States Attorney, for the Northern District of Oklahoma, and the above described One 1938 International Truck, Motor #GRD233-97498, having heretofore been seized by the United States Marshal for the Northern District of Oklahoma under writ issued by this Court; and the claimant, Earl Cleburn Merryman, having heretofore entered his appearance in said action and having filed his answer herein; and the libelant and claimant herein by and through their respective attorneys having stipulated that the evidence and testimony presented herein is the same as the evidence and testimony presented in the Criminal Case, United States of America v. Earl Cleburn Merryman, et al, No. 11683, and the Court being fully advised in the premises finds all issues in favor of the claimants and against the libelant herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the said One 1938 International Truck, Motor #GRD233-97498, be and the same is hereby ordered returned to the claimant, Earl Cleburn Merryman, together with



all of its equipment and accessories.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that all the storage charges incident to the seizures herein be and the same are hereby ordered paid by the United States Treasury Department.

Royce H. Savage  
JUDGE.

O. K. as to form:

Whit Y. Mauzy  
Whit Y. Mauzy,  
United States Attorney.

Hobart Brown  
Hobart Brown,  
Assistant U. S. Attorney.

Holly L. Anderson  
Holly L. Anderson,  
Attorney for Claimant.

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

LOUISIANA MACHINERY COMPANY, )  
INC. )  
Plaintiff )  
vs. )  
J. H. MILLER )  
Defendant )

Civil No. 2509

*FILED  
in open court  
NOV 19 1934*

J U D G M E N T

NOBLE C. HOOD  
Clerk U. S. District Court

This cause having been regularly filed and served, issue having been joined by defendant's answer, and pursuant to order of court supplemental and amended complaint having been filed thereto, the case having been regularly set for trial and on the date thereof counsel for defendant having filed application to withdraw and said application having been approved, and the defendant having made no appearance and the court having ordered judgment by default, and the plaintiff having proved its demands in open court, and the law and the evidence being in favor thereof, it is therefore,

ORDERED, ADJUDGED AND DECREED that there be judgment herein in favor of plaintiff, Louisiana Machinery Company, Inc. and against defendant, J. H. Miller, in the full sum of Three Thousand Eighty Five and 54/100 (\$3,085.54) Dollars, together with legal interest thereon from judicial demand until paid.

Further ORDERED, ADJUDGED AND DECREED that  
defendant pay all costs of this suit.

Judgment rendered, read and signed in open court  
on this 1st day of November, 1949.

*Royce H. Savage*  
United States District Judge

ATTEST:  
A TRUE COPY OF ORIGINAL  
NOBLE C. HOOD, CLERK  
BY *C. H. Hamilton* DEPUTY



UNITED STATES DISTRICT COURT OF THE UNITED STATES FOR  
THE DISTRICT OF OREGON

Tom Caldwell,

Plaintiff,

vs.

Federal Mining and Smelting Company,  
a Foreign Corporation,

Defendant.

No. 2541-Civil

FILED

NOV 3 1940

ROBERT HOOD  
Clerk U. S. District Court

O R D E R

On this 3 day of November, 1940, 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.

Royce H. Savage  
JUDGE

APPROVED:

W. L. Lawrence  
Attorney for Plaintiff

Alverson

John R. Hallam

Ben J. Owens  
Attorneys for Defendant.

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

UNITED STATES OF AMERICA,	)	
	)	
Petitioner	)	
vs.	)	No. 2429-Civil
	)	
100.00 acres of land, more or less, situate in Kaye County, Oklahoma, and Fio Dickerson, et al,	)	
	)	
Respondents	)	

JUDGMENT CONFIRMING AGREEMENTS

Now on this 3rd day of November, 1949, this cause comes on to be heard, and the Court, having been fully advised in the premises, finds that option contracts introduced in evidence fix the value of certain tracts involved herein, and including all damages, as agreed upon by and between the petitioner and the owners of said tracts.

The Court further finds that said agreed values should be confirmed and approved.

The Court further finds that a deposit has been made under the Declaration of Taking filed herein as to said tracts, and that no deficiencies exist.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the agreed values be, and the same are hereby, confirmed and approved in all respects by this Court, as to the following tracts and in the following amounts hereinafter set forth:

Tract No. 1728

Agreed Value . . . . .	\$1,800.00
Deposited . . . . .	\$1,800.00

Tract No. 1732

Agreed Value . . . . .	\$2,200.00
Deposited . . . . .	\$2,200.00

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

/s/ Royce H. Savage  
Judge

U.S.  
UNITED STATES OF AMERICA, Petitioner

By /s/ Curtis E. Harris  
Special Attorney, Department  
of Justice

U.S.

/s/ Hugh A. White  
United States Probate Attorney

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

UNITED STATES OF AMERICA, )  
 )  
 ) Petitioner, )  
 )  
 vs. ) No. 2349-Civil )  
 )  
 2,025.31 acres of land, more or less, )  
 situate in Ceege County, Oklahoma, and )  
 E. C. Mullendore, Jr., and Mrs. E. C. )  
 Mullendore, Jr., also known as Kathleen )  
 Mullendore, )  
 ) Respondents. )

**FILED**  
**In Open Court**

NOV 4 1949

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

J U D G M E N T

On this 6th day of October, 1949, this cause came on for trial; petitioner appearing by and through Curtis P. Harris, Special Attorney for the Department of Justice, and the respondents, E. C. Mullendore, Jr., and Mrs. E. C. Mullendore, Jr., also known as Kathleen Mullendore, owners of the land involved herein, appear by their attorneys, Meloy, Craig & Pearson, and E. C. Mullendore, Jr., appearing in person.

A jury having been duly impaneled and sworn, the further hearing of this cause is continued to October 10, 1949, at 9:30 o'clock a.m.

Now, this 10th day of October, 1949, the Court, jury and parties and counsel being present as heretofore, the respondents present their evidence and rest, with permission to introduce one fact witness out of turn on October 11th, 1949. Thereafter the petitioner presents evidence and the further hearing is continued until October 11, 1949, at 9:30 o'clock a.m.

Now, this 11th day of October, 1949, this cause comes on for further hearing with the Court, jury, parties and counsel being present as heretofore. Thereupon the respondents present further evidence by one fact witness and rest, and the petitioner completes the presentation of its evidence and rests, and thereafter the respondents present their evidence in rebuttal, and



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Libelant,

vs.

One 1947 Buick Sedan, Motor  
Number 48763237, et al,

Claimants.

Number 2635 Civil.

FEB 11 1949

FEB 11 1949

JUDGMENT

NOBLE C. HOOD  
Clerk U. S. District Court

Now, on this 26th day of October, 1949, the above entitled cause having come on for trial pursuant to regular assignment, the libelant appearing by Whit Y. Massey, United States Attorney, and the above described 1947 Buick Sedan, Motor Number 48763237, having been heretofore seized by the United States Marshal for the Northern District of Oklahoma under monition issued by this Court, and the claimants William P. Culver and Rose E. Culver having heretofore entered their appearance in said action and having filed their disclaimer herein; the claimant American National Bank of Pryor, Oklahoma, appearing by its attorneys, H. F. Wilkerson and Irvine Ungerman and the Court having heard the evidence and testimony presented and being fully advised in the premises finds all issues in favor of the libelant and against the claimants herein.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that a forfeiture herein be and the same is hereby allowed as to the said 1947 Buick Sedan, Motor Number 48763237, and that the petition for remission and mitigation of the American National

Bank of Pryor, Oklahoma, be and the same is hereby denied, and that said 1947 Buick Sedan, Motor Number 23763427 is ordered delivered by the United States Marshal to the United States Treasury Department, Bureau of Internal Revenue, District Supervisor, Alcohol Tax Unit, Kansas City branch, together with all its equipment and accessories.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT ALL charges incident to the seizure herein be and the same are hereby paid by the United States Treasury Department.



DISTRICT JUDGE.

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

DILLON L. JOHNSON and  
HELEN JOHNSON,

Plaintiffs

vs.

No. 2215 Civil

GENERAL MOTORS CORPORATION, a  
corporation, and FOSTER AVIATION  
INDUSTRIES, et al.,

Defendants

FILED

OCT 10 1949

NOBLE C. HOOD  
Clerk U. S. District Court

DISMISSAL WITH PREJUDICE

Come now the plaintiffs, personally and by and through their attorneys of record, and dismiss their cause of action herein with prejudice to the further right to prosecute same, and at their cost, and the plaintiffs and their counsel respectively request this Honorable Court to approve this dismissal and make and enter an order dismissing said cause with prejudice, and at plaintiffs' cost.

