UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The United States of America for the use of E. Blackwell, Plaintiff, vs. A. H. Leal, doing business as Plains Construction Company; et al, Defendants.	)	No. 8288 Civil FILED JAN 3 1950 NOBLE C. HOOD Clerk U. S. District Court

ORDER DISMISSING ACTION ON MOTION OF PLAINTIFF

This cause came on to be heard on motion of E. Blackwell for dismissal of the action,

It appearing to the Court that the defendants have settled the claim of E. Blackwell and that said plaintiff has filed herein a motion for dismissal with prejudice, and that the defendants have not pleaded any counterclaim against plaintiff and that defendants will not be prejudiced or inconvenienced by such dismissal,

IT IS ORDERED that this action be, and it is hereby dismissed as to the plaintiff E. Blackwell, with prejudice.

Royce H. Savage
United States District Judge

OK: J. S. Gibson
Attorney for Plaintiff

OK: O. J. Watts
Attorneys for Defendants

FILED

JAN 3 1950

NOBLE C. HOOD
Clerk U. S. District Court

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

SPARTAN AIRCRAFT COMPANY,

Plaintiff,

vs.

BENNETT BROTHERS, a co-partnership consisting of Leo Bennett and Gene Bennett, LEO BENNETT and GENE BENNETT,

Defendants,

No. 2571 - Civil

FILED

JUN 14 1950

NOBLE C. HOOD
Clerk U. S. District Court

J U D G M E N T

It appearing to the undersigned Clerk of the United States District Court for the Northern District of Oklahoma that heretofore, to-wit:

An action was filed on the 4th day of October, 1949, by the Spartan Aircraft Company, plaintiff, against Bennett Brothers, a co-partnership consisting of Leo Bennett and Gene Bennett, LEO BENNETT and GENE BENNETT, defendants, in which action the plaintiff sought judgment against the defendants for a sum certain; and it appearing that service had been duly had upon the defendants, that the defendants have failed to appear, and have failed to plead within the time prescribed by law and by the summons served upon them; and it appearing that heretofore a request to the Clerk to enter a default against the defendants have been filed accompanied by an affidavit, and that said defendants have been defaulted, and it appearing that a request has been filed by the plaintiff requesting the Clerk to enter judgment by default in favor of the plaintiff and against the defendants in the sum of Five Thousand, One Hundred Thirty-five and 87/100 Dollars ($5,135.87) plus interest thereon at the rate of six per cent (6%) per annum from the 29th day of July, 1949, with costs, and an affidavit and statement of account have been filed in support of said request; and it appearing to the Clerk that the defendants are not infants or incompetent persons; and it being determined by the Clerk that judgment should be entered,

IT IS, THEREFORE, ORDERED that the plaintiff, Spartan Aircraft

Company, is hereby given judgment against the defendants, Bennett Brothers, a co-partnership, consisting of Leo Bennett and Gene Bennett, [illegible] BENNETT and [illegible] BENNETT, in the amount of Five Thousand One Hundred Thirty-five and 37/100 - ($5,135.37) together with the costs of this action.

Dated this 4th day of January, 1950.

Clerk of the U. S. District Court for the Northern District of Oklahoma.

By [illegible]
Deputy.

IN THE UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

TULSA CITY LINES, INC., a corporation, Plaintiff,	)	
-vs-	)	No. 2594
AMALGAMATED ASSOCIATION OF STREET, ELECTRIC RAILWAY AND MOTOR COACH EMPLOYEES OF AMERICA, A. F. SCHELE, Vice-President, and DIVISION 892, C. E. WILSON, President and T. A. WILKENS, Secretary, Defendants.	)	

FILED

JAN 6 1950

WILLIAM M. SPEAR
Clerk U. S. District Court

ORDER ALLOWING DISMISSAL

This cause came on for hearing upon the motion of the plaintiff for leave to dismiss this suit and after hearing counsel, it was ordered, adjudged and decreed that the complaint herein be and it hereby is dismissed without prejudice, and without any adjudication by this court of the issues involved, and with the costs to be taxed against the plaintiff.

Dated January 6, 1950.

Royce H. Savage

District Judge

FILED

JAN 9 1950

NOBLE C. HOOD
Clerk U. S. District Court

IN THE UNITED STATES COURT OF APPEALS

FOR THE TENTH JUDICIAL CIRCUIT

SITTING AT DENVER, COLORADO.

THIRTY-FIFTH DAY, NOVEMBER TERM, THURSDAY, JANUARY 5th, 1950.

PRESENT: Honorable Orie L. Phillips, Chief Judge,
Honorable Sam G. Bratton, Circuit Judge,
Honorable Walter A. Huxman, Circuit Judge,
Honorable Alfred P. Murrah, Circuit Judge,
Honorable John C. Pickett, Circuit Judge,
And other officers as noted on the 12th day of November, 1949.

Before Honorable Orie L. Phillips, Chief Judge, and Honorable Sam G. Bratton and Honorable John C. Pickett, Circuit Judges.

Milton Roe Sabin and Bertha Florence Sabin, Appellants,	
3992 vs.	Appeal from the United States District Court for the Northern District of Oklahoma.
The Midland Savings and Loan Company, a corporation, Appellee.	

This cause came on to be heard on the motion of appellee to dismiss the appeal herein, Donald M. Lesher, Esquire, appearing for appellee, no one appearing for appellants, and was argued by counsel for appellee, and submitted to the court.

On consideration whereof, it is now here ordered by the court that the said motion be and the same is hereby granted 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:

/s/ Robert B. Cartwright
Clerk

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

THOMPSON DRILLING COMPANY, a corporation, Plaintiff,	)	
-vs-	)	No. 2573
H. C. ROBERTSON and V. FRANCES ROBERTSON, Defendants.	)	

FILED
JAN 16 1950
WOOD
Clerk U. S. District Court

J U D G M E N T

On this 16 day of Jan., 1950, it appearing to the court that the clerk has defaulted the defendants herein after each of them have been duly and legally served with summons and upon introduction of evidence, the court finds the issues for the plaintiff and against the defendants.

IT IS ORDERED, ADJUDGED AND DECREED, that the plaintiff have and recover judgment against the defendants and each of them in the amount of $5,135.08 principal with interest thereon at 5% per annum from and after June 6, 1948 in the amount of $346.61, attorneys' fees in the amount of $740.01 and the costs of this action.

Royce H. Savage
JUDGE.

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN

DISTRICT OF OKLAHOMA

SUPER SHINGLE COMPANY, INC. a corporation,	)	
Plaintiff,	)	
vs.	)	
R. J. SMITH, d/b/a R. J. SMITH LUMBER COMPANY,	)	No. 2524-Civil
Defendant.	)	

FILED

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL

On this 16 day of January, 1950, there having been filed a stipulation for dismissal with prejudice by both plaintiff and defendant, it is therefore ordered that the plaintiffs petition be dismissed with prejudice and that the defendants cross-petition be dismissed with prejudice.

Judge

OK

C. H. Rosenstein
Jos. N. Shidler
Henry L. Fist for plaintiff
Marvin T. Johnson
for defts

[illegible]

[illegible]

[illegible], petitioner	)	
-vs-	)	No. [illegible]-civil
[illegible] acres of land, more or less, situate in the Creek County, [illegible], respondents	)	FILED [illegible] NOBLE C. HOOD Clerk U. S. District Court

[illegible] Commissioners' Report Filed as to Tract No. [illegible]-13

Now on this _____ day of [illegible], 1[illegible], the above matter comes on to be heard upon the application of petitioner [illegible] for confirmation of the Commissioners' Report filed as to Tract No. [illegible]-13 involved in this proceeding, and the Court, being fully advised in the premises, finds that more than thirty days have elapsed since the Commissioners filed their report herein, and that no demands for jury trial have been filed as to said tract and that said Commissioners' award as to Tract No. [illegible]-13 should be confirmed and approved in every respect by this Court.

The Court further finds that a deficit has been made under a Declaration of Taking entered herein and that an over deposit exists as to said tract, all as set out hereafter.

It is, [illegible], ordered that the Commissioners' Report be, and the same is hereby confirmed and approved in every respect by this Court as to said tract [illegible]-13 and in the following amount, to-wit:

Tract No. [illegible]-13

Commissioners' award.	$ 1400.00
Deposited	1000.00
Over deposit.	400.00

[illegible] said account is fixed in all respects as to the fair, equitable share of said Trust No. [illegible], including interest and all losses of whatsoever nature. The Judgment on the declaration of Trust hereinbefore ordered in this proceeding is hereby reaffirmed.

JUDGE

C.h.
[illegible], Petitioner

By _____
Special Attorney-Gen. of Justice

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,	)	
vs.	)	Number 2560 Civil.
O. D. Lewis, Defendant.	)	

FILED

JAN 17 1950

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL

NOW, on this 17th day of January, 1950, it appearing to the Court that the defendant has heretofore compromised the above entitled action by payment of the sum of $77.52 to The Attorney General of the United States, and the further sum of $17.48 to the Clerk of this Court, which sum was acknowledged by the Attorney General of the United States as settlement in full;

IT IS, THEREFORE, ORDERED by the Court that said cause be dismissed with prejudice to any future action and that the total costs herein be taxed in the sum of $17.48, which is heretofore paid to the Clerk of this Court.

Royce H. Savage
DISTRICT JUDGE.

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Libelant,	)	
-vs-	)	
ONE 1947 WILLYS TRUCK, MOTOR NUMBER 4T11455; HIGH H. MILLER AND CLARK INVESTMENT COMPANY Claiments.	)	No. 2563 Civil

NOBLE C. HOOD
Clerk U.S. District Court

O R D E R

This matter comes on for hearing this January, 1950, the same being regularly assigned for trial, the United States of American being represented by John W. McCune, Assistance U. S. District Attorney, and the Clark Investment Company appearing by J. G. Follens, their attorney; the court having heard the evidence of witnesses duly sworn finds the following facts, that the said vehicle involved to wit:

1947 Willys Truck; Motor #4T11455

was being used on or about the 18th day of September, 1949, in violation of the internal-revenue laws of the United States, and that the same was duly and legally confiscated.

The court further finds that on or about the 23rd or 24th day of August, 1949, the said H. E. Miller did execute a note and mortgage to Finley Brothers covering the said vehicle, and that the same was duly assigned to the Clark Investment Company, and there is due and owing on the said note and mortgage the sum of $649.84, plus an attorney fee of $25.00 and 10 per cent, and the same was acquired in good faith.

The court further finds that the Clark Investment

Company did make an investigation concerning record and reputation of the said H. H. Miller at the Sheriff's Office, Tulsa County, and the City Police Department, City of Tulsa, and in response to their inquiry were advised that there was no record or reputation for violation of the internal-revenue laws, or that the vehicle might be used in the violation of the internal-revenue laws.

The court further finds that the vehicle was appraised having a value of $700.00 and that there is no value in the vehicle over and above the amount due on said mortgage, and that the forfeiture should be mitigated and the vehicle remitted to the Clark Investment Company.

It is therefore, ORDERED, ADJUDGED, AND DECREED, That the said vehicle to wit:

1947 Willys Truck; Motor #4T11455

should be remitted to the Clark Investment Company and that the forfeiture should be mitigated; and that the said Clark Investment Company should pay the cost of storage due against said vehicle.

/s/ Royce H. Savage
Judge

O.K.
J. D. Tollene
Atty. for Clark Investment Co.

O.K.
John M. McCune
Asst. U.S. Atty.

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

Reconstruction Finance Corporation, Plaintiff, vs. Banfield Animal By-Products Co., Inc., a corporation, Robert E. Banfield, Frank Banfield, J. M. Stovall and Kentucky Animal By-Products Company, a corporation, Defendants. I. A. Jacobson, Trustee in Bankruptcy for Banfield Animal By-Products Co., Inc., a corporation, Intervenor	No. 2494-Civil FILED AUG 26 1949 NOBLE C. HOOD Clerk U. S. District Court

J U D G M E N T

Now on this 26th day of August, 1949 this matter comes on for hearing for pre-trial, pursuant to regular assignment by the Court, and the plaintiff, Reconstruction Finance Corporation, appearing by its attorney, Stanley B. Catlett, and the defendant Robert E. Banfield, appearing by his attorney Gerald B. Klein, and the intervenor, I. A. Jacobson, Trustee in Bankruptcy for Banfield Animal By-Products Co., Inc., appearing in person and by his attorney, A. M. Covington, and the defendants J. M. Stovall, Frank Banfield, Banfield Animal By-Products Co. Inc., and Kentucky Animal By-Products Company appearing not, the Court proceeds to adjudge the said J. M. Stovall, Banfield Animal By-Products Co., Inc., and Kentucky Animal By-Products Company in default for want of answer and the said Frank Banfield in default for failure to appear, and the Court proceeds to hear the Motion to Abate filed herein by I. A. Jacobson, Trustee for Banfield Animal By-Products Co., Inc. and after full hearing thereon, finds that said Motion be and the same is hereby overruled.

All parties having announced ready for trial and a jury having been waived, the Court proceeds to hear testimony upon the Petition of the plaintiff herein and finds that plaintiff

is entitled to judgment as prayed for in its Petition.

The plaintiff thereupon submitted the original notes for cancellation in judgment.

The Court further finds that since the filing of the Complaint herein, Frank Banfield has tendered to the plaintiff herein the sum of Two thousand and no/100 Dollars($2,000.00) on June 18, 1949, representing the sale of one 1947 model Buick coupe, motor No. 46630947 by said defendant and the Court finds that plaintiff should be permitted to apply said $2,000.00 on the indebtedness herein sued for and to release its said mortgage on said Buick automobile without prejudice to its other security and without prejudice to the rigar of the Trustee in Bankruptcy to proceed against said defendant for conversion.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that plaintiff have and recover judgment of and from the said defendant on Count I for the principal balance on the note herein sued for in the sum of $26,497.84, together with interest on the sum of $26,497.84 from January 1, 1949 to June 18, 1949 in the sum of $524.79 and together with interest from June 18, 1949 to August 26, 1949 at 4% on $26,497.84, or $[illegible].97 and together with $40.89 advanced by plaintiff for care and preservation of collateral, together with interest on said advanced sum from May 10, 1949 to August 26, 1949 in the sum of $.48, and abstract fees in the sum of $15.75, or a total in the sum of $27,[illegible].10, together with interest thereupon from August 26, 1949 at the rate of 4% per annum until paid and for the costs of said action.

IT IS FURTHER ORDERED AND DECREED that plaintiff have and recover attorney's fees at a sum to be fixed by the Court at a later date upon proper showing.

