UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF OKLAHOMA

United States of America, Plaintiff,	)	
vs.	)	No. 3049 Civil
Alva Grossman, Defendant	)	

FILED

JUL 2 1952

NOBLE C. HOOD
Clerk U. S. District Court

ORDER NUNC PRO TUNC

NOW, on this 2nd day of July, 1952, coming on for hearing the application of plaintiff for an order Nunc Pro Tunc to correct a clerical error in that certain judgment heretofore entered herein on June 25, 1952 and the court having heard the evidence finds that said judgment recites "THE COURT further finds that on June 14, 1949, the Secretary of the Interior removed the restrictions upon the above described land, except as to an undivided one-half interest therein and did on March 6, 1952 approve the sale of said property to N. F. Harness and Hallie Harness." and that said finding is an error in that the restrictions on said land were removed except as to an undivided one-half interest in the oil, gas and minerals thereunder.

IT IS THEREFORE ordered, adjudged and decreed by the court that said judgment be corrected to read as follows:

"THE COURT FURTHER finds that on June 14, 1949 the Secretary of the Interior removed restrictions upon the above described land except as to an undivided one-half interest in the oil, gas and minerals therein and did on March 6, 1952 approve the sale of said property to N. F. Harness and Hallie Harness."

/s/ Royce H. Savage
DISTRICT JUDGE

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff	)	CIVIL ACTION NO. 2976
-vs-	)	
292.50 acres of land, more or less, situate in Creek County, Oklahoma, and S. Max Bier, et al, and Unknown Owners, Defendants	)	JUDGMENT

FILED
In Open Court

JUL 2 - 1952

NOBLE C. HOOD
Clerk U. S. District Court

Now on this 2nd day of July, 1952, this matter comes on for confirmation of report of commission filed in this proceeding, and the Court, being fully advised in the matter, finds that this Court did on the 20th day of May, 1952, appoint a commission to conduct hearings, receive evidence, and view the lands involved and to do all acts and take all measures necessary and proper for the efficient performance of this duty, as in such cases provided--said commission to have the powers of a Master provided in Sub-division (c) of Rule 53, and in such proceedings be governed by the provisions of paragraphs 1 and 2 of Sub-division (d) of Rule 53.

Pursuant to the order issued by this Court on the 20th day of May, 1952, and after proper notice, the commission conducted a hearing in the District Court Room at Sapulpa, Oklahoma, on the 10th day of June, 1952, wherein plaintiff was represented by its attorney, Curtis P. Harris, Trial Attorney for the Department of Justice, and the defendant landowners interested in Tracts Nos. B-11 and B-90 were represented by their attorneys T. L. Blakemore and Randall G. West, respectively. All parties presented the testimony of witnesses and introduced exhibits. Plaintiff has filed its application for judgment with reference to Tract No. B-11 and its Objections to commissioners' award as to Tract No. B-12, wherein plaintiff prayed for judgment as per contracts; said commission having filed its report herein.

The Court finds that said Application for Judgment should be sustained and the relief prayed for in the Objections and Application for Judgment should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the awards set forth in the report of the commission as to the lands involved in this proceeding be, and the same are hereby, confirmed and approved in respect to the values placed on the properties involved and judgment is entered as prayed for by the plaintiff with reference to Tracts Nos. B-11 and B-12.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the value of the estates for which the United States of America is liable in this proceeding is as follows, to-wit:

Tract No. B-11

Awarded by judgment	$400.00
Deposited	$400.00

Tract No. B-12

Awarded by judgment	$ 56.25
Deposited	$ 56.25

Tract No. B-90

Commission's Award	$2500.00
Deposited	$2500.00

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 of land, including all damages of whatsoever nature. The Judgments on Declarations of Taking Nos. 1 and 2 heretofore entered in this proceeding are hereby reaffirmed.

Royce H. Savage
JUDGE

O.K.

UNITED STATES OF AMERICA, Plaintiff

(Signed)

By Curtis T. Harris
Trial Attorney, Dept. of Justice

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

[illegible] CORPORATION, Plaintiff,	
-vs-	No. [illegible] - Civil
[illegible], Defendant.	FILED JUL [illegible] 1959 NOBLE C. HOOD Clerk U. S. District Court

J U D G M E N T

Now on this 2nd day of July, 1959, the Court having heretofore made and filed Findings of Fact and Conclusions of Law:

It is [illegible] ORDERED, ADJUDGED AND DECREED that the Complainant herein recover from the Defendant [illegible], the sum of [illegible], together with interest thereon at the rate of [illegible] per annum upon the date hereof until paid.