Dillon L. Johnson  
Helen Johnson  
Plaintiffs

R. S. Trapp  
Attorneys For Plaintiffs

ORDER

On this, the 8th day of November, 1949, this cause comes on for hearing on the above and foregoing dismissal and request of the plaintiffs for an Order of Dismissal by this Court, this cause having been set for trial on the 25th day of October, 1949, and by agreement of the parties continued to this date. The Court, having read and considered the dismissal filed by the plaintiffs herein and their request for an order of

Court dismissing same, and having heard and considered statements of counsel and being fully advised that the defendants do not object to sustaining the request of the parties and dismissing this cause per request of the parties,

BE IT THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiffs' cause of action be, and the same is, dismissed with prejudice, and at plaintiffs' cost.

*Royce H. Savage*  
\_\_\_\_\_  
JUDGE



\$15,000, \$5,000 of which was paid in cash to J. K. ABLE as consideration for purchase of said transaction.

- (2) That the defendants complied with the terms of said contract of purchase and paid the full consideration therefor; that they complied with the applicable law of the state of Oklahoma and by all parties to the said contract.
- (3) That at the date of said contract, J. K. ABLE was indebted to Plaintiff for goods, wares and value also previously purchased in the amount of \$15,275.38.
- (4) That defendants were informed of said debt of ABLE to Plaintiff prior to the signing of said contract but said debt was not asserted by defendants under said contract of purchase.
- (5) That defendants closed said transaction with ABLE and J. E. CITY via J. SPAIN on June 16, 1948, SPAIN being paid at the time the sum of \$7,875.10, this being the balance of the purchase price after payment of certain loans, mortgages and accounts contemplated under the contract and agreed to between the contracting parties.
- (6) That defendants procured a cashier's check payable to J. K. ABLE and the Plaintiff corporation in the amount of \$8,105.95. This check was procured a few days prior to the closing of the transaction and in pursuance to previous instructions of ABLE and his attorney that he, ABLE, desired to pay Plaintiff's account out of the contract funds. Thereafter about December 16, 1948, ABLE revoked his instructions to defendant to pay Plaintiff's account from the funds and requested that the cashier's check be surrendered to the bank and the funds represented thereby be paid to him, all of which was done by the defendants on December 16, 1948.
- (7) That Plaintiff was informed by attorney for defendants prior to contract closing with ABLE that he, ABLE, had countermanded his instructions that Plaintiff's account be paid from proceeds of said sale.
- (8) That J. E. CITY was adjudged a bankrupt February 21, 1949, listing liabilities in excess of \$350,000. That Plaintiff was one of the petitioning creditors in bankruptcy and filed its claim against debtor and, as a result of the filing of said claim, Plaintiff did not receive any dividends from said bankrupt estate.
- (9) That one MURKIN WILES was an employee in a large oil field sales and service department. That the contract in question by the ABLE resulted indirectly from the efforts of WILES to collect

A subsequent account for his employer from Plaintiff. (1983) assembled and furnished same for or to Defendant in connection with the contract, both before and during contract negotiations. (1983) also had conversations with (1983) and over the telephone with Plaintiff's representatives concerning its account and informed Plaintiff that he felt sure the amount would be taken care of when the deal was closed.

- (19) That no contacts, dealings or conversations were ever had by A. M. (1983) or JACK (1983) with any representative of Plaintiff corporation concerning its account.

#### CONCLUSIONS OF LAW

- (1) The court concludes as a matter of law that Defendants did not assume or agree to pay the account of Plaintiff and were under no obligation to pay the same.
- (2) That in procuring cashier's check, the Defendants were acting upon instructions from Plaintiff and as an accommodation for Plaintiff and were at all times without power or authority under the contract or under the law to pay the account of Plaintiff over the objection of Plaintiff's bank. (1983) to pay said account.
- (3) That (1983) did not assume or agree to pay the account of Plaintiff and had no authority to do so and, in discussing the account with the representatives of Plaintiff, was merely providing information and said agent would have been acting without the apparent scope of his employment and authority either express or implied in assuming the cash role of Plaintiff on behalf of his employer.
- (4) That the contract in writing between Plaintiff and (1983) and (1983) and (1983) of Plaintiff Company was amended as provided in said contract. That thereafter Defendants were not bound to pay the account of Plaintiff. That no obligation was undertaken or imposed on (1983) of said written contract to pay said account. That Plaintiff has a stored no doubt and or through any contract of Defendants that would bind the Defendants to pay the account of Plaintiff.

IT IS ORDERED AND CONSIDERED, that the above ADJUDICATED by the Court that the Plaintiff of this cause be, and the same be hereby,

and read to said defendant, the contents of said  
warrant, and that he hereby directs the Clerk of this Court to  
enter said judgment of record in the same.

Witness my hand and seal of office, this 10th day of December, 1916.

*Lawrence H. Savage*

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

Attest:

*Valjean Biddison*

*A. C. Saunders*



by the plaintiff as well as a part of such attorney's fees and disbursement for Court costs. The Court further finds that the sum of \$13.52 should be paid to the wife of Walter W. Martin.

The Court further finds that the American National Insurance Company, a corporation, plaintiff herein, should be discharged of and from all liabilities under the aforesaid insurance policies and that it should be discharged of and from all liabilities to each and all of the defendants herein; and the defendants herein, and each of them, should be restrained and enjoined permanently from instituting any suit or proceeding against the American National Insurance Company in any State Court or any United States Court effecting the above numbered policies of insurance or on account of any money claimed to be due thereunder.

The Court further finds that the Clerk of this Court should pay the sum of \$300.00 to the defendants Mrs. W. E. Brown, Mrs. Morris Deay, and Mr. Morris Deay, guardian of James W. Walker and Henry Ruth Walker, minors.

The Court further finds that the Clerk of this Court should pay the balance thereof, to-wit: the sum of \$14.01, to the defendant Florence L. Brown.

WHEREFORE the plaintiff, AMERICAN NATIONAL INSURANCE COMPANY, prays that the American National Insurance Company, a corporation, do, and the case is hereby, discharged of and from all liabilities arising under the aforesaid policies of insurance numbered 12-1-41 and 12-102-042 and that said plaintiff be, and it is hereby, discharged of and from all liabilities to each and all of the defendants herein; and said defendants be, and they are hereby, permanently restrained and enjoined from instituting or prosecuting any suit or proceeding against the American National Insurance Company, a corporation, in any State Court or any United States Court effecting the above numbered policies of insurance or on account of any money claimed to be due thereunder.

IN WITNESS WHEREOF, I, the undersigned, Clerk of this Court, do hereby certify that the Clerk of this Court has, on this 10th day of March, 1941, paid to the wife of Walter W. Martin the sum of

\$138.52 to the law firm of Tucker and Martin.

THE HONORABLE JUDGE, ASSIGNED AND REQUESTED that the Clerk of this Court do, and he is hereby, authorized and directed to pay the sum of \$300.00 to Mrs. C. L. Brown, Mrs. Morris Seay, and Mr. Morris L. Seay, guardian of James L. Walker and Percy Ruth Walker, minors.

THE HONORABLE JUDGE, ASSIGNED AND REQUESTED that the Clerk of this Court do, and he is hereby, authorized and directed to pay the sum of \$100.00 to the dependent Florence M. Brown.

Done in open Court the first day and year above written.

*Wayne H. Savage*  
WAYNE H. SAVAGE DISTRICT JUDGE

APPROVED:

*William H. Tucker*

*William H. Martin*

ATTORNEYS FOR PLAINTIFF

*Mrs. Morris Seay*  
MRS. MORRIS SEAY

*Morris L. Seay*  
MR. MORRIS L. SEAY, GUARDIAN OF  
JAMES L. WALKER AND PERCY RUTH  
WALKER, MINORS

*David H. Sanders*  
ATTORNEY FOR DEFENDANT

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

UNITED STATES OF AMERICA,

Petitioner,

vs.

No. 100-1000

610.61 acres of land, more or  
less, situate in Grant County,  
Oklahoma, and Jack Barnett, et al.

Respondents.

VERIFICATION

I, J. H. H. H.

Now on this 1st day of April, 1940, I, the undersigned,

for hearing who appear in this petition to the District Court of Oklahoma at Oklahoma City, Oklahoma, on the 1st day of October 1939, and to distribute the compensation for said tract to the said Jack Barnett, said amount appearing by said White, United States Probate Attorney, for distribution, and to appear to the Court and in said James Barnett was then a resident of Oklahoma County, Oklahoma, on or about April 1, 1900 and left on his sole and individual account and Jack Barnett a full blood unmixed blood Indian, and that title to said tract of land should be vested in her and that the compensation therefor should be distributed to her.