The Court further finds that the plaintiff has a first and prior lien upon the 1947 model Plymouth coupe, motor No. [illegible]P15-[illegible] superior to any claim or demand of the defendant

J. M. Stovall, and said plaintiff is entitled to possession thereof as a part of the security for its mortgage, and

The Court further finds that the said plaintiff has a first and prior lien against the real estate set out and described in the said real estate mortgage sued hereon, said real estate being described as follows, to-wit:

> North 250 feet of the NW/4 of the NE/4 of the SW/4 of Section 27, Township 20 North, Range 13 East of the Indian Base and Meridian, less tract 250' x 250' in the NE corner, together with a perpetual easement affording ingress and egress to and from such property over a roadway now existing, with all improvements thereon, all in Tulsa County, Oklahoma"

to secure the payment of said indebtedness, interest and costs, and

The Court further finds that said plaintiff has a first and prior lien against the personal property set out and described in the chattel mortgage herein sued upon, superior to the liens and claims of whatsoever nature of the said defendants, Banfield Animal By-Products Co., Inc., Kentucky Animal By-Products Company, J. M. Stovall and I. A. Jacobson, Trustee in Bankruptcy for Banfield Animal By-Products Co., Inc.

The Court further finds that Frank Banfield and Robert M. Banfield, for the purpose of inducing the plaintiff herein to make the loan to the defendant, Banfield Animal By-Products Co., Inc., executed and delivered to the plaintiff a written guarantee which was introduced in evidence without objection wherein by the terms of said guarantee the said defendant, Frank Banfield and Robert M. Banfield became obligated as guarantors to pay the principal, interest and all costs or charges provided by the note and mortgages herein sued upon in Count I; that said obligation was joint and several and that by reason thereof, plaintiff is entitled to judgment against said guarantors and each of them for any unpaid balance due upon said indebtedness after application of any funds derived from the sale of the mortgage assets.

IT IS FURTHER ORDERED BY THE COURT that upon stipulation of all the parties hereto within twenty (20) days from this date, the said real estate and personal property may be sold at private sale and the proceeds from said sale shall be applied upon said judgment;

IT IS FURTHER ORDERED that if within said twenty (20) days, or any extension thereof hereinafter found necessary by the Court, the said sale shall not have been consummated, this Court will thereafter appoint a Master to conduct a sale of all of said assets and after having the same appraised, as provided by law, shall proceed to advertise and sell the same according to law and apply the proceeds arising from said sale:

(1) In payment of the costs of said sale and of this action;

(2) In payment to the said plaintiff of said sum of $27,080.12, the amount so, or aforesaid, found due to said plaintiff, together with interest thereon as ME and the attorney's fees to be fixed;

(3) That the residue, if any there be, said Master shall pay over to L. F. Jackson, Trustee in Bankruptcy for Benfield Animal By-Products Co., Inc.; if the amount derived from said sale is insufficient to satisfy the judgment and costs, let execution issue against the defendants, Frank Benfield and Robert E. Benfield for the remainder unpaid.

IT IS FURTHER ORDERED AND ADJUDGED BY THE COURT that from and after the sale of said lands and tenements and chattels under and by virtue of this judgment and decree, that the said defendants, Benfield Animal By-Products Co., Inc., Frank Benfield, Robert E. Benfield and L. M. Cowell, and all persons claiming under them since the commencement of this action be and are forever barred and foreclosed of and from all claims upon any right, title, interest, estate or equity in and to said lands, tenements, chattels or any part thereof.

Royce H. Savage
JUDGE

Approved as to Form

Tanley B. Cutlett
STANLEY B. CUTLETT
CUTLETT, LEBARON & BONE

A. M. Covington
A. M. COVINGTON

Gerald D. Klein
GERALD D. KLEIN
ATTORNEY, RECEIVER, WILLIS & MORGAN

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

THE STATE OF OKLAHOMA, Plaintiff	)	
Vs.	)	No. 2602 Civil.
LONNIE DOOLEY, Defendant	)	

FILED

JAN 24 1950

NOBLE C. HOOD
Clerk U. S. District Court

ORDER GRANTING WRIT OF HABEAS CORPUS AD PROSEQUENDUM

On reading and considering the petition of Almer F. Adams, the duly elected, qualified and acting County Attorney of Tulsa County, Oklahoma, by James C. Devine, Assistant County Attorney of Tulsa County, Oklahoma, filed herein, whereby it appears that one, Lonnie Dooley, is the defendant in a certain cause in the Court of Common Pleas, Tulsa County, Oklahoma, being No. 60,521, charge - Manslaughter, and it further appearing that said defendant is a prisoner and confined in the Medical Center for Federal Prisoners, Springfield, Missouri, and is under the control and in the charge and custody of the Warden of said Medical Center for Federal Prisoners, Springfield, Missouri, and it appearing that the charge being one of a very serious nature, and that due to the seriousness of said case, it should be presented to the court immediately, and it appearing that a writ of habeas corpus ad prosequendum should issue;

IT IS HEREBY ORDERED that a writ of habeas corpus ad prosequendum issue out of and under the seal of this court, directed to the Warden of said Medical Center for Federal Prisoners, Springfield, Missouri, commanding him to deliver the body of said Lonnie Dooley to the United States Marshal in and for the Northern District

of Oklahoma, upon said Marshal's delivery to said Warden of said writ, and that said United States Marshal shall have the body of the said Lonnie Dooley before the Common Pleas Court and the District Court of Tulsa County, Oklahoma, as soon as possible thereafter, to be tried in the Court of Common Pleas and District Court of Tulsa County, Oklahoma, wherein The State of Oklahoma is plaintiff and Lonnie Dooley is defendant; that upon the termination of said cause the said United States Marshal shall return the said Lonnie Dooley to the aforesaid mentioned Warden.

DATED this 23 day of January, 1950.

Royce H. Savage
Judge, United States District Court, Northern District of Oklahoma.

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

CIVIL ACTION NO. 2576

The UNITED STATES for the use of ED FOSTER, RUSSEL EARNEST and I. G. ANDERSON, Plaintiff, -vs- O. J. LEWIS (also known as Orlen J. Lewis), a sole trader doing business as O. J. Lewis Lumber and Construction Company, OSCAR L. REEVES and J. A. NOLEN, Defendants.	FILED JAN 24 1950 NOBLE C. HOOD Clerk U. S. District Court

J U D G M E N T

This cause came on for trial on January 19, 1950, and was argued by counsel, and thereupon, upon consideration thereof, it was ORDERED, ADJUDGED and DECREED that the plaintiff, for the use and benefit of Ed Foster, Russel Earnest and I. G. Anderson, recover of the defendants Oscar L. Reeves and J. A. Nolen, jointly and severally, the sum of $36,982.29, with interest from date of judgment at the rate of 6% per annum and costs.

Royce H. Savage
ROYCE H. SAVAGE
JUDGE

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

UNITED STATES OF AMERICA, Petitioner	)	
vs.	)	No. 2437-Civil
1718.07 acres of land, more or less, situate in Creek County, Oklahoma, and Hattie Abbott, et al., Respondents.	)	

ORDER FIXING TITLE AND APPORTIONING COMPENSATION AMONG OWNERS.
(Tract No. B-23)

This cause this 25th day of January, 1950 comes on for hearing on application of Lee V. Bruce, Indie Tahola now Biggs, Elizabeth Biggs, Lila Marie Alexander now Biggs and Roland William Biggs for an order fixing title to those lands involved herein designated as Tract No. B-23 and described as NW¼ of Section 15, Township 17 North, Range 9 East and apportioning compensation money for said tract and it appears to the Court that evidence was adduced before the Court on September 16, 1949 as to the ownership of said tract and from said evidence it appears to the Court that the portion of said tract described as [illegible] of Section 15, Township 17 North, Range 9 East is owned by the following named persons in the following proportions, to-wit:

Lee V. Bruce	1/3 int.
Elizabeth Biggs	1/3 int.
Lila Marie Alexander now Biggs	1/6 int.
Roland William Biggs	1/6 int.

That a portion of said tract described as [illegible] of said section [illegible] is owned by the following named persons in the following proportions, to-wit:

Sadie Yahola now Biggs	1/6 int.
Elizabeth Biggs	1/6 int.
Lila Marie Alexander now Biggs	1/6 int.
Roland William Biggs	1/6 int.

That the said Leo F. Bruce being the owner of a 1/3 interest in 120 acres of said 160 acres of land is the owner of 1/4 interest in said entire 160 acres, and the Sadie Yahola now Biggs being the owner of a 1/3 interest in 40 acres of said land is the owner of a 1/12 interest in said entire 160 acres;

That it appears from the stipulation of said parties that there is no appreciable difference in the value per acre of that portion of said land described as [illegible]; [illegible] of said Section 15 and that portion thereof described as [illegible] of said Section 15 and that it is the desire of said parties that the condemnation money for said entire Tract No. B-23 be apportioned among them in accordance with their respective interests in said entire 160 acres of land.

IT IS, THEREFORE, ADJUDGED AND DECREED that the portion of said Tract No. B-23 described as [illegible]; [illegible] of Section 15, Township 17 North, Range 9 East is owned by the following named persons in the following proportions, to-wit:

Leo F. Bruce	1/3 int.
Elizabeth Biggs	1/3 int.
Lila Marie Alexander now Biggs	1/6 int.
Roland William Biggs	1/6 int.

That the portion of said Tract B-23 described as [illegible] of Section 15, Township 17 North, Range 9 East is owned by the following named persons in the following proportions, to-wit:

Sadie Yahola now Biggs	1/3 int.
Elizabeth Biggs	1/3 int.
Lila Marie Alexander now Biggs	1/6 int.
Roland William Biggs	1/6 int.

IT IS FURTHER ORDERED AND ADJUDGED that compensation for said entire Trust No. B-23 be apportioned among and to the following named persons in the following proportions, to-wit:

Leo F. Bruce	1/4 int.
Sadie Yahola now Biggs	1/12 int.
Elizabeth Biggs	1/3 int.
Lila Marie Alexander nee Biggs	1/6 int.
Roland William Biggs	1/6 int.

Royce H. Savage
FEDERAL JUDGE

Approved:

Leo F. Bruce
Leo F. Bruce

Approved:

Hugh A. White, U. S. Probate Attorney, attorney for Sadie Yahola now Biggs, et al.

Approved:

Curtis F. Harris, Special Attorney, Department of Justice.

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

The United States Rubber Company,	)	
Plaintiff,	)	
vs.	)	No. 2543 Civil
Lee A. Welch,	)	
Defendant.	)	

JOURNAL ENTRY OF JUDGMENT

Now on this 26th day of January, 1950, this matter comes on for trial; The plaintiff, United States Rubber Company, appeared by its counsel, Hudson, Hudson & Wheaton, and the defendant, Lee A. Welch, appeared by his attorneys, Irvine E. Ungerman and Charles Whitebook. Both sides having announced ready and having waived a jury, the court proceeded to the trial of said cause.

And the court having heard the evidence on behalf of the plaintiff, finds that the plaintiff is entitled to recover of and from the defendant the sum of $17,000.00 and the costs of this action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this court that the plaintiff, United States Rubber Company, have and recover judgment of and from the defendant, Lee A. Welch, in the amount of Seventeen Thousand and No/100 ($17,000.00) Dollars and the costs of this action.

U.S. District Judge

O.K.

Attorneys for Plaintiff

Attorneys for Defendant

nw/mh
1-23-50

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Petitioner	)	
-vs-	)	No. 2497-Civil
796.79 acres of land, more or less, situate in Hayes County, Oklahoma, and Ellen Abernathy, et al, Respondents	)	

FILED

FEB 1 1950

NOBLE C. HOOD
Clerk U. S. District Court

JUDGMENT CONFIRMING COMMISSIONERS' AWARDS AS TO CERTAIN TRACTS

Now on this 1st day of February, 1950, the above matter comes on for hearing pursuant to request of Petitioner herein for confirmation of the Commissioners' Report filed herein as to certain tracts of land, and the Court being fully advised in the premises, finds that more than sixty days have elapsed since the Commissioners filed their report herein that no demands for jury trial have been filed as to said tracts, and that said Commissioners' Report should be confirmed and approved in every respect by this Court as to the hereinafter set out tracts of land involved in this proceeding.

The Court further finds that a deposit was made under a Declaration of Taking filed herein and that no deficiency exists as to said hereinafter set out tracts.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said Commissioners' Report be, and the same is hereby confirmed and approved in every respect by this Court as to the hereinafter set out tracts of land and in the following amounts, to-wit:

Tract No. 1463

Commissioners' Award.	$ 6,800.00
Deposited	6,800.00

Tract No. 1487

Commissioners' Award.	$ 400.00
Deposited	400.00

Tract No. 1495-D

Commissioners' Award.	$ 25.00
Deposited	25.00

Tract No. 1612

Commissioners' Award.	$ 700.00
Deposited	700.00

Tract No. 1676

Commissioners' Award.	$ 75.00
Deposited	75.00

Tract No. 1664-A

Commissioners' Award.	$ 250.00
Deposited	250.00

Tract No. 1685

Commissioners' Award.	$ 250.00
Deposited	250.00

Tract No. 1795

Commissioners' Award.	$1,000.00
Deposited	1,000.00

Tract No. 1803

Commissioners' Award.	$ 750.00
Deposited	750.00

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 interest and all damages of whatsoever nature. The Judgment on the Declaration of Taking heretofore entered herein is hereby reaffirm

JUDGE

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

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE NORTHERN DISTRICT OF OKLAHOMA

[illegible] A. [illegible], JR., an Infant, by his Father, [illegible] A. [illegible], SR., as Next Friend,	)	
Plaintiff,	)	
vs.	)	CIVIL NO. 2531
OKLAHOMA NATURAL GAS COMPANY, a Corporation,	)	
Defendant.	)	

NORMAN C. HOOD
Clerk U. S. District Court

JUDGMENT

The above cause having come on for trial and the trial having regularly proceeded, the cause was submitted to a jury on the 20th day of January, 1950, and the jury, after having considered the matter, returned in the open court their verdict for the defendant, which was read, filed and approved.

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

/s/ Royce H. Savage
U. S. District Judge

OK. for Plaintiff
/s/ Irene E. Simpson

OK. for defendant
/s/ Paul Pinson

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

BENJAMIN N. COOK, Plaintiff,	)	
vs.	)	No. 2501 Civil
OKLAHOMA NATURAL GAS COMPANY, a Corporation, Defendant.	)	

Clerk, U. S. District Court

JUDGMENT ON GENERAL VERDICT

This cause came on for trial before the court and a jury on January 23, 1950, both parties appearing by counsel, and the issues having been duly tried and the jury having rendered a verdict for plaintiff inthe sum of $3,000.00.

It is hereby ORDERED, ADJUDGED AND DECREED that plaintiff recover of defendant the sum of Three Thousand Dollars ($3,000.00) together with the costs of this action and that plaintiff have execution therefor.

/s/ Royce H. Savage
JUDGE

Curtis P. Morris

[illegible]

[illegible]

[illegible]

[illegible]	)
[illegible]	)
[illegible]	)
[illegible]	)
[illegible]	)
[illegible]	)
[illegible]	)
[illegible]	)
[illegible]	)
[illegible]	)
[illegible]	)
[illegible]	)

FILED
In Open Court

FEB 3 1950

NOBLE C. HOOD
Clerk U. S. District Court

[illegible]

On this 3rd day of February, 1950, come on the [illegible], by its attorney [illegible], [illegible], and [illegible] to confirm the sale of real estate [illegible] special master herein on the 14th day of December, 1949, to the following named purchasers under order of sale issued [illegible] the Clerk of the United States District Court for the Northern District of Oklahoma, dated the 11th day of October, 1949, of the following property, situate in the City of Sand Springs, Tulsa County, State of Oklahoma, to-wit:

PROPERTY	PURCHASER	PRICE
Lot 2, Long Acre Addition to the City of Sand Springs, Tulsa County, Oklahoma,	[illegible],	$[illegible]
Lot 3, Block 20, Original Townsite of Sand Springs, Tulsa County, Oklahoma,	[illegible],	14,[illegible]

[illegible] or an order directing the execution of proper and sufficient bills of sale [illegible] the disposition of funds resulting from said sale.

[illegible], the court [illegible] the proceedings in said special master under said order of sale, [illegible] have been performed in all respects in accordance with the law. That notice of said sale was given by publication in the "Sand Springs Leader", a newspaper published and of general circulation in the City of Sand Springs, Tulsa County, Oklahoma, wherein said property is located, as required by law [illegible] and that on the day fixed therein, to-wit, the 14th day of December, 1949, said lots or tracts

of [illegible], [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] said [illegible], [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] is [illegible] [illegible] directed
to make [illegible] [illegible] of said court [illegible] court is [illegible] that the
[illegible] [illegible] [illegible] exceptions [illegible]

[illegible] that said [illegible] and the proceedings [illegible] of be,
and [illegible] approved and confirmed; [illegible] is further [illegible] that the
said [illegible], [illegible] order, make and [illegible] to the said purchasers at
said sale [illegible] deeds for the [illegible] parcels so sold.

[illegible] and [illegible] that the liens [illegible] found
and [illegible] respective lots, tracts [illegible] parcels [illegible] herein-
above described, [illegible] assessments [illegible] said
District [illegible]
[illegible] collected by
said sale; [illegible], [illegible] and
directed [illegible]
cords [illegible], is
ordered and directed [illegible] said
said respective [illegible].

/s/ Royce H. Savage

[illegible]

[illegible]

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE NORTHERN DISTRICT OF OKLAHOMA

David A. Melton and Raeburn D. Drenner, Plaintiffs,	)	
vs.	)	
J. Fred Case, Individually, Mrs. J. Fred Case, Individually, and Mr. and Mrs. J. Fred Case, d-b-a Radio Station KCON, and Bartlesville Broadcasting Co., a corporation, Defendants.	)	Civil No. 2453

FILED

FEB 8 1950

NOBLE C. HOOD
Clerk U. S. District Court

D E C R E E

This matter came on for trial pursuant to regular assignment on the 16th and 17th days of January, 1950, the plaintiffs appearing by their attorney of record, Amos J. Nichols, and the defendants appearing by their attorneys of record, Holliman & Brewer, and no jury having been requested, the cause was submitted to the Court for trial. Having heard all the evidence adduced, the Court finds in favor of the plaintiffs, and against the defendants in accordance with the findings of fact and conclusions of law filed by the Court herein on the 8th day of February, 1950.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff, Raeburn D. Drenner, have and recover judgment against the defendants for overtime compensation in the amount of $326.24, for liquidated damages in the amount of $163.12; that defendants pay OAB tax thereon in the sum of $7.35, and income tax withholding thereon in the sum of $73.41, leaving a balance due said plaintiff, Drenner, in the amount of $408.60.

IT IS THE FURTHER JUDGMENT AND DECREE OF THE COURT that the plaintiff, David A. Melton, have and recover judgment against the defendants for overtime compensation in the sum of $111.10, for liquidated damages in the sum of $55.55; that the defendants pay OAB tax thereon in the amount of $2.49, and income tax withholding in the amount of $24.99, leaving a balance due the plaintiff, David A. Melton, in the amount of $139.17.

IT IS THE FURTHER ORDER OF THE COURT that the plaintiffs, Raeburn D. Drenner and David A. Melton have and recover judgment for a reasonable attorney's fee for the services of their attorney, Amos J. Nichols, in the sum of $250.00.

IT IS THE FURTHER JUDGMENT OF THE COURT that plaintiffs recover their costs herein from the defendants.

DATED this 8th day of February, A. D. 1950.

Royce H. Savage
United States District Judge

O.K.

Amos J. Nichols
Attorney for Plaintiffs

and

O.K.

Hoffman & Brown
Attorneys for Defendants.

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

UNITED STATES OF AMERICA, Plaintiff, -vs- CARL W. TAYLOR and YELLOW CAB COMPANY, a corp., Defendants,	)	Civil Action No. 2528

FILED

JAN 6 1950

NOBLE C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT FOR DEFENDANTS

This cause coming on to be heard this 6th day of January, 1950, a judicial day of the January, 1950, term of said court, both parties being present, plaintiff by attorney, and defendants in person and by their attorney, and a jury being waived; and the court having heard the evidence of witnesses sworn and examined in open court and having heard argument, and being fully advised in the premises, finds that the allegations of plaintiff's petition are not supported by the evidence;

1. In that the defendant Carl Taylor, agent of defendant Yellow Cab Company, immediately prior to the accident, the damages arising out of which were complained of in this cause, was confronted with imminent danger in that a third automobile, the owner and operator thereof not known, was approaching the defendants' car at a high rate of speed in the defendants' lane of traffic; and that defendant in order to avert an impending collision swerved his car to the left and in doing so, struck the plaintiff's car; the court finds that the defendant Carl W. Taylor, is not chargeable with negligence as he chose a course of action in the face of imminent danger, which to him, as a reasonably prudent man, did seem to be that course of action which would extricate him from his predicament;

and that defendant, Carl W. Taylor, being without negligence, that plaintiff is not entitled to recover from either of said defendants, and judgment is rendered for defendants, and it is adjudged that plaintiff go hence without day.

Royce H. Savage
Judge of the District Court.

John M. McCune
Attorneys for plaintiff.

Jack L. Ferguson
Attorneys for defendants.

[illegible]

[illegible]

vs.

[illegible]

[illegible]

[illegible]

No. [illegible]

FILED

[illegible] 1950

NOBLE C. HOOD
Clerk U. S. District Court

[illegible]

[illegible] day of [illegible], [illegible] the above entitled cause [illegible] [illegible] present by [illegible] [illegible] [illegible], [illegible] [illegible], the [illegible] [illegible] represented by its attorney, [illegible] [illegible] [illegible] and [illegible] granted [illegible], [illegible] [illegible] by [illegible] [illegible] and [illegible] [illegible] witnesses, the [illegible] of the court, and the [illegible] of counsel, the [illegible] [illegible] [illegible] returned into open court with a verdict finding for the defendants.

It is therefore considered, ordered and adjudged by the court that [illegible] recover of the defendants and judgment is hereby entered for the defendants.

/s/ Royce H. Savage
District Judge

Approved as to form:

Attorney for [illegible]

Attorney for [illegible]

I, Joseph A. Sharp, hereby certify that on the 6th day of February, 1950, I mailed a true, correct and exact copy of the within and foregoing Journal Entry of Judgement to Nesbitt & Nesbitt, Muskogee, Oklahoma, Plaintiff's Attorney of Record, with proper postage thereon fully paid.

Joseph A. Sharp

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

[illegible] A. [illegible], Plaintiff,	)	
vs.	)	No. 3574 Civil
VIKING [illegible] COMPANY, a corporation, Defendant.	)	FILED FEB 6 1950 NOBLE C. HOOD Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

On this 31st day of January, 1950, came on the above entitled cause for trial, plaintiff being present in person and represented by his attorney, S. J. Clendinning, the defendant being represented by its attorney, Truman E. Tucker; both parties announcing ready for trial, the jury was sworn and impaneled to try said cause; and having heard the evidence, the charges of the court and the argument of counsel, the jurors, upon their oath, returned into open court with a verdict finding for the defendant.

It is therefore considered ordered and adjudged by the court that plaintiff recover nothing from the defendant and judgment is hereby rendered for the defendant.

Royce H. Savage
District Judge

Approved as to form

Attorney for Plaintiff

Attorney for Defendant

I, Joe Francis, hereby certify that on the 2nd day of February, 1950, I mailed a true, correct and exact copy of the within and foregoing Journal Entry of Judgment to S. J'Clendinning, Ritz Bldg., Tulsa, plaintiff's attorney of record, with proper postage thereon fully prepaid.

Joe Francis
by Joe Best.

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA Plaintiff vs. J. W. BOECKER 2346 So. Quannah Tulsa, Oklahoma Defendant	)	JUDGMENT FILED Civil Action No. 2590 FEB 8 1950 NOBLE C. HOOD Clerk U. S. District Court

On this the 8th day of February A. D., 1950, came on regularly to be heard the above numbered and entitled cause, and came Plaintiff and Defendant and announced to the Court that they had stipulated in writing for the entry of this Judgment, and it appearing that the Defendant has violated the Housing and Rent Act of 1947, as amended, and the Rent Regulations issued pursuant thereto, and the Judgment agreed upon appearing to be proper:

It is therefore, ORDERED, ADJUDGED and DECREED, as follows:

1. That the Defendant, J. W. Boecker, his agents, servants, employees and representatives, and each of them, and all other persons acting in concert and participation with them, be, and they are hereby permanently enjoined and restrained from directly or indirectly:

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

2. That the Defendant shall pay to the Treasurer of the United States for and on behalf of the tenant, Arman M. Franklin, the total amount of $115.00.

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

Dated this 8th day of February A. D., 1950.

Royce H. Savage
UNITED STATES DISTRICT JUDGE

APPROVED THIS 6 DAY OF Feb 1950.

Joel E. Ivey
Attorney for Plaintiff

G. W. Holcher
Defendant

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT

OF OKLAHOMA.

EDNA HENRY, Plaintiff	)	
-vs-	)	No. 2564 - Civil.
SAFEWAY STORES, INC., a corporation, and WILLIAM M. IDDY, Defendants	)	

FILED

FEB 3 1950

NOBLE C. HOOD
Clerk U. S. District Court

O R D E R.

Now on this 3rd day of February, 1950, the Court, having considered the petition filed in this cause and the Motion to Remand said cause to the District Court of Tulsa County, and having considered the briefs filed by counsel herein and oral argument;

IT IS ORDERED That said cause is remanded to the District Court of Tulsa County, Oklahoma.

UNITED STATES JUDGE.

[illegible] Court

[illegible] DISTRICT [illegible] OKLAHOMA

Rhoda [illegible], Roll No. 2177, on the Dawes Roll of Creek Indians by blood, [illegible], enrolled as [illegible] Jackson, restricted Creek Indian on the Dawes Roll of Indians by blood [illegible], and Johnson Jackson, Silas Spencer, Jones Spencer, Sandy Spencer, and [illegible] Spencer, all restricted Creek Indians [illegible] hereinafter be cleared of the [illegible] of April, 1947,

Plaintiffs

vs.

W. [illegible] Connally, [illegible] Betty, Arch A. Hyden, Administrator with will annexed of the estate of Sarah [illegible] Betty, deceased, [illegible] R. Lockles, Administrator of the estate of John [illegible] Morley, deceased, Beulah Morley, Villard Martin, Trustee for Katheryn Connell Maxey, [illegible], [illegible] V. [illegible] Harris, [illegible] Barnard, [illegible] Hyde, [illegible] Davis, Fannie [illegible] Hulman, Margaret [illegible] Brooks, executrix of J. [illegible], deceased, [illegible], Coley Buck, Jennie [illegible], Lennie [illegible], [illegible], Alfred Stevenson, [illegible] Stevenson, a co-partnership composed of [illegible] and Alfred Stevenson, [illegible] Company, a corporation, Atlantic Refining Company, a corporation, [illegible] Company, a corporation, [illegible] Company, a corporation, [illegible] Company, a corporation, [illegible] Company, a corporation, [illegible] Company, a corporation, [illegible], executors, administrators, devisees, grantees and assigns, known and unknown, immediate and remote, [illegible] Colvin, Creek by blood, [illegible], deceased, and [illegible] "Tiger-ho-ke," deceased, [illegible] "Tiger," deceased, and [illegible], deceased, [illegible] Betsey Barbarash, otherwise known as Betsy Spencer, deceased, and [illegible] Sarah [illegible] Betty, deceased, and [illegible] John [illegible] Morley, deceased, [illegible] Colvin, Full Blood Creek, deceased,

Defendants,

United States of America, Intervener.

No. [illegible] Civil

FILED
In Open Court

FEB 9 1950

NOBLE C. HOOD
Clerk U. S. District Court

[illegible] Court Clerk

This [illegible] 9th day of February, 1950, on the [illegible] for [illegible] of the [illegible] against the [illegible], [illegible], [illegible], [illegible] and [illegible], [illegible] and

[illegible] of Lete Calvin, [illegible] by Blood [illegible] deceased, [illegible] "Te-ne-ho-ke," deceased, and of "Nelson," deceased, and of all others, deceased, and of Betsey Yarbrough, otherwise known as Betsy Spencer, deceased, other than plaintiffs, Caesar Jones, Addie Thompson, Pat Hawkins and Mrs. F. J. Sandridge, guardian of Pat Hawkins, an incompetent person, said cross-claimants appearing by their attorneys, John [illegible], [illegible] Harper, Parker Smith, [illegible] Cochran, Ralph [illegible] Barrett, Robert [illegible] Trier, and C. [illegible] Rosenstein, and the United States of America appearing by the District Attorney, [illegible]; and it appearing that judgments have heretofore been rendered in this cause and in this court against the plaintiffs, Caesar Jones, Addie Thompson, Pat Hawkins and Mrs. F. J. Sandridge, guardian of Pat Hawkins, an incompetent person, in favor of these cross-claimants; and it appearing on behalf [illegible] heirs, executors, administrators, devisees, trustees and assigns, known and unknown, inalienate and revoke, of Lete Calvin, [illegible] Jones, deceased, and of "Te-ne-ho-ke," deceased, and of "Nelson," deceased, and of [illegible] Nelson, deceased, and of Betsey Yarbrough, otherwise known as Betsy Spencer, deceased, who are wholly in default herein.