I, the undersigned, do hereby certify that the foregoing is true and correct.

and I solemnly swear that the foregoing is true and correct to the best of my knowledge and belief, and that I am a full blood unmixed blood Indian, and that title to said tract of land should be vested in her and that the compensation therefor should be distributed to her.

handled and distributed as other restricted Indian funds.

*Rayce H. Savage*  
DISTRICT JUDGE

*OK Curtis P. Harris  
Spec. Atty. Dept. Justice*

ATTEST:  
A TRUE COPY OF ORIGINAL  
RECEIVED BY CLERK  
BY *W. M. ...* DEPUTY

FILED

NOV 15 1940

NORLE C. ROOSE  
Clerk U. S. District Court

UNITED STATES DISTRICT COURT OF THE DISTRICT OF OKLAHOMA

J. H. ...

Plaintiff,

v.

Civil No. 7473.

The Pure Oil Company, a corporation, et al., vs. ...

Defendants.

FILED

1945

WALTER C. HOOD, Clerk U.S. District Court

JUDGMENT

On this the 16th day of November, 1945, the above entitled cause comes on for entry of judgment, pursuant to stipulation heretofore signed by counsel and filed in the office of the Clerk of the United States Court for the Northern District of Oklahoma, the plaintiff appearing by his attorneys, ... and the defendants appearing by their attorneys as reflected in all respective answers and pleadings on file herein;

Whereupon, the court, having considered the stipulation and the oral statements of counsel, finds that judgment should be entered herein against the plaintiff and in favor of the defendants, quiet title as to all mineral rights, by finding The Pure Oil Company to be the owner of a valid and subsisting oil and gas lease and ... the owners of one-third of the mineral rights, subject to the lease of The Pure Oil Company; the defendant, ... to be the owners of one-sixth interest, each, to the mineral rights, subject to the lease of The Pure Oil Company; and ... to be the owners of a one-third interest in the mineral rights, subject to the lease

of The Pure Oil Company; and that judgment should be entered accordingly.

That the said Plaintiff, The Pure Oil Company, is entitled AND entitled to the mineral rights, in and under the lands herein described, and that the defendant, The Pure Oil Company, be adjudged to be the owner of the valid and subsisting oil and gas mining lease upon all of the lands involved herein, described as the

North Half of the Northeast Quarter  
(1/2 Sec 4) of Section 21, Township 17  
North, Range 11 East, Creek County,  
Oklahoma;

and that the defendant I. L. Kelly be adjudged to be the owner of a one-third interest in the mineral rights in and under the above lands, subject to the lease of The Pure Oil Company; and that the defendants, William J. Weston and W. J. Cochran, et al., be adjudged to be the owners of a one-third interest each, or a one-third interest together, in the mineral rights in and under the above lands, subject to the lease of The Pure Oil Company; and that the defendants, J. L. Fitzgerald, et al. and Elizabeth Fitzgerald, be adjudged to be the owners of a one-sixth interest each, or a one-third interest together, in the mineral rights in and under the above lands, subject to the lease of The Pure Oil Company.

That the said Plaintiff, The Pure Oil Company, is entitled AND entitled that title to the respective defendants, in the manner and proportions hereinabove set out, be forever quieted in the said

defendants against all claims of the plaintiff, and plaintiff's title *be quieted to surface of said land.*

That the costs of this action be paid by the defendants.

*George H. Savage*  
JUDGE

The above is hereby approved:

*Young, Young & Young*  
By *Alvin C. Young*  
Attorneys for Plaintiff

*E. E. Kingston, Alvin Richards*  
Attorneys for the Pure Oil Company,  
Defendant

*Doerner, Pinckart & Stuart*  
Attorneys for J. J. Kelly, Defendant

*Sample & Fitzgerald*  
Attorneys for William J. Peckham and  
J. J. O'Connell, Jr., Defendants

*Sample & Fitzgerald*  
Attorneys for J. J. Fitzgerald, Jr.  
and Elizabeth Fitzgerald, Defendants



Civil Action No. 2821

Plaintiff

Plaintiff

vs.

H.D. Higman, et al,  
1030 N. Louis Street  
Eliza, Indiana

Defendants

Defendants

1945  
Class of 1945  
Class of 1945

On the 17th day of November, 1945, the above styled and numbered case of action came on regularly for trial before the court, the plaintiff being represented by Mr. [Name], Sanford, W. [Name], and the defendants appearing neither in person nor by counsel.

Whereupon, after hearing the evidence and statement of witnesses the Court finds that the defendants have collected rent in excess of the maximum legal rent from the tenant, Harold Davis, \$162.50, and from the tenant Mrs. Vera D. Irons, in the amount of \$22.50, and from the tenant Harold D. Morgan, \$27.50. The Court being fully advised finds that the defendants should make restitution to the tenants the amounts of the overcharge and that the court costs should be taxed to the defendants.

IT IS THE ORDER OF THE COURT that the defendants are hereby directed to [Name] make restitution of the following to each the following amounts:

Harold Davis	162.50
Mrs. Vera Irons	22.50
Harold D. Morgan	27.50

and that said restitution shall be made through the Office of the

Plaintiff, The Office of the Housing Inspector, in St. Louis,  
Missouri, for which let execution issue.

IT IS FURTHER ORDERED BY THE COURT that all court costs  
shall be taxed against the defendants.

144 Royce H. Savage  
DISTRICT JUDGE

144 Sanford H. Palmer  
ATTORNEY AT LAW FOR PLAINTIFF

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

J. J. Franks and velsa Franks,

Defendants.)

Number 2547 Civil.

FILED  
In Open Court

NOV 17 1949

NOBLE C. HOOD  
Clerk U. S. District Court

J U D G E M E N T

Now, on this 17th day of November, 1949, the above entitled matter coming on for hearing pursuant to assignment, and the plaintiff, United States of America, appearing by Whit Y. Mauzy, United States Attorney, and John A. McCune, Assistant U. S. Attorney, for the Northern District of Oklahoma, and the defendants appearing not, the Court proceeded to hear the evidence offered on behalf of the plaintiff.

The Court finds that the defendants were served with summons herein more than twenty (20) days prior to this date and, having filed no pleadings or answer herein, are and should be adjudged to be in default. That a proper affidavit of non-military service has been filed herein and the same is hereby approved.

The Court further finds that the defendants on October 17, 1947, executed their written promissory note to Shannon Material and Wrecking Company for the purpose of securing a FHA modernization loan. That said loan was insured under the

General Housing Act and that the defendants defaulted in the payment of same and said note was thereafter assigned to the plaintiff.

The court further finds that there is due upon said note the sum of \$988.61 at this time.

The Court further finds that said note was given for material furnished in making permanent improvements upon the homestead of said defendants located upon Lot 4, Block 3, Oaks Addition, Creek County, Oklahoma, which material was used for building additional rooms and foundation as a part of said homestead, and by reason thereof plaintiff is entitled to levy execution upon the homestead of the defendants for the collection of said judgment.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the plaintiff have judgment against J. J. Franks and Velma Franks for the sum of \$988.61, with interest thereon at the rate of six (6%) per cent per annum from November 17, 1949, and for the costs of this action, for all of which let execution issue and that execution is authorized and directed to be levied upon the above described homestead.

  
District Judge.

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

ALBERT POLIS AND CARL HAGAN,  
co-partners doing business under  
the name of POLIS AND HAGAN,  
Plaintiffs  
vs.  
JIM HILL  
Defendant

✓  
2551  
Civil No. ~~2551~~

in open court  
1949

ROBERT J. HOOD  
Clerk of District Court

J U D G M E N T

On this 17th day of November, 1949 upon motion of the plaintiff in open court that the defendant be declared in default and the clerk having entered his default and the court after hearing finds that judgment should be entered by default against the defendant herein. It is ordered, adjudged and decreed that the plaintiff have and recover judgment against the defendant in the amount of \$5,743.50 together with interest at the rate of 6% per annum from and after June 14, 1947 and the costs of this action.

Wayne H. Savage  
Judge

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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 Carter Oil Company, a corporation, plaintiff, and Glen S. Dille et al., defendants, No. 2295, Civil, the judgment of the said district court in the said cause entered on October 14, 1948, was in the following words, viz:

\* \* \* \* \*

"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. Delaney, Jr., and Zephyr Drilling Company."

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Court of Appeals, Tenth Circuit, by virtue of an appeal by W. A. Delaney, Jr., et al., agreeably to the act of Congress, in such case made and provided, fully and at large appears:

You, therefore, are hereby commanded that such further proceedings be had in said cause, in conformity with the opinion and judgment and amended 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 16th day of November, in the year of our Lord one thousand nine hundred and forty-nine.