[illegible] evidence in support of said motion, the court finds:

1. That the heirs, executors, administrators, devisees, trustees and assigns, known and unknown, inalienate and revoke, of Lete Calvin, [illegible] by Blood, [illegible], deceased, and of "Te-ne-ho-ke," deceased, and of "Nelson," deceased, and of [illegible] Nelson, deceased, and of Betsey Yarbrough, otherwise known as Betsy Spencer, deceased, other than plaintiffs, Caesar Jones, Addie Thompson, Pat Hawkins and Mrs. F. J. Sandridge, guardian of Pat Hawkins, an incompetent person, have been duly and legally served with summons in publication herein by the said service by publication has been legally made and the same is hereby approved, and have in no manner appeared, [illegible] defendants, in person or by counsel, and they are each of them and wholly [illegible] herein.

2. That the cross-claimants herein and their predecessors in title have been in the actual, notorious, hostile, continuous and exclusive possession [illegible]

[illegible] Section (7) East, Creek County, Oklahoma, under color of title and claim of ownership thereof at all times since January [illegible] and the Court finds that cross-claimants other than Sinclair Oil [illegible] Green, administrator with the will annexed of the estate of [illegible] Gray, deceased, has acquired title to said tract of land by adverse possession, subject to the rights of Sinclair Oil [illegible] has [illegible] Green, administrator with the will annexed of the estate of [illegible] Gray, deceased, is and is the lineal rights evidenced by the oil and gas lease and oil and gas grant, both dated [illegible], 1912, from [illegible] granted to [illegible] Gilliland, and that the title of said cross-claimants to said land and leases should be quieted as against any and all claims of the heirs, executors, administrators, devisees, trustees and assigns, whom are unknown, immediate and remote, of John Goleth, Green by blood, and [illegible], deceased, and of "Ta-sa-ho-ke," deceased, and of "Wesley," deceased, and [illegible] Wilson, deceased, and of Betsey Lambrough, [illegible] Goodner, deceased, given leave thereof. Plaintiffs, Cause [illegible], [illegible], Pet Hamilton [illegible], Guardian of [illegible], an incompetent person, the [illegible] parties, with the exception as [illegible], should be enjoined from asserting any claim to said land, [illegible] adverse to the cross-claimants, or any or either of them, [illegible] connecting and action to disturb their possession and title which is recorded in judgment thereon.

[illegible] that the cross-claimants, George [illegible] Jones, as administrator of the estate of John [illegible] Gray, deceased, Beulah Gray, Wilson Jones, [illegible] Kathryn Cornell Jones, V. V. Harris, [illegible] Jones, [illegible] Lyde, [illegible] Jones, executrix of [illegible] Jones, deceased, [illegible], a corporation, [illegible] a corporation, [illegible], [illegible] Jones, [illegible] Gray, [illegible], a cor-

[illegible], [illegible] Administrat[illegible] [illegible] annexed [illegible]

[illegible], deceased, have defaulted [illegible]

[illegible], administrators, devisees, trustees and assigns, [illegible]

[illegible], [illegible] [illegible] block, [illegible]

[illegible], deceased, and [illegible]-se-bo-ke," deceased, [illegible] of "[illegible]," deceased,

[illegible], deceased, [illegible] tsu[illegible], otherwise [illegible]

[illegible], deceased, other than plaintiffs [illegible] ser [illegible] [illegible],

[illegible], [illegible] [illegible] [illegible], or [illegible]

[illegible], [illegible] [illegible] [illegible] [illegible] quarter

[illegible] [illegible] [illegible] [illegible]) [illegible] orth, [illegible] seven (7)

[illegible], [illegible]; and said [illegible] are hereby enjoined from

[illegible] [illegible] [illegible] [illegible] adverse to

the [illegible], [illegible] from [illegible]

and [illegible] their possession and [illegible] peaceful enjoyment thereof.

Royce H. Savage

Chief Judge

(Civil No. 2423)

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 Mary Kathryn Castle Steinway, plaintiff, and Majestic Amusement Company, an Oklahoma corporation, et al., defendants, No. 2423, Civil, the judgment of the said district court in said cause, entered on April 7, 1949, was in the following words, viz:

* * * * * * * * * *

"The court sustains Hotel Last Frontier, Inc.'s motion to dismiss for improper venue and its motion to quash service of summons and hereby dismisses this action as to Hotel Last Frontier, Inc., to which the plaintiff excepts.

"Thereafter came on for hearing the motions of Griffith Consolidated Theatres, Inc., Griffith Metropolitan Theatres, Inc. and Majestic Amusement Company to dismiss for lack of an indispensable party. The court is of the opinion that Hotel Last Frontier, Inc. is an indispensable party to this action and, the action having been dismissed as to Hotel Last Frontier, Inc., the motions of said defendants each hereby is sustained and the action dismissed, to which the plaintiff excepts."

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 Mary Kathryn Castle Steinway, 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.

-- December 29, 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 10th day of February, in the year of our Lord one thousand nine hundred and fifty.

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

No. 3901

UNITED STATES COURT OF APPEALS
Tenth Circuit

November Term, 1949

Mary Kathryn Castle Steinway, Appellant,

vs.

Majestic Amusement Company, an
Oklahoma corporation, et al.,
Appellees.

MANDATE

Filed February 13, 1950
NOBLE C. HOOD
Clerk U. S. District Court

(Civil No. 2424)

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 Mary Kathryn Castle Steinway, plaintiff, and Ritz Theatre, Inc., an Oklahoma corporation, et al., defendants, No. 2424, Civil, the judgment of the said district court in said cause, entered on April 7, 1949, was in the following words, viz:

* * * * * * * * * *

"The court sustains Hotel Last Frontier, Inc.'s motion to dismiss for improper venue and its motion to quash service of summons and hereby dismisses this action as to Hotel Last Frontier, Inc., to which the plaintiff excepts.

"Thereafter came on for hearing the motions of Griffith Consolidated Theatres, Inc., Griffith Metropolitan Theatres, Inc. and Ritz Theatre, Inc. to dismiss for lack of an indispensable party. The court is of the opinion that Hotel Last Frontier, Inc. is an indispensable party to this action, and, the action having been dismissed as to Hotel Last Frontier, Inc., the motions of said defendants each hereby is sustained and the action dismissed, to which the plaintiff excepts."

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 Mary Kathryn Castle Steinway, 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,

It appearing to the court that a stipulation was filed in this cause on May 9, 1949, which among other things provides "That if

the opinion of this court upon becoming final in case No. 3901 affirms the judgment of the trial court, that the court, based upon this stipulation, enter a like order in this case", and it further appearing to the court that the opinion was filed in Case No. 3901, Mary Kathryn Castle Steinway vs. Majestic Amusement Company, an Oklahoma corporation, et al., on December 29, 1949, affirming the judgment of the district court, and no petition for rehearing has been filed and the opinion is now final, it is now here ordered by the court that the judgment of the United States District Court for the Northern District of Oklahoma in this cause be and the same is hereby affirmed.

It is further ordered that the mandate in this cause issue at the same time as the mandate in case No. 3901.

-- January 24, 1950.

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 10th day of February, in the year of our Lord one thousand nine hundred and fifty.

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

No. 3902

UNITED STATES COURT OF APPEALS
Tenth Circuit

November Term, 1949

MARY KATHRYN CASTLE STEINWAY, APPELLANT,

vs.

RITZ THEATRE, INC., AN OKLAHOMA CORPORATION, ET AL.,
APPELLEES.

MANDATE

Filed February 13, 1950
Noble C. Hood
Clerk, U. S. District Court

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA.

United States of America, Libelant, vs. One 1949 Half-ton Ford Truck, Motor No. 98RC251350, Raymond O. Jones, R. C. Milliser and Pacific Finance Company, Claimants.	)	No. 2606 Civil.

[illegible]
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

NOW on this 10th day of February, 1950, the above entitled cause having come on for trial pursuant to regular assignment, the libelant appearing by Whit Y. Mauzy, United States Attorney, and Hobart Brown, Assistant United States Attorney, for the Northern District of Oklahoma, and the above described One 1949 Half-ton Ford Truck, Motor No. 98RC251350, having been heretofore seized by the United States Marshal for the Northern District of Oklahoma under monition issued by this Court; and the claimants, Raymond O. Jones, R. C. Milliser and the Pacific Finance Company, having heretofore entered their appearance in said action and having filed their answers herein; and the libelant and claimants 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. Raymond O. Jones, et al, No. 11735, and the Court being fully advised in the premises finds all issues against the claimants, Raymond O. Jones and R. C. Milliser, and further finds that forfeiture of the said 1949 Half-ton Ford Truck, Motor No. 98RC251350, should be had.

The Court further finds that the Pacific Finance Company has a valid and subsisting lien on said Ford Truck in the sum of $1,559.13, together with reasonable attorney fees, which amount is in excess of the appraised value of

the said Ford Truck,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that forfeiture herein be, and the same is allowed as to the said 1949 Half-ton Ford Truck, Motor No. 98RC251350, against the claimants, Raymond O. Jones and R. C. Millisor.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that mitigation of forfeiture be, and the same is allowed in favor of the Pacific Finance Company, and that possession of the said 1949 Half-ton Ford Truck, Motor No. 98RC251350, be delivered into the possession of said Pacific Finance Company upon the payment of court costs and all storage charges incident to the seizure herein.

Peter H. Leavy
JUDGE.

O. K. as to form:

Whit Y. Mauzy,
United States Attorney

By_____
Hobert Brown,
Assistant U. S. Attorney.

_____
Walter C. Hennoberry,
Attorney for Claimant,
Raymond O. Jones.

_____
Dyer & Powers,
Attorney for Claimants,
R. C. Millisor and Pacific
Finance Company.

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA.

United States of America, Libelant,	)	
vs.	)	No. 2611 Civil.
One 1948 Willys Jeep type Truck, Motor No. J209855, Arthur D. Dyer and the Securities Finance Corporation of Bristow, Oklahoma, Claimants.	)	

JOURNAL ENTRY OF JUDGMENT

NOW on this 10th day of February, 1950, the above entitled cause having come on for trial pursuant to regular assignment, the Libelant appearing by Whit Y. Mauzy, United States Attorney, and Hobart Brown, Assistant United States Attorney, for the Northern District of Oklahoma, and the above described One 1948 Willys Jeep type Truck, Motor No. J209855, having been heretofore seized by the United States Marshal for the Northern District of Oklahoma under monition issued by this Court; and the claimants, Arthur D. Dyer and the Securities Finance Corporation having heretofore entered their appearance in said action and having filed their answers herein; and the libelant and the claimants 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. Don H. Fox, et al, 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 a forfeiture herein be denied, and the same is hereby disallowed as to the said 1948 Willys Jeep type Truck, Motor No. J209855, and that said truck

is ordered delivered to Arthur D. Dyer.

(s) Royce H. Savage
JUDGE.

O. K. as to form:

Whit Y. Mauzy,
United States Attorney

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

_____
Frank Hickman,
Attorney for Claimants.

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA.

United States of America, Plaintiff, vs. The heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, of Richard Daniels, deceased; E.J. Coker, Bernard Grove and Loybelle Grove, if living, and if any of said persons be deceased, then the unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, of such deceased persons; The Tonkawa Tribe, a corporation, if in existence; if not in existence, then the unknown successors, assigns and trustees thereof; Edwin H. Millingham, County Treasurer of Washington County, Oklahoma, and Victor V. Cooper, County Assessor of Washington County, Oklahoma, Defendants.	No. 2486 Civil Filed FEB 14 1950 NOBLE C. ROOD Clerk U. S. District Court

FINDINGS OF FACT AND CONCLUSIONS OF LAW
AND
JUDGMENT

Now, on this 14 day of February, 1950, there came for hearing the above entitled action pursuant to assignment for trial, and the plaintiff appearing by Whit Y. Mabry, United States Attorney for the Northern District of Oklahoma, and Robert Brown, Assistant United States Attorney for the Northern District of Oklahoma, and the defendants appearing not, the court proceeded to hear the evidence and examine the files, and in consideration thereof, makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1.

This action was instituted by the United States of America by virtue of Article 3, Section 2, and Article 1, Section 8, Clause 3, of the Constitution of the United States, Sections 1 and 2, Title 25, U.S.C., and Sec-

tion (1[illegible]), [illegible], [illegible].C.[illegible].

-2-

[illegible] the defendants, [illegible] the holder, creditor, [illegible], [illegible], [illegible], [illegible] and assigns, lienholder and mortgagee, of Elmwood Complex, [illegible], T. Z. Allen, Belmont Grove and Dayville Group, [illegible], and if any of said persons be dead, then the unknown heirs, [illegible], and [illegible], [illegible], [illegible] and assigns, lienholder and creditor, of such [illegible] and [illegible] the [illegible] property, [illegible] corporation, if an existing [illegible], [illegible] [illegible] [illegible], [illegible] and trustees [illegible], [illegible] duly served by notice by publication be and hereby [illegible] [illegible] [illegible] [illegible], [illegible] duly made in the Brightwater Journal, a newspaper of general circulation in Washington County, [illegible], which was published [illegible] times, on August 1[illegible], 20, September 2, [illegible], 1[illegible], and [illegible] proof of publication has been filed herein, [illegible] [illegible].

III.

That the defendants, [illegible] H. [illegible], [illegible] of Washington County, [illegible], [illegible], [illegible], [illegible] County, [illegible], [illegible] by personal service and [illegible] [illegible] [illegible] view and filed herein, and [illegible] is hereby [illegible].

IV.

[illegible] defendants herein were three times called to come on to hearing, [illegible] or otherwise plead and [illegible] the defendants [illegible] and are in default.

V.

[illegible] by [illegible], the [illegible] of [illegible], [illegible], [illegible] T. C. [illegible], has filed herein its disclaimer of any interest in the premises [illegible] involved in this action [illegible], inheritance and [illegible].

VI.