**COSTS OF Appellants:**

Clerk: Flat Fee	\$ 25.00
Preparation of printed record	\$ 37.25
Printing record	<u>\$ 316.32</u>
	\$378.57

/s/ Robert B. Cartwright  
Clerk of the United States Court  
of Appeals, Tenth Circuit

No. 3798

UNITED STATES COURT OF APPEALS  
TENTH CIRCUIT

November Term, 1948.

W. A. Delaney, Jr., et al.,  
Appellants,  
vs.

The Carter Oil Company, et al.,  
Appellees.

M A N D A T E

Endorsed:

Filed Nov. 18, 1949  
Noble C. Hood  
Clerk U. S. District Court

AND WHEREAS, at the November Term, in the year of our Lord one thousand nine hundred and forty-eight, the said cause came on to be heard before the said United States 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 majority opinion of the court; and that W. A. Delaney, Jr., and Zephyr Drilling Company, a corporation, appellants, have and recover of and from The Carter Oil Company, a corporation, and Glen S. Dille, appellees, their costs herein and have execution therefor.

--April 15, 1949.

And whereas, this cause came on to be heard on the application of Messrs. Conner, Winters, Lee and Randolph for recall of the mandate of this court heretofore issued herein for the reason that the costs on the mandate were assessed against appellees, The Carter Oil Company and Glen S. Dille.

On consideration whereof, it appearing to the court that The Carter Oil Company is a nominal party, it is now here ordered that the judgment heretofore entered in this cause, assessing costs against The Carter Oil Company and Glen S. Dille, be amended by eliminating therefrom The Carter Oil Company, and that the costs in this cause be assessed solely against Glen S. Dille, appellee.

It is further ordered that the mandate in this cause be and the same is hereby recalled and that a new mandate be issued assessing costs against appellee, Glen S. Dille.

-- November 9, 1949.

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

RHODA FIFE, nee SAAPSON, Roll No. 2177  
on the final roll of Creek Indians by blood,  
and WINEY HANEY, enrolled as WINEY JOHNSON,  
restricted Creek Indian on New Born Creek  
Roll of Indians by blood opposite No. 690,  
and JOHNSON JACKSON, SILAS SPENCER, JUDAS  
SPENCER, CADDY SPENCER, and LILLIE MAE SPENCER,  
all restricted Creek Indians by blood born after  
the closing of the rolls on March 4, 1907,

Plaintiffs,

vs.

W. L. CONNELLY, J. PAUL GETTY, ARCH H. HYDEN,  
Administrator with will annexed of the Estate  
of SARAH C. GETTY, deceased; G. R. ECKLES,  
Administrator of the Estate of JOHN D. BOXLEY,  
deceased; HENSLAH BOXLEY; VILLARD MARTIN, Trustee  
for KATHRYN CORNELIA MAXEY; N. B. PEABODY;  
V. V. IARRIS, E. W. BARNARD, C. B. HYDE,  
R. P. BATHIS, FANNIE C. HOLMAN, J. B. HAMMONS,  
F. F. SWAN, ROLEY BUCK, PEARLIE BUCK, LONNIE  
BUCK, W. T. ANGLIN, ALFRED STEVENSON, ANGLIN and  
STEVENSON, a co-partnership composed of W. T.  
ANGLIN and ALFRED STEVENSON, BAR DON OIL COMPANY,  
a corporation, ATLANTIC REFINING COMPANY, a cor-  
poration, SINCLAIR PRAIRIE OIL COMPANY, a corpora-  
tion, formerly SINCLAIR OIL AND GAS COMPANY, a  
corporation, THE OIL OKLAHOMA OIL COMPANY, a corpora-  
tion, and the heirs, executors, administrators,  
 devisees, trustees and assigns, known and unknown,  
immediate and remote, of LETE KOLVIN, Creek by  
blood Roll No. 6002, deceased, and of "TE-SE-HO-KE,"  
deceased, and of "NELSON," deceased, and of ELI  
NELSON, deceased, and of BETSEY YARBROUGH, other-  
wise known as BETSY SPENCER, deceased, and of  
SARAH C. GETTY, deceased, and of JOHN D. ECKLEY,  
deceased, and of LENA NELSON, full blood Creek,  
deceased,

Defendants,

UNITED STATES OF AMERICA,

Intervener.

FILED

MAR 21 1949

NOBLE C. HOOD  
Clerk U. S. District Court

No. 2144 Civil

J U D G M E N T



This cause comes on for hearing on this 15th day of November, 1949, on the motion for summary judgment of defendants H. C. Barnard, V. V. Harris, C. E. Hyde, F. P. Swan, E. F. Mathis, Fannie C. Holman, H. E. Feagin, Bar Don Oil Company, Beulah Boxley, G. R. Eckles as Administrator of the Estate of John D. Boxley, deceased, Villard Martin as Trustee for Kathryn Cornell Maxey, Margaret May Hammons, Executrix of the Estate of J. B. Hammons, deceased, W. T. Anglin, Alfred Stevenson, Anglin & Stevenson, a co-partnership composed of W. T. Anglin and Alfred Stevenson, Raley Buck and Pearlle Buck against the plaintiffs herein, the motion for summary judgment of the defendant The Atlantic Refining Company against the plaintiffs, and the motion for summary judgment of defendants Sinclair Prairie Oil Company and Arch H. Hyden Administrator with will annexed of the Estate of Sarah C. Getty, deceased, against the plaintiffs; said plaintiffs appearing by their attorney R. A. Wilkerson, the defendants H. C. Barnard, V. V. Harris, C. E. Hyde, F. P. Swan, E. F. Mathis, Fannie C. Holman, H. E. Feagin, Bar Don Oil Company, Beulah Boxley, G. R. Eckles as Administrator of the Estate of John D. Boxley, deceased, Villard Martin as Trustee for Kathryn Cornell Maxey, Margaret May Hammons, Executrix of the Estate of J. B. Hammons, deceased, W. T. Anglin, Alfred Stevenson, Anglin & Stevenson, a co-partnership composed of W. T. Anglin and Alfred Stevenson, Raley Buck and Pearlle Buck appearing by their attorneys John Rogers and Frank L. Warren, and the defendants H. E. Feagin and Bar Don Oil Company also appearing by their attorney Carter Smith; the defendant The Atlantic Refining Company appearing by its attorney C. E. Cochran; the defendant Sinclair Oil & Gas Company, formerly Sinclair Prairie Oil Company, appearing by its attorneys Ralph J. Barrett and Robert L. Inler; and the defendant Arch H. Hyden, Administrator with will annexed of the Estate of Sarah C. Getty, deceased,

appearing by his attorneys C. H. Rosenstein and Leslie Webb; and the United States of America appearing by the District Attorney, Whit V. Canzy.

Whereupon it was stipulated between the parties that the defendant Sinclair Prairie Oil Company had by amendment of its charter changed its name to Sinclair Oil & Gas Company and that the record should hereafter show the name of said defendant as Sinclair Oil & Gas Company.

And said motions being argued by counsel, briefs having been heretofore submitted, and the Court having considered the pleadings, requests for admissions and answers thereto, the depositions on file, and the exhibits attached to said requests for admissions, depositions and motions, is of the opinion that said motions should be sustained on all the grounds set forth in said motions as follows:

- I -

That the defendant W. G. Barnard and the other defendants joining with him in the first above-mentioned motion, and The Atlantic Refining Company (same being the fee and royalty owners under the Nancy Barnett, Bocer Grayson, Wiley Asbury chain of title) and their predecessors in title have been in the open, notorious, hostile, exclusive and continuous possession since on or about November 1, 1913, as to the South Half, and since on or about April 3, 1915, as to the North Half of the land here in controversy, and for more than fifteen years prior to the commencement of this action, under color of title and claim of right, and that by reason of said facts the claims of the plaintiffs as against these defendants are barred by reason of the statute of limitations and said defendants have acquired a prescriptive title to the land in controversy, and the claims of plaintiffs against the lease owner defendants, Sinclair Oil & Gas Company, Arch H. Hyden, Administrator with will annexed of the Estate of Sarah C. Cotty, deceased, and The Atlantic Refining Company, by reason of the facts aforesaid are also barred.



- II -

That the defendant The Atlantic Refining Company and its predecessors in title have been in the open, notorious, hostile, exclusive and continuous possession, as lessees of said royalty owner defendants, as to the South half of said land since on or about November 1, 1913, and for more than fifteen years prior to the commencement of this action, and therefore the claims of the plaintiffs as to said South half are barred by the statute of limitations and said defendant The Atlantic Refining Company has acquired a prescriptive title as to the oil and gas leasehold estate on the South half of said land.

That the defendants Sinclair Oil & Gas Company and Arch H. Hyden, Administrator with will annexed of the Estate of Sarah C. Getty, deceased, and their predecessors in title had been in possession, as lessees of said royalty owner defendants, of the North half of said land as oil and gas lessees since on or about April 8, 1915, and for more than fifteen years prior to the commencement of this suit, and that by reason thereof the claims of the plaintiffs are barred by the statute of limitations and said defendants have acquired a prescriptive title as to the oil and gas leasehold estate on the North half of said land as against the plaintiffs.

- III -

That the only right or claim of plaintiffs asserted against Sinclair Oil & Gas Company and Arch H. Hyden, Administrator with will annexed of the Estate of Sarah C. Getty, deceased, is the right to rents and royalties under the oil and gas leases executed by Lena Nelson, Rhoda Fife and Betsey Spencer, each of which contains a provision to the effect that the claims of said respective lessors to an interest in said land are in dispute and that at the time of the execution thereof said land was being operated under leases made by parties claiming adversely to the lessor and that the lessor should receive as rents or

royalties under said leases only that part, if any, that the lessor's interest as established by final court decree bears to the whole title; and that any claim for rents or royalties under said leases against said defendants is barred by the statute of limitations because it was the duty of the lessors or their successors in title to bring an action within a reasonable time to establish their title and after the expiration of such reasonable time the statute of limitations would commence to run and has long since run against the plaintiffs.

- IV -

That on May 30, 1916, Betsey Spencer, joined by her husband Yoney Spencer, executed a warranty deed to J. B. Foxley, for a consideration of five hundred dollars, which was paid, covering the tract of land here in dispute, the same being duly approved by the County Court of Hughes County, Oklahoma, on June 10, 1916. That the said Betsey Spencer, under the allegations of the petition, is alleged to have inherited an undivided half interest in said land, which the petition alleges was inherited by Winey Haney, Johnson Jackson, Silas Spencer, Judas Spencer, Sandy Spencer and Lillie Mae Spencer, plaintiffs herein, and that said deed was a good and valid instrument conveying any right, title and interest that said Betsey Spencer might have had in the land; and, further, that if any grounds there be for setting the same aside for fraud, inadequate consideration or lack of consideration, the same are barred by the statute of limitations. That by reason of said facts the claims of the plaintiffs, Winey Haney, Johnson Jackson, Silas Spencer, Judas Spencer, Sandy Spencer and Lillie Mae Spencer, are barred.

- V -

That the claims of the plaintiffs are barred by laches and said plaintiffs are estopped for said reason from asserting the same.

- 5 -

The Court expressly finds and determines that there is no just reason for delay in entry of judgment in favor of said moving defendants and against the plaintiffs.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED, BY THE COURT, that said motion of defendants H. G. Barnard, V. V. Harris, C. B. Hyde, F. P. Swan, T. F. Mathis, Fannie C. Holman, N. S. Feagin, Bar Don Oil Company, Paulah Boxley, G. R. McKles as administrator of the Estate of John D. Boxley, deceased, Villard Martin as Trustee for Kathryn Cornell Baker, Margaret Lay Harmons, Executrix of the Estate of J. H. Harmons, deceased, W. T. Anglin, Alfred Stevenson, Anglin & Stevenson, a co-partnership composed of W. T. Anglin and Alfred Stevenson, Roley Luck and Pearlle Luck for summary judgment against the plaintiffs, the motion of the defendant The Atlantic Refining Company for summary judgment against the plaintiffs, and the motion of defendants Sinclair Oil & Gas Company and Arch H. Hyden, Administrator with will annexed of the Estate of Sarah C. Petty, deceased, for summary judgment against the plaintiffs are each of them sustained and it is adjudged and decreed that said plaintiffs take nothing against said defendants, or any of them; that all claims asserted by plaintiffs against said defendants are hereby dismissed, and that said defendants have judgment for their costs herein expended; and the Court expressly directs the Clerk to enter judgment as aforesaid against the plaintiffs herein.

C. S. as to form:

Royce H. Savage  
Judge

\_\_\_\_\_  
Attorney for Plaintiffs

\_\_\_\_\_  
Attorney for Defendants

\_\_\_\_\_  
District Attorney for  
the United States of America



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Rayce H. Savage

Jack H. Hayes

David H. Sanders

STATE OF OKLAHOMA )  
                          ) SB  
COUNTY OF TULSA )

I, NOBLE HOOD, the duly appointed, qualified, and acting clerk of the United States District Court for the Northern District of Oklahoma, hereby certify that the above and foregoing is a full, true, and correct copy of the Journal Entry of Judgment entered in said cause; and further that said judgment has been spread of record in the journals of said Court and said judgment has been paid, satisfied, and released of record.

In Witness whereof I have hereunto set my hand and affixed the seal of my office.

Dated in Tulsa, Oklahoma, this \_\_\_\_\_ day of November, 1949.

NOBLE HOOD, Court Clerk

By \_\_\_\_\_  
Deputy

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHEAST DISTRICT OF DELAWARE

EMMA BENTON ADAMS, )  
 )  
 Plaintiff )  
 )  
 vs. )  
 )  
 EMMA BENTON ADAMS, a )  
 Delaware Corporation )  
 )  
 Defendant )

No. 2483 - Civil

FILED  
11-25-49

NOBLE C. BOOD  
Clerk U. S. District Court

JUDGMENT AND DECREE

This cause comes on regularly to be heard and argued, and findings of fact and conclusions of law having been made and filed;

It is hereby entered for plaintiff on his complaint, and against defendant on its answer and amended answer.

It is therefore hereby decreed and adjudged that plaintiff is the sole and exclusive owner of applications for United States Letters Patent, Serial No. 677,196 Side Drill, Serial No. 682,339 Side Drill with Slotted Guide Tube, and Serial No. 711,959 Method and Apparatus for Drilling Deep Wells, and any patents that may issue thereon. And defendant, and all parties claiming under it, are hereby perpetually enjoined from asserting any right, or laying any claim to the aforesaid applications and any patents that may issue thereon.

Costs herein are taxed against defendant.

WASD this 25 day of November, 1949.

George A. ...  
United States District Judge



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

UNITED STATES OF AMERICA,

Libelant,

vs.

ONE 1947 FORD TRUCK, Motor No.  
71GY399830, RAYMOND O. JONES  
AND THE FOURTH NATIONAL BANK  
OF TULSA, Tulsa, Oklahoma,

Claimants.

No. 2565 - Civil

FILED

NOV 29 1949

NOBLE C. HOOD  
Clerk U. S. District Court

JUDGMENT

Upon the findings of fact and conclusions of law herein, the court enters the following judgment.

IT IS ORDERED, ADJUDGED AND DECREED by the court that the 1947 Ford truck, Motor No. 71GY399830, involved herein be and the same is hereby forfeited to the United States of America, in accordance with the internal revenue laws of the United States relating to liquor, and said property is ordered sold by the United States Marshal in and for the Northern District of Oklahoma, and that the marshal apply the proceeds thereof as hereinafter set forth.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the cross-petition of The Fourth National Bank of Tulsa, Tulsa, Oklahoma, for remission and mitigation is granted, and, upon the sale of the said Ford truck, the marshal is ordered to pay from the proceeds thereof, after satisfaction of all expenses, the amount due The Fourth National Bank of Tulsa, and secured by a lien upon said truck, in the sum of \$477.00, plus attorneys' fees in the amount of \$78.00, the balance of the proceeds to be applied by the marshall as provided by law.

Dated this 28 day of November, 1949.

*W. Boyce Young*  
United States District Judge

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

BETTY HUTTON,

Plaintiff,

vs.

No. 2516 CIVIL.

GRACE ASTIN,

Defendant.

O R D E R

WILLIAM  
W. H. HARRIS  
NORMAN C. HOFF  
Clerk U. S. District Court

Now on this 20th day of December, 1949, this matter coming on

to be heard upon the motion of the plaintiff to dismiss the above cause with prejudice, and the Court being advised in the premises, finds that the said cause has been by the parties fully settled and compromised.

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

*Wm. H. Harris*  
United States District Judge.

O.K.

*Lawrence J. Jones*  
*Walter P. Collins*  
Attorneys for Plaintiff

*Christy L. Linder*  
Attorneys for Defendant

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

JOHN O. HUTTON,

Plaintiff,

vs.