That the following described land, to-wit:

> The N½ of [illegible] of the Northwest [illegible] of the Northeast [illegible] (N½ NE¼); and the South [illegible] of the Northwest [illegible] of the Northeast quarter (S½ NE SE¼), section 1[illegible], Township 25 North, [illegible], of the Indian Base and Meridian,

said land [illegible] Cherokee, [illegible] the allotee of Dick [illegible] Daniels, a three-[illegible] blood Cherokee Indian, [illegible] No. [illegible], by [illegible] dated from the Cherokee Nation [illegible] [illegible] of July [illegible], [illegible]. That by virtue of the will, said [illegible] of Daniels are [illegible] said in possession of the said land with [illegible] [illegible] provided under the Acts of Congress. That on the 14th day of [illegible], 1[illegible], pursuant to the Act of Congress of May 27, 1908, Richard Daniels selected and designated the land herein described as his [illegible] under Certificate No. [illegible], said certificate being filed of record in Washington County, Oklahoma, on the 2nd day of April, 1[illegible], in Book 1[illegible], page [illegible]. That thereafter, in or about the year 1[illegible], the said Richard Daniels died intestate leaving as his sole heirs at law the following:

[illegible], Alsie Daniel nee Dick [illegible],
1/[illegible] Cherokee, B.I.C. [illegible].
[illegible], Harvey Daniel, 5/[illegible] Cherokee [illegible]
[illegible], [illegible] Daniel [illegible], 5/[illegible] Cherokee [illegible]
[illegible], Glen Daniel, 5/[illegible] Cherokee [illegible]
[illegible], Floyd Daniel, 5/[illegible] Cherokee [illegible]
[illegible], [illegible] J. Daniel, 5/[illegible] Cherokee [illegible]

and that no administration proceedings have ever been [illegible] on the estate of Richard Daniels, deceased. That the [illegible] named heirs are [illegible] of the [illegible] of one-half or more Cherokee Indian blood and are entitled to have their respective [illegible] made on the land described in [illegible] of their tax exempt land in accordance with the Acts of Congress, and that the plaintiff has elected on their behalf to have said land set aside as part of their tax exempt land.

VII.

That the taxing authorities of Washington County, Oklahoma, as represented by Steven H. Dillingham, County Treasurer of Washington County, and Walter [illegible] Cowan, County Assessor of Washington County, Oklahoma, have purported and attempted to sell said land for delinquent ad valorem taxes for the year 1937, and the said Steven H. Dillingham, as County Treasurer of Washington County, Oklahoma, conveyed the said property to A. J. Jones by County Tax Resale Commissioner's Tax Deed duly filed of record.

CONCLUSIONS OF LAW

I.

Therefore, on the death of Richard Daniels, his heirs at law, the [illegible]

[illegible] as they are entitled to inherit [illegible] determined to be as follows:

[illegible], [illegible] Daniel and Dick [illegible] Meyers, 1/2 Cherokee, [illegible] No. [illegible],	[illegible]
[illegible], [illegible] Daniel, 5/8 Cherokee [illegible],	[illegible]
Do., [illegible] Daniel [illegible] Lewis, 5/8 Cherokee [illegible],	[illegible]
Do., [illegible] Daniel, 5/8 Cherokee [illegible],	[illegible]
[illegible], [illegible] Daniel, 5/8 Cherokee [illegible],	[illegible]
[illegible], [illegible] W. Daniel, 5/8 Cherokee [illegible],	[illegible]

II.

That said lands be the property that all tribal lands within the [illegible] authorities of Washington County, Oklahoma, [illegible] said void and should be cancelled; that said lease, [illegible] and [illegible], and [illegible] of [illegible], is null and void and of no force and effect, and the defendant [illegible] J. [illegible] [illegible], [illegible] interest in and to the said described [illegible], and that the other and [illegible] be quieted [illegible] defendant [illegible] J. [illegible] [illegible] Grove, on joint tenants with right of survivorship, [illegible], is null and void and [illegible] force and effect, and the defendant J. [illegible] [illegible] said [illegible] be cancelled, and [illegible] said [illegible] [illegible] [illegible] Daniels, deceased, [illegible] the [illegible] of descent and distribution [illegible] Oklahoma; and the defendant Erwin H. [illegible], as County Treasurer of Washington County, Oklahoma, and [illegible] Cooke, as County Assessor of Washington County, Oklahoma, should be enjoined and [illegible] said [illegible] [illegible] for taxes as long as the same is owned by said [illegible].

III.

That Harvey Daniel, a 5/8 blood Cherokee Indian, was enrolled, and Minnie V. Daniel, [illegible], was a [illegible] [illegible] [illegible] unrestricted interest in [illegible] in the [illegible] Tribe of Indians, a [illegible], [illegible] under the [illegible] of Congress the said [illegible] land was not subject to disposition or encumbrance and said [illegible] void and should be cancelled, and said [illegible] void [illegible], and the Plaintiff [illegible], [illegible], should be enjoined and restrained from [illegible] [illegible] with right, title or interest in the [illegible] land [illegible] said [illegible].

JUDGMENT

[illegible], on this _____ day of February, [illegible]50, [illegible] the [illegible] of [illegible] and the [illegible] of [illegible] [illegible] herein [illegible] [illegible],

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the [illegible] that the plaintiff's [illegible] judgment against the defendants and each of them, decreeing the heirship of Richard Daniels, deceased, [illegible] and [illegible] to be vested in the [illegible] as follows:

[illegible], Josie Daniel nee Dick nee Boyer, 1/2 Cherokee, Roll No. [illegible],	1/3 Int.
[illegible], Steven Daniel, 1/2 Cherokee,	[illegible] "
[illegible], Callie Daniel nee [illegible], 1/2 Cherokee,	[illegible] "
[illegible], Sam Daniel, 1/2 Cherokee,	[illegible] "
[illegible], Floyd Daniel, 1/2 Cherokee,	[illegible] "
[illegible], Walter [illegible] Daniel, 1/2 Cherokee,	[illegible] "

and that title to said remains is vested in the above-named [illegible] and each of them free and clear of all encumbrances claim or [illegible] thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that all [illegible] levied or [illegible] against the above described [illegible] be and the same are hereby cancelled, [illegible] and set aside, and the County Clerk [illegible] the [illegible] Deed, [illegible] described herein [illegible], [illegible] and hereby [illegible], cancelled, [illegible] and held for [illegible], and that Levin H. Dillard, [illegible] Charles Cobb, [illegible], and [illegible] Cobb, [illegible] Cherokee County, [illegible] their [illegible] in [illegible], [illegible] hereby restrained and enjoined from [illegible] collect any [illegible] under the above described [illegible] in the [illegible] and the defendants, [illegible] Grove and Charlie Grove, [illegible], and if any of [illegible] be deceased, their [illegible] heirs, [illegible], devisees, devisees and assigns, [illegible] and [illegible], of [illegible] and decreed to have no right, title or interest in or to the [illegible] and the [illegible] hereby restrained and enjoined from [illegible] any right, title or [illegible] and [illegible] and the [illegible] described herein [illegible] Daniel and Charles V. Daniel, [illegible], [illegible]

[illegible] Second Party, [illegible], in hereinbefore [illegible], [illegible] [illegible] [illegible] right, and the Third Party, [illegible], in hereinbefore [illegible] [illegible] [illegible] signed [illegible] having any right, title or interest in the [illegible] described herein growing out of said mentioned [illegible].

IT IS [illegible] AGREED that no costs be taxed.

(Signed) Royce N. Savage
[illegible]

Copy

No. [illegible]

ORDER

[illegible]

MOSES G. HOOD
Clerk U. S. District Court

[illegible]

17th Feb

[illegible]

(s) Joyce H. Savage

Approved:

(s) Lee F. Bruce
Lee F. Bruce

(s) C. W. Mandler
C. W. Mandler

(s) Curtis P. Harris
Curtis P. Harris

(s) [illegible]

UNITED STATES OF AMERICA, ss:

(Civil 2092)

THE PRESIDENT OF THE UNITED STATES OF AMERICA

/SEAL/

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

GREETING:

Whereas, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between United States of America, plaintiff, and O. C. Owens, defendant, No. 2092, Civil, the judgment of the said district court in said cause, entered on November 26, 1948, was in the following words, viz:

* * * * * * * * *

"It Is Therefore Ordered, Adjudged and Decreed that the United States of America have and recover judgment against the defendant, O. C. Owens, for the sum of $53,783.00, together with interest on $54,133.00 from May 29, 1941 to December 6, 1946 and interest upon the sum of $53,783.00 from December 6, 1946, until paid, together with the costs of this action.

"For All of Which Let Execution Issue."

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 O. C. Owens, 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 this cause be and the same is hereby affirmed.

-- November 1, 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 17th day of February, in the year of our Lord one thousand nine hundred and fifty.

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

No. 3870

UNITED STATES COURT OF APPEALS
Tenth Circuit

September Term, 1949

O. O. Owens, Appellant,

vs.

United States of America,

Appellee.

Filed February 20, 1950
NOBLE C. HOOD
Clerk U. S. District Court

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA (Civil No. 2277)

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

/SEAL/

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 George O. Ray et al., plaintiffs and Missouri, Kansas & Texas Railroad Company, a corporation, et al., defendants, No. 2277, Civil, the judgment of the said district court in the said cause entered on March 28, 1949, was in the following words, viz.:

(Clerk's Note: Journal Entry of Judgment appears in Journal No. 14 at page 652.)

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 Missouri-Kansas-Texas Railroad Company, 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 this cause be and the same is hereby affirmed.

-- October 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, ought to be had, the said appeal notwithstanding.

WITNESS, the Honorable FRED M. VINSON, Chief Justice of the United States, the 17th day of February, in the year of our Lord one thousand nine hundred and fifty.

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

No. 3909

UNITED STATES COURT OF APPEALS

Tenth Circuit

September Term, 1949.

Missouri-Kansas-Texas Railroad Company, Appellant,

vs.

George O. Ray et al., Appellees.

MANDATE

Filed Feb. 20, 1950
Noble C. Hood
Clerk U. S. District Court

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

UNITED STATES OF AMERICA Plaintiff, vs. T.R. WILSON P.O. Box 1541 Tulsa, Oklahoma Defendant.	)	Civil Action Case No. 2592

FILED
FEB 21 1950
NOBLE C. HOOD
Clerk U. S. District Court

ORDER

On the 21st day of February, 1950, came on for hearing the Motion to Dismiss of Plaintiff and Defendant, and after considering the same, it appears that the motion should be granted and costs taxed against the Defendant as requested. This cause is accordingly dismissed from the docket.

ENTERED AND ORDERED THIS 21 day of February, 1950.

Royce H. Savage
United States District Judge

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Petitioner	)	
-vs-	)	No. 3437-Civil
1,718.07 acres of land, more or less, situate in Creek County, Oklahoma, and Hattie Abbott, et al, Respondents	)	

FILED

FEB 24 1950

NOBLE C. HOOD
Clerk U. S. District Court

JUDGMENT CONFIRMING ESTIMATION AND FIXING VALUE OF TRACT NO. B-29

NOW, on this 24 day of February, 1950, the above matter comes on to be heard upon the motion of Petitioner herein for confirmation of a stipulation filed in this proceeding as to Tract No. B-29, and the Court, being fully advised in the premises, finds that said stipulation fixes the value of said tract of land as agreed upon by and between the petitioner and the owners of said tract, and that said stipulation and value should be confirmed and approved in every respect by this Court.

The Court further finds that a deposit was made under a Declaration of Taking filed herein and that no deficiency exists as to said tract.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said stipulation and value be, and the same are hereby, confirmed and approved in every respect by this Court as to Tract No. B-29, and in the following amount, to-wit:

Tract No. B-29

Agreed Value.	$5,000.00
Deposited	5,000.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said amount is

[illegible] it [illegible] as a [illegible] tract of land, [illegible] interest [illegible] [illegible] of [illegible] wherever [illegible]. The judgment on the declaration of [illegible] herein is hereby reaffirmed.

JUDGE

[illegible]
[illegible], petitioner

by [illegible]
Special Attorney-Dept. of Justice

[illegible]

United States of America, Petitioner -vs- 750.75 acres of land, more or less, situate in [illegible] County, California, and [illegible], et al, Respondents	No. 3487-Civil Order [illegible] 1950

[illegible] Commissioners' Report [illegible]

NOBLE C. HOOD
Clerk U. S. District Court

[illegible] this 21 day of February, 1950, this matter comes on for hearing, upon the application of petitioner herein for confirmation of the Commissioners' Report filed herein as to certain tracts involved in this proceeding, and the Court, being fully advised in the premises, finds that said Commissioners' Report has been filed for more than sixty days prior to this date, and that all demands for jury trials have been dismissed as to said tracts and that said Commissioners' Report should be confirmed and approved in every respect by this Court as to the hereinafter set out tracts of land.

The Court does further find that the deposit has been made under the Declaration of Taking filed in this proceeding, and that deficiencies exist as to said tracts of land, all as hereinafter set out.

It is, therefore, ORDERED, ADJUDGED AND DECREED that said Commissioners' Report be, and the same is hereby confirmed and approved in every respect by this Court as to the following tracts and in the following amounts, to-wit:

Tract No. 1045

Condemnation award.	$ 350.00
Deposited	300.00
Deficiency.	50.00

Tract No. 1640

Commissioners' award.	$ 50.00
Deposited.	25.00
Deficiency.	25.00

Tract No. 1697-A

Commissioners' award.	$ 250.00
Deposited	200.00
Deficiency.	50.00

Tract No. 1756

Commissioners' award.	$ 100.00
Deposited.	50.00
Deficiency.	50.00

Tract No. 1795-A

Commissioners' award.	$ 750.00
Deposited	700.00
Deficiency.	50.00

Tract No. 1856

Commissioners' award	$2,600.00
Deposited	2,100.00
Deficiency.	500.00

IT IS [illegible], ORDERED, ADJUDGED [illegible] that said amounts are [illegible] as to [illegible], each, market value of said tracts, including interest and all [illegible] of whatsoever nature. The judgment on the Declaration of Taking heretofore entered herein is hereby reaffirmed.

IT IS [illegible], ORDERED [illegible] that the United States of America deposit the sum of Seven Hundred Twenty-Five and no/100 Dollars ($725.00) into the Registry of this Court to cover the deficiency as to said tracts as herein above set out.

[illegible]
U.S.D.J.

U.S.
United States [illegible], Petitioner

By
Special Attorney-Dept. of Justice

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

Standard Accident Insurance Company, a corporation,	)	
Plaintiff,	)	
vs.	)	No. 2578 Civil
Mae Emma Evans, Nell Doughty, and The Salvation Army, a corporation,	)	
Defendants.	)	

FORREST C. HOOD
Clerk U. S. District Court

D I S M I S S A L

Comes now the plaintiff, Standard Accident Insurance Company, a corporation, and asks the court to dismiss the above styled and numbered action pending in this court, with prejudice to the bringing of a future action.

Dated this 27th day of February, 1950.

W. E. Hudson
R. D. Hudson
Norma Wheaton
Attorneys for Plaintiff

For good cause shown the above styled and numbered action is hereby dismissed with prejudice to the bringing of a future action.

Dated this 27th day of February, 1950.