No. 2517-Civil.

GRACE ASTIN,

Defendant.

FILED

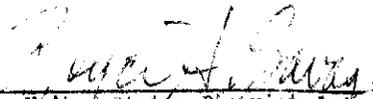
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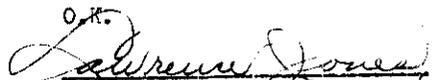
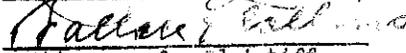
O R D E R

NOBLE S. BOOD  
Clerk U. S. District Court

Now on this 5 day of December, 1949, this matter coming on to be heard upon the motion of the plaintiff to dismiss the above cause with prejudice, and the Court being advised in the premises, finds that the said cause has been by the parties fully settled and compromised.

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

  
United States District Judge

O.K.  
  
  
Attorneys for Plaintiff.

O.K.  
  
Attorneys for Defendant.

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

PEARL HUTTON,

Plaintiff,

vs.

No. 2518-Civil.

GRACE ASTIN,

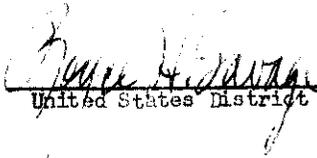
Defendant.

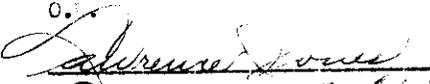
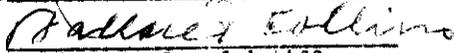
O R D E R

NOBLE C. BROWN  
Chief U. S. District Court

Now on this 5 day of December, 1949, this matter coming on to be heard upon the motion of the plaintiff to dismiss the above cause with prejudice, and the Court being advised in the premises, finds that the cause has been by the parties fully settled and compromised.

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

  
United States District Judge.

O.  
  
  
Attorneys for Plaintiff.

O.K.  
  
Attorneys for Defendant.

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

HAL HUTTON, a minor, by and through his father and next friend, JOHN O. HUTTON,

Plaintiff,

vs.

GRACE ASTIN,

Defendant.

No. 2519-Civil.

FILED

DEC 17 1949

NOBLE C. WOOD  
Clerk U. S. District Court

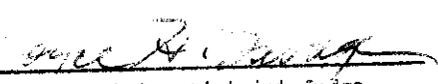
JOURNAL ENTRY OF JUDGMENT

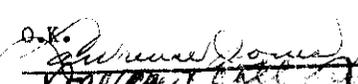
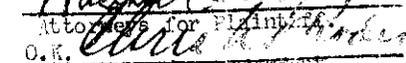
Now, on this 5<sup>th</sup> day of December, 1949, the above cause coming on regularly for hearing, the plaintiff being present in open court and represented by his father and next friend, John O. Hutton, and by their attorneys, and the defendant being represented in open court by her attorneys, and both sides having announced ready for trial and having waived a jury and having agreed that this cause be tried by the Court, the same proceeded and, after the introduction of evidence and testimony of witnesses, and being advised in the premises, the Court finds as follows:

That this action has been regularly and properly brought on behalf of the plaintiff, Hal Hutton, a minor, of the age of twenty years, by his father and next friend, John O. Hutton, and that this Court has jurisdiction of the parties and of the subject matter herein involved.

The Court further finds that the allegations contained in plaintiff's petition are true; that the said minor plaintiff was injured in an automobile accident on the 7th day of June, 1949, as a result of the negligence in the operation of a certain Plymouth automobile belonging to the defendant, and that as a result thereof, the said minor plaintiff sustained painful, serious, and permanent injuries, for which injuries he is entitled to judgment herein in the amount of Twenty-five Hundred Dollars (\$2500.00).

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the plaintiff, Hal Hutton, a minor, by and through his father and next friend, John O. Hutton, have and recover judgment from and against the defendant, Grace Astin, in the sum of Twenty-five Hundred Dollars (\$2500.00) and the costs of this action, for all of which let execution issue.

  
United States District Judge.

O.K.   
Attorney for Plaintiff  
O.K. 

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

MAYBURN CLAUDE ROGERS,

Plaintiff

vs.

MAUMER-NEUER, INC., a corporation,  
et al.,

Defendants

No. 2567 Civil

FILED

DEC 5 1949

HORSE O. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL WITH PREJUDICE

Now on this the 5th day of December, 1949, this matter comes on for hearing on the Dismissal of the plaintiff and request of the plaintiff for an order of dismissal by this Court with prejudice, and the Court, having examined the Dismissal on file in this cause and the request for an order of dismissal and having heard statement of counsel, finds that said cause should be dismissed in accordance with the request for dismissal, and the Court further finds that the defendants acquiesce in such dismissal.

BE IT THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiff's cause of action be and the same is hereby dismissed with prejudice to plaintiff's further right to prosecute same, and at plaintiff's cost.

Done and dated in open court this the day and year first above written.

H. Raycutt Savage  
JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

J. P. Kennedy, et al, )  
 )  
 Plaintiffs, )  
 )  
 vs. )  
 )  
 United States of America, )  
 )  
 Defendant. )

No. 1346 Civil  
FILED  
OCT 27 1949

NOBLE C. HOOD  
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

This matter coming on for hearing this 2nd day of November, 1949, upon the special issue as to whether any employee of the United States of America acting within the scope of his employment did any negligent act in which any of the following interveners:

- J. A. McNeair
- John F. Howe
- Louis Rose
- Averett Ballard
- Hugh Carr
- Francis M. Carter
- G. N. Carter
- Joseph Busk
- Jewel Cox
- Wesley McCallie
- Troy H. Kirkendall
- Andrew Holt
- M. C. Segey
- P. T. Thomas

have suffered any injury or damage and the said cause having been continued until the 16th day of November, 1949, for further evidence and the above-mentioned interveners being represented by John Tillman of Pawhuska, Oklahoma, and Carl Livingston of Tulsa, Oklahoma, and the defendant, United States of America, being represented by Whit Y. Gray, United States Attorney for the Northern District of Oklahoma, and after the introduction of evidence and after the court was fully advised in the premises and after the argument of counsel, the court has made its findings of fact and conclusions

of law which have been filed with the clerk of this court.

The court further finds that pursuant to said findings of fact and conclusions of law that judgment should be entered in favor of the United States of America and against the interveners and each of them.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that judgment be entered in favor of the defendant, United States of America, and the complaint of the interveners and each of them be and the same hereby is dismissed with prejudice all at the cost of the ~~plaintiffs~~ *Interveners*

AND IT IS SO ORDERED.

*Royce H. Savage*  
District Judge.

O. K.

*John A. Tillman*  
John Tillman

*Carl H. Livingston*  
Carl Livingston

Attorneys for Interveners.

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Number 1581 Civil.
	)	
Rudolph F. Langes and	)	FILED
Nellie F. Langes,	)	
Defendants.	)	DEC 7 1949

NOBLE C. HOOD  
Clerk U. S. District Court

JUDGMENT

And, on this 7th day of December, 1949, there coming on for hearing the above entitled action, and the plaintiff appearing by Whit Y. Seay, United States Attorney, and John E. McCune, Assistant U. S. Attorney, for the Northern District of Oklahoma, and the defendants appearing not, the Court proceeded to hear the evidence offered on behalf of the plaintiff and examined the file herein, and, in consideration thereof, makes the following findings:

I.

The Court finds that the defendants, Rudolph F. Langes and Nellie F. Langes, were regularly served with summons more than twenty (20) days prior to this date and, having failed to appear in any manner, are and should be adjudged to be in default.

II.

The Court finds that proper Affidavit of Non-military Service has been filed herein, and the same being true is hereby approved.

III.

The Court further finds that the defendants, Rudolph F.

Langes and Nellie M. Langes, executed, on July 20, 1948, their written promissory note and delivered it to the Fort Wayne National Bank, Fort Wayne, Indiana, payable to said payee, whereby the said defendants promised and agreed to pay the said Fort Wayne National Bank the sum of \$119.21, in thirty-six (36) monthly installments of \$3.36, commencing on the 10th day of August, 1948, and continuing thereafter until paid, with interest thereon at the rate of six (6%) per cent per annum.

IV.

The Court further finds that said note was executed by the defendants in order to secure a modernization loan under the Federal Housing Act, and that said defendants became in default on March 20, 1949, by reason of their failure to make the required monthly payments on said note, and on May 28, 1949, said note was duly assigned by the Fort Wayne National Bank to this plaintiff in accordance with provisions of the Federal Housing Act, and that there is now due upon said note the sum of \$671.23, with interest thereon at the rate of 6% per annum from May 5, 1949.

V.

The Court further finds that the said note was executed for the purpose of effecting improvements upon the following described real property:

LOT 28, RARICK SECOND ADDITION  
TO BIG LAKE (LEPPECONI LAKE),  
NOBLE COUNTY, INDIANA.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff have judgment against the defendants, Rudolph F. Langes and Nellie M. Langes, for the sum of \$671.23, with interest thereon at the rate of 6% per annum from May 5, 1949, and for its costs in the sum of \$25.60.

*Loyce H. Savage*

DISTRICT JUDGE.

UNITED STATES OF AMERICA, ss.

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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 Harlan E. Grimes, plaintiff, and O. A. Cargill et al., defendants, No. 2324 Civil, the judgment of the said district court in the said cause entered on June 23, 1949, was in the following words, viz.:

\* \* \* \* \*

"It is, therefore, ordered, adjudged and decreed by the court that the case be and the same is hereby dismissed as to each of the defendants."

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

AND WHEREAS, at the September Term, in the year of our Lord one thousand nine hundred and forty-nine, the said cause came on to be heard before the said United States 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 these causes be and the same is hereby affirmed.

--November 4, 1949.

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 appeal notwithstanding.

WITNESS, the Honorable FRED M. VINSON, Chief Justice of the United States, the 10th day of December, in the year of our Lord one thousand nine hundred and forty-nine.

ROBERT B. CARTWRIGHT, Clerk,

By /s/ George A. Pease

Chief Deputy Clerk of the United States  
Court of Appeals, Tenth Circuit

Nos. 3891 - 3946

UNITED STATES COURT OF APPEALS  
Tenth Circuit

September Term, 1949

Harlan E. Grimes,                   Appellant

vs.

O. A. Cargill et al/,               Appellees.

MANDATE

Filed December 12, 1949  
NOBLE G. HOOD  
Clerk U. S. District Court

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

National Valve and Manufacturing  
Company, a corporation,

Complainant,

vs.

C. R. Grimshaw, Sr., W. B. Grimshaw,  
Jr., Harry D. Grimshaw and Bertha  
Grimshaw, as individuals, and as a  
co-partnership doing business as and  
under the firm name of C. R. Grimshaw  
Company,

Defendants.

No. 2506-Civil

FILED

NOBLE C. HOOD  
Clerk U. S. District Court

O R D E R

Now on this 8th day of November, 1949, this matter comes on to be heard upon the motion of the defendants to dismiss the complaint. The parties appeared before the court by their respective counsel of record. The Court having considered briefs heretofore filed, and being fully advised in the premises, concludes that the motion to dismiss should be sustained for the reason that the complaint does not disclose a justiciable controversy between the parties which is ripe for a judicial decree.

The Court further concludes that the dismissal of the action should be without prejudice to the institution of another action for appropriate declaratory judgment following the decision of the Supreme Court of the State of Oklahoma in the case of National Valve Manufacturing Company, et al vs. Hensbrouck E. Wright, Administrator, No. 34340.

IT IS THE MORE OBTAINED, CONFIRMED and DECIDED, that the motion of the defendants to dismiss the complaint be, and the same is hereby sustained, and this cause is dismissed at the cost of the complainant.

*Lyons*  
United States District Judge

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

C. WALLACE, SAM P. WALLACE AND  
FRANK E. WALLACE, a Co-partnership  
doing business as C. WALLACE PLUMBING  
CO.,

Plaintiff,

vs.

W. D. ALLEN MANUFACTURING CO.  
AND ROBERT W. CORNWELL, doing business  
as ACCURATE FIRE EQUIPMENT COMPANY,

Defendant.

CIVIL ACTION NO. 2582

FILED

DEC 19 1949

NOBLE C. HOOD  
Clerk U. S. District Court

D I S M I S S A L

Comes now said Plaintiff and hereby dismisses the above entitled  
cause, at the cost of the plaintiff, with prejudice to a future action.

Dated this 19th day of December 1949.

*John E. Curran*  
JOHN E. CURRAN, Tulsa, Oklahoma

*L. E. Elliott*  
L. E. ELLIOTT  
2003 Republic Bank Building  
Dallas, Texas

ATTORNEYS FOR PLAINTIFF

APPROVED: AND IT IS SO ORDERED

*Raymond H. Savage*  
UNITED STATES DISTRICT JUDGE

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

The United States of America for the use of  
E. Blackwell; and the State of Oklahoma on  
the relation of the Oklahoma Employment  
Security Commission,

Plaintiff,

vs.

A.H. Leal, doing business as Plains Construction  
Company; The Western Casualty and Surety Company,  
a corporation; Central Surety & Insurance Corpora-  
tion, a corporation; The Excess Insurance Company  
of America, a corporation; North American Casualty  
and Surety Reinsurance Corporation, a corporation,

Defendants.

No. 2283-C

FILED

DEC 19 1949

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL

This cause came on to be heard on the intervenor's  
Motion to Dismiss with prejudice, and the Court having  
granted said motion,

It is hereby ORDERED, ADJUDGED AND DECREED that the  
said motion in Intervention be dismissed.

Dated December 14<sup>th</sup> 1949.

*Royce H. Savage*  
Judge

O.K.  
*Byron D. Dymally*  
*Special Agent*  
*Attorney for intervenor*  
*State of Oklahoma ex rel*  
*Okla. Emp. Sec. Com.*

UNITED STATES DISTRICT COURT OF THE DISTRICT OF OKLAHOMA

WILLIAM BROWN AND DAUGHTER OF WILLIAM

UNITED STATES OF AMERICA,

Petitioner

vs.

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

Respondents

No. 2448-Civil

FILED

APR 24 1949

NOBLE C. HOOD  
Clerk U. S. District Court

DECLARATION OF TAKING

This case, across the petitioner, the United States of America, by Curtis E. Harris, special attorney for the Department of Justice, and moves the Court to enter a judgment vesting in the United States of America the fee simple title thereto, save and except the oil and gas minerals therein, reserving to the owners hereof the right of ingress and egress for the purposes of drilling for and producing said oil and gas in a careful and lawful manner; and further subject 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 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;

(2) 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;

(3) The petition and declaration of taking were filed at the request of Gordon Gray, 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;

(4) 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;

(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 Twenty-seven Thousand Two Hundred Twenty-five and 00/100 Dollars (\$27,225.00), 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;

(6) 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 Gordon Gray, Secretary of the Army, will probably be within any limits prescribed by Congress as the price to be paid therefor;

(7) And the Court having fully considered the petition for condemnation, the declaration of taking, the Act of Congress approved February 26, 1931 (46 Stat. 1421; 40 U.S.C. Sec. 253a), and Acts supplementary thereto and amendatory thereof, and the Acts of Congress approved April 24, 1938 (25 Stat. 94 - 33 U.S.C. 831), March 1, 1917 (39 Stat. 946-33 U.S.C. 701), June 22, 1936 (48 Stat. 1570), July 24, 1943 (Public Law 231 - 75th Congress 2d Session), June 25, 1948 (Public

law 782 - 60th Congress 2d Session), and other supplemental acts of Congress, in 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, ORDERED BY THE COURT, AND IT IS THE DUTY OF THE CLERK OF THE COURT that the fee simple title thereto, save and except the oil and gas minerals therein, reserving to the owners thereof the right of ingress and egress for the purposes of drilling for and producing said oil and gas in a careful and lawful manner; and further subject 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 Twenty-seven Thousand Six hundred Twenty-five and 00/100 Dollars (\$27,225.00), 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 716.83 acres of land, more or less, and are described as follows:

Tract No. B-32

S<sup>1</sup>/<sub>4</sub> less a parcel described as beginning at SW corner of S<sup>1</sup>/<sub>4</sub>; thence North 330', more or less, along West line of S<sup>1</sup>/<sub>4</sub>; thence East 495', more or less, to road; thence Southerly 330', more or less, along road to South line of S<sup>1</sup>/<sub>4</sub>; thence West 495', more or less, to P.O.B., all in Section 9, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, and containing 156.25 acres, more or less.

Tract No. B-37

S/2 NW/4, N/2 NW/4 SW/4, N/2 NW/4 NE/4 S<sup>1</sup>/<sub>4</sub> of Section 16, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, and containing 105.00 acres, more or less.

Tract No. B-49

E/4 SE/4, less 1.00 acre in SE corner, SW/4 SE/4 South of Polecat Creek, NE/4 SE/4 South and East of Polecat Creek, in Section 8, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, and containing 69.00 acres, more or less.

Tract No. B-52

SE/4 SW/4, SW/4 NE/4 SW/4 of Section 8, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, and containing 50.00 acres, more or less.