Royce H. Savage
U. S. District Judge

nfw/mr

IN THE UNITED STATES DISTRICT COURT WITHIN AND

FOR THE NORTHERN DISTRICT OF OKLAHOMA

WINIFRED R. RITCHEY and WINIFRED REYNOLDS, Plaintiff	)	
vs.	)	No. 2359 C i v i l
H. W. FELDMAN, et al., Defendants	)	

FILED

APR 10 1950

NORMA G. HOOD
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

Now on the 6th day of March, 1950, this cause comes on for hearing on the motion of the defendant H. W. Feldman for summary judgment, same having been set for hearing heretofore on February 21, 1950 and by agreement of the parties and the order of this Court continued from said date until this date. Now on this date the plaintiffs appeared by and through their counsel of record, Spillers & Spillers, by G. C. Spillers, and the defendant H. W. Feldman appeared by and through his attorneys of record, Green & Farmer, by W. E. Green, and Raymond G. Feldman, and both sides in open court announced ready for hearing. Whereupon the Court, having heard statement of counsel and having been fully advised in the premises and having examined the files in this cause, finds that this Court has heretofore sustained the motion of the defendant H. W. Feldman for summary judgment as to the right to cancel the option agreement, and the Court having this date and prior to this time rendered judgment concerning the property involved in this action for H. W. Feldman, directing specific performance and decreeing said property to pass under the option agreement as exercised by the defendant H. W. Feldman to the defendant H. W. Feldman, thus placing the title of the property involved in this action in H. W. Feldman, and having decreed specific performance and having decreed that this property should pass to the defendant H. W. Feldman under the option, as exercised, the Court finds that the plaintiffs herein have no further interest in said property and are not entitled to maintain their action for cancellation of

the lease on said property which is involved in this action and signed by the plaintiffs to this action and other parties, and that these plaintiffs have no right, as a matter of law, in such property and have no cause of action against the defendant H. W. Feldman for the cancellation of the lease. And the Court therefore finds that, as a matter of law, the motion of the defendant H. W. Feldman for summary judgment should be sustained, and is sustained, and judgment rendered in his favor.

This Court further finds that the defendants Lulu B. Carwalho, Inez Sigler, Edward H. Sigler and Margaret Gainor Blakeney have heretofore been made parties of this suit and served with summons more than a year next preceding the filing of this lawsuit, requiring them to come in and set up any interest they have, or may have, in and to this suit. The Court finds that said defendants have wholly made default and have filed no pleading in this cause, nor have they appeared to request a continuance, demur or plead, and are by this Court ordered to be in default and this cause dismissed as to them.

BE IT THEREFORE ORDERED, ADJUDGED AND DECREED that the defendant in this action have judgment against the plaintiffs and that plaintiffs' cause of action herein be dismissed with prejudice, and at plaintiffs' cost.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that this cause of action be, and the same is, dismissed as to Lulu B. Carwalho, Inez Sigler, Edward H. Sigler, and Margaret Gainor Blakeney.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the defendant H. W. Feldman have and recover a judgment against the plaintiffs for his accrued costs ~~in the sum of $~~ _____, and all costs that may accrue hereafter. For all of which let execution issue.

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

JUDGE

CERTIFICATE OF SERVICE

I, Raymond G. Feldman, being one of the attorneys for the plaintiff herein, certify that I have served copy of the above and foregoing Journal Entry of Judgment upon Spillers & Spillers, attorneys for the defendants, by mailing a copy of said Journal Entry to them at their office in the Ritz Building, Tulsa, Oklahoma, this the 7th day of March, 1950.

Raymond G. Feldman

IN THE UNITED STATES DISTRICT COURT WITHIN AND

FOR THE NORTHERN DISTRICT OF OKLAHOMA

H. W. FELDMAN, Plaintiff	)	
vs.	)	No. 2544 C i v i l
WINIFRED R. RITCHEY and WINIFRED REYNOLDS, Defendants	)	FILED
	)	NORMAN C. HOOD Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

Now on this, the 6th day of March, 1950, this cause comes on for hearing on the motion of the plaintiff H. W. Feldman for summary judgment pursuant to regula r setting, same having been heretofore set for hearing on the 21st day of February, 1950 and by order of this Court and agreement of the parties continued until this date. Whereupon the plaintiff appeared by his attorneys of record, Green & Farmer and Raymond G. Feldman, and the defendants appeared by their attorneys of record, Spillers & Spillers, by G. C. Spillers, and the Court, having considered statement of counsel and having examined the files in this cause, finds that plaintiff's complaint states a good and sufficient cause of action and that the option agreement sued upon in this action was in full force and effect at the date of the filing of this suit and that within the time allowed under such option agreement the plaintiff elected to exercise his right under the option and that the defendants refused to carry out and perform the acts required of them under the option, and that the plaintiff has made a tender, and has continued such tender, of the payment required under the option and the performance of all of the plaintiff's obligations under t he option, and that the plaintiff has fully performed his part of the bargain under said option and that the defendants have failed, neglected and refused to perform their obligations under the option, and that the plaintiff is entitled to a judgment for specific performance. The Court further finds that under the admitted facts, as shown by the record and admitted by counsel, the

plaintiff's motion for summary judgment should be sustained, and is sustained, and judgment rendered for the plaintiff against the defendants for specific performance.

BE IT THEREFORE ORDERED, ADJUDGED AND DECREED that the defendants be, and they are, hereby ordered and directed to make, execute and deliver to the plaintiff their good and sufficient conveyance in the form set forth by Exhibit "C" attached to plaintiff's petition, and to deliver same to the plaintiff upon his payment to the defendants of the consideration provided for in said option, which the Court finds to be the sum of Nine Thousand Nine Hundred Forty-four Dollars ($9,944.00), this being the full Ten Thousand Dollars ($10,000.00) less the cost of abstract, which was paid by the plaintiff and should have been paid by the defendants.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that upon failure of the defendants herein to make, execute and deliver the conveyance hereinabove ordered, then and in that event this decree shall operate as a conveyance of said property and from and after the expiration of thirty (30) days from this date, and in the absence of the issuance of the conveyance hereinabove provided for, the defendants herein are hereby ordered, adjudged and decreed to have no further right, title, interest or equity in and to the following described property:

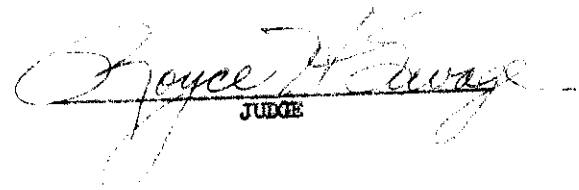
> An undivided two-fifths (2/5ths) interest in and to:
>
> Lots One (1), Two (2) and Three (3) and the East One and one-half (1-1/2) feet of Lot Four (4) in Block Seventy-two (72), original townsite, now City. of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, together with all of the improvements located thereon and all the appurtenances thereto.

And said defendants, and each of them, are enjoined and restrained from asserting or claiming any further right, title, interest or equity therein or thereto as against the plaintiff H. W. Feldman, and it is decreed that so far as these defendants are concerned, the title to said property shall be quieted in the plaintiff herein as against these defendants.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover of and from the defendants herein the costs accrued and any [illegible] accr. in

this action ~~in the sum of $~~_____. For all of which let execution issue.

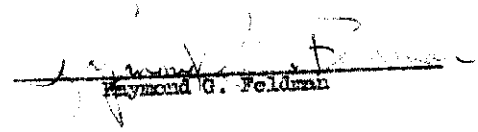
Done and dated the day and year first above written.



JUDGE

CERTIFICATE OF SERVICE

I, Raymond G. Feldman, being one of the attorneys for the plaintiff herein, certify that I have served copy of the above and foregoing Journal Entry of Judgment upon Spillers & Spillers, attorneys for the defendants, by mailing a copy of said Journal Entry to them at their office in the Ritz Building, Tulsa, Oklahoma, this the 7th day of March, 1950.



Raymond G. Feldman

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE EASTERN DISTRICT OF OKLAHOMA

UNITED STATES [illegible] CO., Petitioner	)	
-vs-	)	No. 2437-Civil
1,718.07 acres of land, more or less, situate in Creek County, Oklahoma, and Lettie Abbott, et al, Respondents	)	FILED APR 13 1950 NOBLE C. HOOD Clerk U. S. District Court

JUDGMENT CONFIRMING COMMISSIONERS' AWARD AS TO TRACT NO. A-98

Now on this 13th day of March, 1950, this matter comes on to be heard upon the application of petitioner herein for confirmation of the Commissioners' Report filed in this proceeding as to Tract No. A-98, and the Court, being fully advised in the premises, finds that more than sixty days have elapsed since the commissioners filed their report herein and that all demands for jury trial as to said tract have been dismissed, and that said commissioners' award as to said tract of land involved in this proceeding should be confirmed and approved in every respect by this Court.

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

IT IS, IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that said Commissioners' Report be, and the same is hereby confirmed and approved in every respect by this Court as to the hereinafter set out tract of land, and in the following amount, to-wit:

Tract No. A-98

Commissioners' award.	$1,100.00
Deposited	800.00
Deficiency.	300.00

If [illegible], adjudged and decreed that said amount is final in [illegible] as to the fair, [illegible], market value of said tract of land, [illegible] interest and all claims of whatever nature. The judgment [illegible] condemnation of [illegible] heretofore entered herein is hereby reaffirmed.

It [illegible] that the United States of America deposit into the [illegible] of this Court the sum of $300.00 to cover the deficiency as to said tract of land.

Roger D. Savage
JUDGE

U.S.
UNITED STATES [illegible], petitioner
By Curtis P. Harris
Special Attorney- dept. of Justice

1-24-50

IN THE DISTRICT COURT OF THE UNITED STATES FOR

THE NORTHERN DISTRICT OF OKLAHOMA

The Mutual Benefit Life Insurance Company, a corporation, Plaintiff, v. L. Jean Hill, et al., Defendants.	No. 2613-Civ. FILED MAR 14 1950 NOBLE C. HOOD Clerk U. S. District Court

FINAL DECREE

Now on this 14th day of March, 1950 this cause came on to be heard at this time on bill and answer and it appearing that process has been issued according to the previous order of the court and served on the defendants, and each of them, according to law, and that plaintiff has paid into the registry of the court there to abide the judgment of the court the sum of $ 1516.39, the amount admitted to be due and payable under policy No. 256246 issued upon the life of James M. Walker, deceased.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the defendants, L. Jean Hill, Ira John Walker, James M. Walker, Jr., and Alexander E. Walker, Executor of the Estate of James M. Walker, deceased, interplead herein that it may be ascertained and determined to whom the said sum of $ 1516.39 belongs; that defendants above named be perpetually enjoined and restrained from instituting or prosecuting any suit or proceeding against this plaintiff in any State Court or in any other Federal Court on account of said policy of insurance.

IT IS FURTHER ORDERED that defendant, Alexander E. Walker, Executor of the Estate of James M. Walker, deceased,

be compelled to deliver up and surrender the said original policy of insurance No. 286249 issued by plaintiff on the life of James [illegible] Walker, deceased, to the Clerk of this court for delivery to plaintiff.

IT IS FURTHER ORDERED that said policy of insurance is hereby cancelled and of no further force or effect as to defendants herein, and the Mutual Benefit Life Insurance Company is hereby relieved of all further liability thereunder and is hereby discharged from all further liability with respect to the proceeds of said policy of insurance.

IT IS FURTHER ORDERED that the Clerk of the court shall pay to plaintiff out of the fund already deposited with the court the sum of $ 29.12 for costs in the usually expended and allowable under the rules of this court, and the sum of $ 150.00 for counsel fee for the service of counsel for the prosecution of this action.

/s/ [illegible]
United States District Judge
for the Northern District of
Oklahoma.

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

MRS. J[illegible] T. THOMPSON, Plaintiff,	)	
vs.	)	No. 2504-Civil
SID L. CLOBES, Defendant.	)	

FILED
JAN 15 1950
NOBLE C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

On this 23rd. day of January, 1950, came the plaintiff in person and by her attorneys, Harlan Trower and Jack Ferguson, and also the defendant in person and by his attorney, Truman B. Rucker, whereupon this cause was continued until the 24th. day of January, 1950, when the plaintiff and her attorneys appeared in person and also the defendant and his attorney appeared in person, this cause came on for trial in its regular order before a jury of twelve good men, who being duly impaneled and sworn, well and truly to try the issues joined between plaintiff and defendant and a true verdict render according to the evidence; and having heard the evidence, the charge of the court and the argument of counsel, on the 25th. day of January, 1950, upon their oath stated that they find the issue for the defendant and against the plaintiff, in accordance with which verdict the court then and there entered judgment for the defendant, together with the costs of his action.

(S) [illegible]
Judge of the District Court for the
Northern District of Oklahoma

APPROVED:

Harlan [illegible]
Attorney for the Plaintiff

APPROVED:

Truman B. [illegible]
Attorney for the Defendant.

[illegible]

[illegible] OKLA

[illegible], Petitioner	)	
-vs-	)	No. 2532-Civil
409.00 acres of land, more or less, situate in [illegible] County, [illegible], [illegible] D. [illegible], et al, Respondents	)	[illegible]

NOBLE C. BOOS
Clerk U. S. District Court

ORDER [illegible]

Now on this 13th day of March, 1[illegible], this cause [illegible] to be heard, upon [illegible] notice given, [illegible] the Court, having been fully advised in the premises, finds that the full fee simple title in [illegible] to the lands involved in this proceeding, subject, however, to existing easements for public roads [illegible], public utilities, [illegible] and pipe lines, [illegible] at the time of taking by the petitioner, vested as follows, to-wit:

Tract No. 1498-Rev.

Part of E/2 described as: Beginning at a point 485' 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 N E 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.

Title vested in Henry V. Holmes

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, W/2 NW/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 15.75 acres, more or less.

Title vested in the heirs at law of A. K. Dawson, deceased

Tract No. 1626

Title ve[illegible]
All that part of Lot 1 less 10 acres in the NW corner thereof described as being 660' square; that part of Lot 3, less the West 5.25 acres of N.W. 15.25 acres thereof; 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 [illegible].20 acres, more or less; in R. D. Hudson, Dorothy V. Hudson
and
the West 5.25 acres of the N.W. 15.25 acres of Lot 3, in Section 14, Township 19 North, Range 19 East I.M., situate in Mayes County, Oklahoma; in Mary B. Dailey

or less.

Title vested in F. C. Hupton

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.
Title vested in Ellen Hall, now Rector - 1/3 interest; Dennis Hall - 1/6 interest; F. C. Hall - 1/6 interest; Donald Lee Hall - 1/6 interest; and Lorene Hall, now Ashley - 1/6 interest

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.

Title vested as follows: Nelson Howe - 1/3 interest
Ellen Chance - 1/3 interest
Jesse Chance - 1/3 interest

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.