Tract No. B-81-Rev.

E/2 SE/4 NW/4, E/2 W/2 SE/4 NW/4, N/2 N/2 NW/4 NW/4, SE/4 NE/4 NW/4 NW/4, E/2 SE/4 NW/4 NW/4, S/2 NW/4 SW/4 of Section 12, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, containing 67.50 acres, more or less.

Tract No. B-52

SW/4 less a parcel described as beginning at SW corner of SW/4; thence North 330', more or less, along West line of SW/4; thence East 495', more or less, to road; thence Southerly 350', more or less, along road to South line of SW/4; thence West 495', more or less, to P.O.B., all in Section 9, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, and containing 156.25 acres, more or less.

Tract No. B-37

S/2 NW/4, N/2 NW/4 SW/4, W/2 NW/4 NE/4 SW/4 of Section 16, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, and containing 105.00 acres, more or less.

Tract No. B-49

SE/4 SE/4, less 1.00 acre in SE corner, SW/4 SE/4 South of Polecat Creek, NE/4 SE/4 South and East of Polecat Creek, in Section 8, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, and containing 69.00 acres, more or less.

Tract No. B-52

SE/4 SW/4, SW/4 NE/4 SW/4 of Section 8, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, and containing 50.00 acres, more or less.

Tract No. B-81-Rev.

E/2 SE/4 NW/4, E/2 W/2 SE/4 NW/4, N/2 W/2 NW/4 NW/4, SE/4 NE/4 NW/4 NW/4, E/2 SE/4 NW/4 NW/4, S/2 NW/4 SW/4 of Section 12, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, containing 67.50 acres, more or less.

Tract No. B-88

SE/4 SE/4 of Section 1, Township 17 North, Range 9 East of the I.M., situate in Creek County, Oklahoma, and containing 40.00 acres, more or less.

Tract No. B-101-Rev.

W/2 SW/4 NW/4, W/2 E/2 SW/4 NW/4, E/2 SE/4 SW/4 NW/4, W/2 NW/4 SW/4, SE/4 NW/4 SW/4, NE/4 SW/4 SW/4 of Section 5; and SE/4 SE/4 NE/4, SW/4 NE/4, Lot 2, and part of Lot 1 described as: Beginning at the NW corner of Lot 1; thence Southerly 1382.04', more or less, along West line of Lot 1; thence Easterly 330', more or less; thence Northerly 1382.04', more or less, to a point on North line of Lot 1; thence Westerly 330', more or less, to P.O.B., in Section 6, all in Township 17 North, Range 10 East of the I.M., situate in Creek County, Oklahoma, and containing 176.58 acres, more or less.

Tract No. B-103

SW/4 SE/4, W/2 W/2 SE/4 SE/4, NE/4 NW/4 SE/4 SE/4 of Section 6, Township 17 North, Range 10 East of the I.M., situate in Creek County, Oklahoma, and containing 52.50 acres, more or less.

IT IS ORDERED BY THE COURT, ADJUDICATING, 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 21 day of December, 1949.

per Royce H. Savage

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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 Grace W. Adkins, as Administratrix of the Estate of P. V. Adkins, Deceased, as Agent for J. R. Adcock et al., plaintiffs, and E. I. du Pont de Nemours & Company, Inc., and the United States of America, defendants, No. 1816, Civil, the judgment of the said district court in said cause, entered on September 26, 1947, was in the following words, viz:

\* \* \* \* \*

"IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that this cause be and the same is hereby dismissed at the cost of the plaintiffs, to which the plaintiffs except."

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Court of Appeals, Tenth Circuit, by virtue of an appeal by Grace W. Adkins, as Administratrix of the Estate of P. V. Adkins, deceased, et al. agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the May Term, in the year of our Lord one thousand nine hundred and forty-nine, the said cause came on to be heard before the said United States 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 said district court in this cause be and the same is hereby affirmed.

-- August 8, 1949

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 appeal - notwithstanding.

WITNESS, the Honorable FRED M. VINSON, Chief Justice of the United States, the 20th day of December, in the year of our Lord one thousand nine hundred and forty-nine.

(Costs of appellant in forma  
pauperis unpaid \$25.00)

/s/ Robert B. Cartwright  
Clerk of the United States Court of  
Appeals, Tenth Circuit

No. 3866

UNITED STATES COURT OF APPEALS  
Tenth Circuit

May Term, 1949

Grace W. Adkins, as Administratrix, etc., et al.,  
Appellants,

vs.

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

Appellees.

M A N D A T E

Filed December 23, 1949  
Noble C. Hood  
Clerk U. S. District Court

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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 Tighe E. Woods, Housing Expediter Office of the Housing Expediter, plaintiff, and G. E. Greider, defendant, No. 2296, Civil, the judgment of the said district court in said cause, entered on November 17, 1948, was in the following words, viz:

(Clerk's Note: Journal Entry of Judgment appears in Journal No. 14 at page 461).

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Court of Appeals, Tenth Circuit by virtue of an appeal by G. E. Greider, 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-nine, the said cause came on to be heard before the said United States 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 affirmed.

-- November 7, 1949.

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 appeal notwithstanding.

WITNESS, the Honorable FRED M. VINSON, Chief Justice of the United States, the 23rd day of December, in the year of our Lord one thousand nine hundred and forty-nine.

/s/ Robert B. Cartwright  
Clerk of the United States Court  
of Appeals, Tenth Circuit

No. 3861

UNITED STATES COURT OF APPEALS  
Tenth Circuit

November Term, 1949

G. E. Greider,

Appellant,

vs.

Tighe E. Woods, Housing Expediter,  
Office of Housing Expediter,

Appellee.

MANDATE

Filed December 27, 1949  
Noble C. Hood  
Clerk U. S. District Court

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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 Tighe E. Woods, Housing Expediter, Office of the Housing Expediter, plaintiff, and Robert E. Bennett, Defendant, No. 2297, Civil, the judgment of the said district court in said cause, entered on November 17, 1948, was in the following words, viz:

(Clerk's Note: Journal Entry of Judgment appears in  
Journal No. 14 at Page 461.)

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Court of Appeals, Tenth Circuit, by virtue of an appeal by Robert E. Bennett, 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-nine, the said cause came on to be heard before the said United States 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 affirmed.

-- November 7, 1949.

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 23rd day of December, in the year of our Lord one thousand nine hundred and forty-nine.

/s/ Robert B. Cartwright  
Clerk of the United States Court  
of Appeals, Tenth Circuit

No. 3862

UNITED STATES COURT OF APPEALS  
Tenth Circuit

November Term, 1949

Robert E. Bennett,

Appellant,

vs.

Tighe E. Woods, Housing Expediter,  
Office of Housing Expediter,

Appellee

MANDATE

Filed December 27, 1949  
NOBLE C. HOOD  
Clerk U. S. District Court

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

ROY WORTHMAN,

PLAINTIFF,

-vs-

NO. 247- Civil

ST. LOUIS-SAN FRANCISCO  
RAILROAD COMPANY, A  
CORPORATION,

DEFENDANT.

FILED

OCT 26 1949

NOBLE C. HOOD  
Clerk U. S. District Court

JOURNAL ENTRY

Now on this 3rd day of October, 1949, this cause came on for trial before the Honorable Royce H. Savage, Judge of the District Court of the United States for the Northern District of Oklahoma, pursuant to regular assignment for trial, the plaintiff Roy Worthman, a party, in person, and by his Attorneys W. O. Moffatt, and W. E. Green, and the defendant appearing by its Attorney G. S. Sutterfield, and all parties having announced in open Court that they had reached a settlement; and having in open Court stipulated that the plaintiff Roy Worthman, should have and recover of and from the defendant St. Louis-San Francisco Railroad Company, a Corporation the sum of Five Hundred Fifty Dollars (\$550.00) as and for his personal injuries; and the further sum of Fifty Dollars (\$50.00) as and for damage to his personal property.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THIS COURT that the plaintiff Roy Worthman, have and recover judgment of and against the defendant, St. Louis-San Francisco Railroad Company, a Corporation the sum of Five Hundred Fifty Dollars (\$550.00) as and for his personal injuries; and the further sum of Fifty Dollars (\$50.00) as and for damage to his personal property, together with all cost of this action, for which execution is due.

O. K. AS TO FORM:

Royce H. Savage  
UNITED STATES DISTRICT JUDGE

W. O. Moffatt  
ATTORNEY FOR PLAINTIFF

Green & Janner By W. E. Green  
ATTORNEY FOR PLAINTIFF

Sutterfield & Harmon  
ATTORNEY FOR DEFENDANT