Title vested in [illegible] Hawkins

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.

Title vested in [illegible] Parker

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.

Title vested in Jesse D. [illegible], [illegible] L. [illegible]

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.

Title vested in J. [illegible] Whitehead

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..

Title vested in [illegible] County Commissioners of [illegible] County, [illegible]

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.

Title vested in J.C. Reddin and Lucile Reddin

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.

Title vested in William J. Turner

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.

Title vested in T. C. Willis

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.

Title vested in W. T. Willis and Zelma Willis

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.

Title vested in the Board of County Commissioners of Mayes County, Oklahoma

Tract No. 1811

NE/4 SW/4, SE/4 NW/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 NW/4 NE/4 SE/4 of Section 23, Township 20 North, Range 18 East of the I.M., situate in Hayes County, Oklahoma, and containing 160.00 acres, more or less.

Title vested in J. W. Brown [illegible] G. Brown

[illegible], [illegible], [illegible], [illegible] [illegible] the title to the above described real estate [illegible] condemned therein taken by these proceedings, [illegible], at the time of taking by the petitioner herein vested in the persons hereinbelow set forth, and [illegible] 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 payment from the payment of any and all taxes due, assessable and payable, of whatever nature.

JUDGE

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Petitioner	)	
-vs-	)	No. 2532-Civil
469.33 acres of land, more or less, situate in Mayes County, Oklahoma, in T. C. Bowling, et al, Respondents	)	FILED
	)	MAR 20 1950
		NOBLE C. HOOD Clerk U. S. District Court

J U D G M E N T

NOW ON this ~~16th~~ 13th day of March, 1950, this matter comes on for hearing, and the Court, being fully advised in the premises, finds that option contracts introduced in evidence and stipulations filed herein, fix the value of certain tracts involved in this proceeding, including interest and all damages, as agreed upon by and between the petitioner herein and the owners of said tracts.

The Court further finds that said agreed values should be confirmed and approved in every respect by this Court.

The Court further finds that deposits were made under a Declaration of Taking filed herein, and that no deficiencies exist as to said tracts of land.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said agreed values and stipulations be, and the same are hereby, confirmed and approved in every respect by this Court, and in the following amounts, to-wit:

Tract No. 1498-Rev.

Agreed Value.	$5,920.00
Deposited	6,200.00
Over deposit.	280.00

Tract No. 1626

Agreed Value.	$2,000.00
Deposited	3,000.00

Tract No. 1684

Agreed Value.	$ 200.00
Deposited	200.00

Tract No. 1655

Agreed Value.	$ 600.00
Deposited	600.00

Tract No. 1762

Agreed Value.	$ 200.00
Deposited	200.00

Tract No. 1763-A

Agreed Value.	$ 25.00
Deposited	25.00

Tract No. 1797

Agreed Value.	$1,450.00
Deposited	1,450.00

Tract No. 1798

Agreed Value.	$ 25.00
Deposited	25.00

Tract No. 1804-A

Agreed Value.	$ 25.00
Deposited	25.00

Tract No. 1811

Agreed Value.	$10,000.00
Deposited	10,000.00

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

JUDGE

C.A.
UNITED STATES OF AMERICA, Petitioner

By _____
Special Attorney-Dept. of Justice

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Petitioner	)	
-vs-	)	No. 1092-Civil
1,435.0748 acres of land, more or less, situate in Hayes County, Oklahoma, and Porter W. Arterberry, et al, Respondents	)	FILED
		NOBLE C. HOOD Clerk U. S. District Court

ORDER NUNC PRO TUNC

Now on this 21st day of March, 1950, it appears that the Final Judgment entered in this proceeding on the 4th day of October, 1944, contained erroneous descriptions of Tracts Nos. 1780 and 1794 involved herein. The Court finds that said descriptions of Tracts Nos. 1780 and 1794 should be stricken from said Judgment and it be substituted in lieu thereof the following descriptions, to-wit:

Tract No. 1780

All that part of the Southeast Quarter of the Southeast Quarter (SE/4 SE/4) lying South and East of State Highway No. 53, and the East Half of the Southwest Quarter of the Southeast Quarter (E/2 SW/4 SE/4), and the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW/4 SW/4 SE/4), all in Section 29; and the East Half of the Northeast Quarter of the Northwest Quarter (NE/4 NW/4 NW/4), in Section 32; all in Township 20 North, Range 19 East of the Indian Meridian, situate in Hayes County, Oklahoma, subject to Highway right-of-way, and containing 19.6 acres, more or less.

Tract No. 1794

The South 19.98 acres of Lot One (1), and the East 13.45 acres of Lot Two (2), (Otherwise described as all of Lot Two (2), except the West 20 acres thereof), in Section 33; and the South 1.3 acres of Lot Two (2), (otherwise described as all of Lot Two (2), except the North 6.05 acres thereof), in Section 34, all in Township 20 North,

Range 19 East of the Indian Meridian, including all accretions thereto, situate in Hayes County, Oklahoma, and containing 34.75 acres, more or less.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the said descriptions of Tracts Nos. 1780 and 1794 contained in the Final Judgment entered in this proceeding on the 4th day of October, 1944 be stricken therefrom and it be substituted in lieu thereof the following descriptions, to-wit:

Tract No. 1780

All that part of the Southeast Quarter of the Southeast Quarter (SE/4 SE/4) lying South and West of State Highway No. 33, and the East Half of the Southwest Quarter of the Southeast Quarter (E/2 SW/4 SE/4), and the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW/4 SW/4 SE/4), all in Section 28, and the East Half of the Northeast Quarter of the Northwest Quarter (E/2 NE/4 NW/4), in Section 33, all in Township 20 North, Range 19 East of the Indian Meridian, situate in Hayes County, Oklahoma, subject to Highway right-of-way, and containing 29.5 acres, more or less.

Tract No. 1794

The South 19.95 acres of Lot One (1), and the East 13.45 acres of Lot Two (2), (Otherwise described as all of Lot Two (2), except the West 20 acres thereof), in Section 33; and the South 1.3 acres of Lot Two (2), (Otherwise described as all of Lot Two (2) except the North 3.05 acres thereof), in Section 34, all in Township 20 North, Range 19 East of the Indian Meridian, including all accretions thereto, situate in Hayes County, Oklahoma, and containing 34.75 acres, more or less.

Royce H. Stewart
JUDGE

O...
UNITED STATES OF AMERICA, Petitioner
By Curtis [illegible]
Special Attorney-Dept. of Justice

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

J. CARA BROWN, Plaintiff, vs. SOUTHWESTERN GREYHOUND LINES, INC., a corporation, Defendant.	)	No. 2570- Civil FILED JAN 22 1950 NOBLE C. HOOD Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

On this 25th. day of January, 1950, came the plaintiff in person and by her attorneys, George B. Smith and Donald F. McMahon, and also the defendant appearing by and through its attorney, Truman P. Rucker, this case was continued until the 26th. day of January, 1950, whereupon plaintiff appearing in person and by her attorneys, and also the defendant appearing by and through its attorney, this cause was continued until the 27th. day of January, 1950, whereupon the plaintiff appearing in person and by her attorneys, and the defendant appearing by and through its attorney, this cause was continued until the 30th. day of January, 1950, whereupon, plaintiff appearing in person and by her attorneys and the defendant appearing by and through its attorney, this cause was continued until the 31st. day of January, 1950, whereupon, plaintiff appearing in person and by her attorneys and the defendant appearing by and through its attorney, this cause came on for trial in its regular order before a jury of twelve good men, who were duly impaneled and sworn well and truly to try the issues joined between plaintiff and defendant and a true verdict render according to the evidence; at the conclusion of the defendant's evidence the court instructed the jury to find the issues for the defendant.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the said plaintiff, J. Cara Brown, have and recover nothing of said defendant, Southwestern Greyhound Lines, Incorporated, a corporation, and that the said defendant recover of the said plaintiff the costs of its action, for which let execution issue.

(S) Royce H. Savage
Judge

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

The Atchison, Topeka and Santa Fe Railway Company, a corporation, Plaintiff,	:	
-vs-	:	No. 2596 Civil
Chandler Materials Company, a corporation, Defendant.	:	FILED MAR 23 1950 NOBLE C. HOOD Clerk U. S. District Court

ORDER OF DISMISSAL

Now on this 23 day of March, 1950, is presented in open court the dismissal in the above entitled cause, and the Court after due consideration finds that said dismissal should be approved.

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

Judge.

O. K.

Attorneys for Plaintiff

Attorney for Defendant.

[illegible]

[illegible]

[illegible], petitioner	
-vs-	No. [illegible]-Civil
[illegible] acres of land, more or less, situate in [illegible] County, [illegible], [illegible], [illegible], respondents	[illegible]

NOBLE C. SCOTT
Clerk U. S. District Court

[illegible]
[illegible] OF NO. 1444

[illegible] 14th day of [illegible], 1940, the above [illegible] cause [illegible] the Court, being fully advised, finds that a stipulation filed herein fixes the value of Tract No. 1444 involved in this proceeding, as agreed upon by the owners thereof and the petitioner herein, and that said stipulated agreed value should be approved and approved in every respect by this Court.

It is, therefore, [illegible], ORDERED that said stipulation be [illegible], and the same is hereby considered and approved in every respect by this Court and in the following amount, to-wit:

Tract No. 1444

Agreed value	$13,355.00
Deposited	13,355.00

It is [illegible], [illegible] ORDERED that said amount is fixed in lieu of [illegible], as the value, which, agreed value of said tract including interest [illegible] whatever nature. The amount of the deposit [illegible] interest herein is hereby reaffirmed.

[illegible]
JUDGE

[illegible]
[illegible], petitioner
[illegible]
Special Attorney, Dept. of Justice

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

UNITED STATES OF AMERICA, Plaintiff	)	
vs.	)	Civil Action No. [illegible]
GEORGE PETROS, and HELEN PETROS, a feme sole 1624 South Boston, Apt. A Tulsa, Oklahoma, Defendants	)	FILED [illegible] 1950 NOBLE C. HOOD Clerk U. S. District Court

O R D E R

On the [illegible] day of February, 1950, this cause came on for hearing. In accordance with the Findings of Fact and Conclusions of Law filed herein, it is, therefore:

1. ORDERED, ADJUDGED AND DECREED that the Defendant, Helen Petros, refund forthwith to the following tenants:

Mary Ann Bulbert Brown	$259.62
Alta Mae Dicks	115.00
Robert L. Jones	$291.00

2. It is further ORDERED that the Defendant, George Petros, is hereby dismissed from this suit, and that the Plaintiff take no judgment against him.

3. Injunctive relief prayed for by the Plaintiff in his original Complaint is hereby denied.

4. All costs accrued herein are hereby taxed against the Defendant, Helen Petros, for which let execution issue.

Dated this [illegible] day of March, 1950.

United States District Judge

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

Martha Ivers, a Minor, by Her Next Friend, Celia C. Ivers	)	
Plaintiff	)	
vs.	)	Civil Action No. 2410
Paramount Pictures, Inc., and Paramount Film Distributing Corporation,	)	
Defendants	)	

FILED

MAR 27 1950

NOBLE C. HOOD
Clerk U. S. District Court

D E C R E E

This cause coming on to be heard on January 23, 1950, and a jury being called for and duly inpanelled, upon conclusion of plaintiff's evidence and testimony defendants and each of them moved to dismiss this action, for the reason that plaintiff's testimony showed no right to any relief. Upon argument of said motion by counsel, and consideration thereof by the Court, said motion was granted.

IT IS THEREFORE ORDERED AND ADJUDGED that plaintiff take nothing, that this action be, and it is hereby, dismissed on the merits, and that judgment is hereby rendered for the defendants.

DATED March 27 1950.

Royce H. Savage
UNITED STATES DISTRICT JUDGE

OK AS TO FORM:

Attorney for Plaintiff

OK:

Attorneys for Defendants

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

Martha Ivers, a Minor, by Her Next Friend, Celia C. Ivers,	)	
Plaintiff	)	Civil Action No. 2410
vs.	)	
Paramount Pictures, Inc., and Paramount Film Distributing Corporation,	)	
Defendants	)	

FILED
MAR 27 1950
NOBLE C. HOOD
Clerk U. S. District Court

ORDER OVERRULING MOTION FOR NEW TRIAL

On this 7th day of March, 1950, plaintiff's motion for new trial coming on to be heard, and upon presentation thereof and argument against the same;

IT IS HEREBY ORDERED that said motion for new trial be, and the same is hereby, overruled.

DATED March 27th 1950.

UNITED STATES DISTRICT JUDGE

OK:

Attorney for Plaintiff

OK:

Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN

DISTRICT OF OKLAHOMA

FILED

MAR 27 1950

NOBLE C. HOOD
Clerk U. S. District Court

R. H. Johannon, Plaintiff,	)	No. 2559 Civil
-vs-	)	
Sinclair Refining Company, a corporation, Defendant.	)	

ORDER OF DISMISSAL WITH PREJUDICE

Now on this 27 day of March 1950, the stipulation of dismissal with prejudice filed herein by all the parties to this action being called to the attention of the Court and the Court being otherwise fully and sufficiently advised in the premises finds that said stipulation should be and the same is hereby accepted and approved.

IT IS, THEREFORE, HEREBY ORDERED that the above entitled action be and the same is hereby dismissed with prejudice to the bringing of a new or a future action.

/s/ Royce H. Savage
District Judge

C. K. Pendergraft Hurley
by C. K. Pendergraft
Attorneys for Plaintiff

C. K.

RALPH W. GARRETT

I. L. LOCKEWITZ

GEORGE D. ALMAN JR.
Attorneys for Defendant

IN THE DISTRICT COURT OF THE UNITED STATES

[illegible] DISTRICT OF OKLAHOMA

UNITED [illegible]	
Plaintiff	
v.	JUDGMENT
[illegible] Co., [illegible] 1534 North Boston Place Tulsa, Oklahoma	Civil Action No. [illegible]
Defendant	

FILED

[illegible] 27 1950

NOBLE C. HOOD
Clerk U. S. District Court

On the [illegible] day of February, 1950, this cause having been regularly set for trial came on for hearing. The Plaintiff appeared by its attorney of record, Frederick [illegible], and the Defendants appeared in person and by their attorney of record, Gerald F. O'Brien, and stated in open Court to the Court that they had agreed upon a settlement of this case, the terms of such settlement being that the Defendants should refund to Donald R. [illegible] $[illegible]; Ralph [illegible] $[illegible].00 and [illegible] Kendrick $[illegible].00, and that an injunction as prayed for by the Plaintiff should issue. The terms of this proposed settlement being satisfactory to the Court, it is ORDERED, ADJUDGED AND DECREED

1. That the Defendants refund $[illegible], apportioned as follows, to the named persons:

Donald [illegible]	$[illegible].00
Ralph [illegible]	$[illegible].00
[illegible] Kendrick	$[illegible].00

this refund to be made through the Office of the Housing Expediter, 321 Old Customs House, St. Louis, Missouri.

2. That the Defendants be, and they are, hereby permanently enjoined from directly or indirectly soliciting, demanding, accepting or receiving any rent on all controlled housing accommodations owned, operated, or managed by the Defendants in excess of the maximum legal rent, or from otherwise violating the Housing and Rent Act of 1947, as amended, or superseded, and the regulations issued pursuant thereto.

3. All costs are taxed against the Defendants, for which let execution issue.

Dated this 27th day of February, 1950.

[illegible]
UNITED STATES DISTRICT JUDGE

Approved:

[illegible]
Attorney for Plaintiff

[illegible]
Attorney for Defendants

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

R. R. CAMPBELL, Plaintiff,	)	
-vs-	)	No. 2572 - Civil
L. A. BEMLEY, Defendant.	)	FILED
		MAR 29 1950
FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGMENT		NOBLE C. HOOD Clerk U. S. District Court

This cause comes on for trial and the court, having heard the evidence and considered the statement of the parties, finds the facts, states the conclusions of law and enters judgment as follows:

FINDINGS OF FACT

1. That the defendant is the owner of the building located at 516 and 516½ South Denver Street in the City of Tulsa, Tulsa County, Oklahoma, and that said location is within the Tulsa Defense Rental Area.

2. The court finds that the registered maximum rent on the entire two story building located at 516 South Denver was $30.00 per month, the rent charged on March 1, 1942. The court further finds that the registered maximum rent of $30.00 per month for the entire structure was not changed by an order of the Area Rent Director prior to the termination of the subject tenancy, but the court further finds that subsequent to the change of the structure into two separate units the original maximum legal rent of $30.00 per month for the building as a single unit did not apply. That the rentals for the two units subsequent to February 12, 1946, were as set out in paragraph three herein.

3. That the plaintiff, by oral agreement, rented the premises at 516 South Denver from the defendant on the 14th day of August, 1945, and that the rental fixed for said premises by the Office of Price Administration effective as of February 12, 1946, was $55.00 per month as long as the property was used for business purposes, which rental was not changed during the time plaintiff occupied the premises. That on the 14th day of October, 1946, by written lease, the plaintiff rented the premises known as 516 and 516½ South Denver Street, in the City of Tulsa, Tulsa County, Oklahoma, in which agreement it was provided that $40.00 would be paid for 516½ South Denver and $60.00 for 516 South Denver, the first property to be used for residential purposes and the second property to be used for business purposes. This lease contained a proviso for an additional year's extension at an agreed price of $70.00 per month

for 516 South Denver. That at the time of thw written lease, as aforesaid, and all times thereafter, the maximum rent for 516½ South Denver was fixed by the Office of Price Administration at $40.00 per month. Court finds that the plaintiff paid $40.00 per month for the premises at 516½ South Denver and $60.00 per month for 513 South Denver from the 14th day of October, 1946, until the 14th day of October, 1947, and paid an additional $10.00, making $70.00 per month for 516 South Denver, from the 14th day of October, 1947, to the 14th day of October, 1948.

4. The court also finds that the predominant use of the premises known as 516 South Denver was for business purposes.

5. The court finds that the parking area described in defendant's counterclaim was an appurtenance of the aforesaid building and that there is no evidence to sustain defendant's counterclaim.

CONCLUSIONS OF LAW

1. The court holds all alleged overpayments prior to the 7th day of October, 1948, are barred by the Statute of Limitation.

2. That the rent charged for 516½ South Denver was the maximum rent allowed by the Office of Price Administration of the Tulsa Area and that premises known as 516 South Denver were decontrolled by virtue of its predominant use for business purposes, and that plaintiff's action should be dismissed.

3. Court holds that the defendant's claim in his cross petition is not supported by the evidence and should be dismissed.

JUDGMENT

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff take nothing by reason of his petition filed herein, and that said cause of action therein alleged be dismissed, and that the defendant take nothing by reason of his cross petition filed herein and that said defendant's cause of action on his cross petition be dismissed.

It is further ordered that the costs, be, and the same are hereby taxed to the plaintiff.

Dated this 27 day of March, 1950.

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

APPROVED:

R. L. M. Lee
Robert D. Tomas
Attorneys for Plaintiff

Holly L. Anderson
Attorney for Defendant.

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Petitioner	)	
vs.	)	No. 65 -Civil
1,872.19 acres of land, more or less, situate in Osage County, Oklahoma, and Evelyn Ross Benson, et al, Respondents	)	

FILED

JAN 30 1950

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 F. 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 to existing easements for public roads and highways, public utilities, railroads and pipe lines, excepting, however, all oil, gas, coal and other minerals owned by the Osage Tribe of Indians pursuant to the Act of Congress approved June 28, 1906 (34 Stat. L. 539) and acts amendatory thereof and supplementary thereto, and excepting an outstanding oil lease with respect to Tract No. C-11 and an outstanding gas lease with respect to Tract J-1, in and to the lands hereinafter described and described in the Declaration of Taking and in the Petition for Condemnation filed herein.

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

(1) Each and all of the allegations in said Petition for Condemnation 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 One Hundred Thirty-Three Thousand Six Hundred Ninety and 00/100 Dollars ($133,690.00), 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. 94-33 U.S.C. 591), March 1, 1917 (39 Stat. 948-33 U.S.C. 701), June 22, 1936 (49 Stat. 1570), June 28, 1938 (52 Stat. 1215), August 18, 1941 (33 U.S.C.A. 701b et seq), and October 13, 1949 (Public Law 355-81st Congress), is of the opinion that the United States of America was and is entitled to take said property and have the title thereto vested in it.

IT IS, THEREFORE, CONSIDERED BY THE COURT, AND IT IS THE ORDER, JUDGMENT AND DECREE OF THE COURT that the fee simple title, subject to existing easements for public roads and highways, public utilities, railroads and pipe lines, excepting, however, all oil, gas, coal and other minerals owned by the Osage Tribe of Indians pursuant to the act of Congress approved June 28, 1906 (34 Stat. L. 539) and acts amendatory thereof and supplementary thereto, and excepting an outstanding oil lease with respect to Tract No. C-11 and an outstanding gas lease with respect to Tract No. S-1, in and to the lands hereinafter described, 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 said sum of One Hundred Thirty-Three Thousand Six Hundred-Ninety and 00/100 Dollars ($133,690.00), and said lands and estates 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 1,872.18 acres, more or less, and are described as follows:

Tract No. C-11

Lots 1, 2, 3, and 4; and South Half of North Half ($S\frac{1}{2}$ $N\frac{1}{2}$), and Southeast Quarter ($SE\frac{1}{4}$) of Section 1; AND Northwest Quarter ($NW\frac{1}{4}$) of Section 12, all in Township 28 North, Range 10 East of the Indian Base and Meridian; AND

Part of the Southeast Quarter of Southwest Quarter ($SE\frac{1}{4}$ $SW\frac{1}{4}$) described as: Beginning at the southeast corner thereof; thence West 1089' m/l to a point; thence North 825' m/l; thence East 1089' m/l to East line of Southeast Quarter of Southwest Quarter ($SE\frac{1}{4}$ $SW\frac{1}{4}$); thence South 825' m/l to point of beginning, of Section 31, Township 29 North, Range 11 East of the Indian Base and Meridian, all situate in Osage County, Oklahoma, containing 689.43 acres, more or less.

Tract No. C-20

Southwest Quarter ($SW\frac{1}{4}$); and South Half of Northwest Quarter ($S\frac{1}{2}$ $NW\frac{1}{4}$), and Lots 3 and 4, of Section 4; AND Southeast Quarter ($SE\frac{1}{4}$) of Section 5, all in Township 28 North, Range 11 East of the Indian Base and Meridian, situate in Osage County, Oklahoma, containing 491.58 acres, more or less.

Tract No. D-4

East Half of Southeast Quarter of Northeast Quarter of Southwest Quarter ($E\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$) of Section 11, Township 28 North, Range 10 East of the Indian Base and Meridian, situate in Osage County, Oklahoma, containing 5.00 acres, more or less.

Tract No. D-9

North 28.68 acres of Lot 1, described as: Beginning at the northeast corner thereof; thence West 1320'; thence South 969.04'; thence East 1320'; thence North 960.30' to point of beginning, southeast 10.00 acres of Lot 1 being 660' by 660' square; and Northeast Quarter of Southeast Quarter of Northeast Quarter ($NE\frac{1}{4}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$), and East Half of Northwest Quarter of Southeast Quarter of Northeast Quarter ($E\frac{1}{2}$ $NW\frac{1}{4}$ $SE\frac{1}{4}NE\frac{1}{4}$) of Section 3, Township 28 North, Range 10 East of the Indian Base and Meridian, situate in Osage County, Oklahoma, containing 53.68 acres, more or less.

Tract No. D-12

West Half of Northwest Quarter of Northwest Quarter ($W\frac{1}{2}$ $NW\frac{1}{4}$ $NW\frac{1}{4}$), and Northwest Quarter of Southwest Quarter of Northwest Quarter ($NW\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$); and West Half of Northeast Quarter of Northwest Quarter of Northwest Quarter ($W\frac{1}{2}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$ $NW\frac{1}{4}$); and Southeast Quarter of Northwest Quarter of Northwest Quarter ($SE\frac{1}{4}$ $NW\frac{1}{4}$ $NW\frac{1}{4}$); and West Half of Southwest Quarter of Northeast Quarter of Northwest Quarter ($W\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$); and Northwest Quarter of Northwest Quarter of Southeast Quarter of Northwest Quarter ($NW\frac{1}{4}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$); and North Half of Northeast Quarter of Southwest Quarter of Northwest Quarter ($N\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$) of Section 9, Township 28 North, Range 10 East of the Indian Base and Meridian, situate in Osage County, Oklahoma, containing 57.50 acres, more or less.

Tract No. E-1

Northeast Quarter of Southwest Quarter ($NE\frac{1}{4}$ $SW\frac{1}{4}$) and North Half of Southeast Quarter ($N\frac{1}{2}$ $SE\frac{1}{4}$) of Section 35; AND West Half of Southeast Quarter ($W\frac{1}{2}$ $SE\frac{1}{4}$), and East Half of Southwest Quarter ($E\frac{1}{2}$ $SW\frac{1}{4}$) of Section 36, all in Township 29 North, Range 10 East of the Indian Base and Meridian, situate in Osage County, Oklahoma, containing 280.00 acres, more or less.

Tract No. E-8

North Half of Northeast Quarter of Northwest Quarter of Southeast Quarter ($N\frac{1}{2}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$); and North Half of Northeast Quarter of Southeast Quarter ($N\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$); and Southwest Quarter of Northeast Quarter of Southeast Quarter ($SW\frac{1}{4}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$); and North Half of Southeast Quarter of Northeast Quarter of Southeast Quarter ($N\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$); and North Half of Northwest Quarter of Southeast Quarter of Southeast Quarter ($N\frac{1}{2}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$); and Southeast Quarter of Northeast Quarter of Northwest Quarter of Southeast Quarter ($SE\frac{1}{4}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$); and East Half of Southeast Quarter of Northwest Quarter of Southeast Quarter ($E\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$); and Northeast Quarter of Northeast Quarter of Southwest Quarter of Southeast Quarter ($NE\frac{1}{4}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ $SE\frac{1}{4}$) of Section 21; AND West Half of Northwest Quarter ($W\frac{1}{2}$ $NW\frac{1}{4}$) of Section 27; all in Township 29 North, Range 10 East of the Indian Base and Meridian, situate in Osage County, Oklahoma, containing 135.00 acres, more or less.

Tract No. E-14

Northeast Quarter of Southwest Quarter ($NE\frac{1}{4}$ $SW\frac{1}{4}$); and Northwest Quarter of Southeast Quarter ($NW\frac{1}{4}$ $SE\frac{1}{4}$), and East Half of Southeast Quarter ($E\frac{1}{2}$ $SE\frac{1}{4}$) of Section 22, Township 29 North, Range 10 East of the Indian Base and Meridian, situate in Osage County, Oklahoma, 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 _____ day of _____, 1950.

Royce H. Savage

JUDGE

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA.

Interstate Commerce Commission, Plaintiff,	)	
vs.	)	No. 2614 - Civil
John W. Presley, doing business as Security Trucking Company, Defendant.	)	

NORMAN C. HOOD
Clerk U. S. District Court

O R D E R

This matter coming on for hearing this 30th day of March, 1950, and Whit Y. Meuzy, Esquire, United States Attorney, and Louis I. Dailey, attorney for the Interstate Commerce Commission, appearing for the plaintiff, and William Brunson, Esquire, appearing for the defendant, and the court having considered the verified complaint, the answer and the statements of counsel, has made its findings of fact and conclusions of law, which are on file with the clerk of this court. Pursuant thereto the court finds that an injunction should issue according to the terms and conditions set forth hereinafter.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that John W. Presley, doing business as Security Trucking Company, his agents, servants, employees and representatives, and all others in active concert or participating with the defendant, be and they are hereby enjoined and required, when operating motor vehicles in the transportation of property in interstate commerce on public highways for compensation, to:

(a) Observe strictly the limitations provided in Rule 3(a) of Part 5 of Motor Carrier Safety Regulations, Revised, by limiting the on-duty time of all employees engaged in operating vehicles to a total of not more than 70 hours in any period of 192 consecutive hours after reporting for duty, or to an aggregate of not more than 60 hours in 168 consecutive hours, if defendant should elect to adopt the latter basis of computation.

(b) Require every driver in the employ of defendant who operates a motor vehicle engaged in the transportation of property in interstate commerce to prepare and keep a driver's daily log showing correctly the places of

origin and destination of all trips made by said driver, and the times said driver reports for and goes off duty, and the periods of driving and operating motor vehicles and other work performed by said driver, and such further essential information as the Interstate Commerce Commission shall by regulation require.

That this injunction shall be in effect for a period of one year from this date and shall automatically expire unless prior to April 1, 1951, the Interstate Commerce Commission, plaintiff, shall apply to this court for an extension thereof and shall submit to this court proof to show that the defendant herein has or is again failing to comply with the aforesaid provisions of the Motor Carriers Safety Regulations, Revised, of the Interstate Commerce Commission.

That judgment be and it is hereby entered against the said John W. Presley, defendant, for the costs of this proceeding, for which let execution issue.

AND IT IS SO ORDERED.

Roger H. Savage
JUDGE

O. K.

(s) William V. Brunson
William Brunson
Attorney for Defendant