It is further ORDERED, ADJUDGED AND DECREED that the Restraining Order heretofore ordered in this cause, restraining and enjoining the Defendant [illegible] from selling, disposing or encumbering certain items of property [illegible], be and the same is hereby dissolved.

s/ Royce H. Savage
Royce H. Savage,
United States District Judge

APPROVED AS TO FORM:

s/ T. Austin Sarin
Attorney for Plaintiff

s/ R. L. Davidson Jr.
Attorney for Defendant

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America,	)	
Plaintiff,	)	
vs.	)	No. 3354, Civil
Joe Curry and Frances Curry, 2520 Northeast 24th Street, Tulsa, Oklahoma,	)	
Defendants.	)	

FILED

JUL 3 1952

NORMA G. HOOD
Clerk U. S. District Court

J U D G M E N T

NOW, on this 23rd day of June 1952, the above entitled and numbered cause coming on for hearing, the plaintiff, United States of America, appearing by Walt Y. Lahey, United States Attorney and Robert Brown, Assistant United States Attorney, for the Northern District of Oklahoma and the defendants appearing not, the the court having heard the evidence in the cause and having examined the file, finds that said defendants were duly served with summons herein more than twenty days prior to the date hereof, and have failed to appear for answer, are adjudged to be in default.

The COURT FINDS that all of the allegations of the plaintiff's complaint in the first cause of action are true and that the defendants on the 21st day of July, 1946 executed a note for $[illegible] the construction and delivered same to Lee Wright Roofing Company. Said note bears in the amount of $639.[illegible] interest on the amount [illegible] per [illegible] in accordance with provisions of the Federal Housing Administration Act, and that said defendants having [illegible] in payments on said note in accordance with the provisions of said [illegible] the note [illegible] plaintiff and there is now due and owing [illegible] with interest thereon [illegible] 27, [illegible].

The COURT further FINDS that all of the allegations of the plaintiff's second cause of action are true and that the [illegible]

of March, 1947 for a valuable consideration and in accordance with the provisions of the Federal Housing Administration Act and regulations pursuant to U. S. Statutes, in the sum of $627.98 with interest provided at 6% per annum and the said defendants have defaulted in the payment of said note and the said note was thereafter assigned to the plaintiff who holds it and the said defendants owe said note a sum of $459.11 with interest at the rate of 6% per annum from March 1, 1948.

THE COURT FURTHER FINDS THAT the defendants are not in the military service.

IT IS THEREFORE ORDERED, adjudged and decreed by the court that the plaintiff have judgment against the defendants, Joe Curry and Frances Curry for the principal sum $341.68 together with interest at 6% per annum from March 17, 1948, on the plaintiff's first cause of action; and that the plaintiff have judgment against the defendants for a principal sum of $459.11 together with interest at 6% from March 1, 1948 on the second cause of action and for the costs.

Royce H. Savage

JUDGE

IN THE UNITED STATES DISTRICT COURT
NORTH MIDDLE DISTRICT OF ALABAMA

American Insurance Company, a corporation, Plaintiff,	)	
vs.	)	No. 3019 civil
United States of America, Defendant.	)	

FILED

JUL 7 1952

NOBLE C. HOOD
Clerk U. S. District Court

DISMISSING WITH PREJUDICE

This matter coming on for hearing, this 7th day of July, 1952, upon the motion of plaintiff to dismiss this cause with prejudice, and the court being duly advised in the premises, finds that the parties hereto have stipulated to compromise and settle this cause of action, and said compromise and settlement has been approved by the attorney general of the United States and by this court.

The court further finds that the plaintiff has received from the United States of America the sum of $3,[illegible]97.96, the amount of compromise offer and that said sum should be dismissed with prejudice.

It is, therefore, ordered, adjudged and decreed that said action be and the same hereby is dismissed with prejudice.

DONE IN OPEN COURT.

Judge

O. K.

B. Hayden Crawford
B. Hayden Crawford
Attorney for Plaintiff

Vest H. Mooney
Vest H. Mooney
United States Attorney for the
North and Middle Districts of Alabama

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff, vs. 267 Bottles, more or less, article of drug labeled in part: (btl) "Forty Hope Mineral Tablets with B-Vitamins Dietary Supplement Each tablet contains 20 mgm. Iron; 1/2 mgm. Vitamin B_1; 1 mgm. Vitamin B_2; and 5 mgm. Niacin. Also contains traces of other minerals (elements) extracted from a natural clay. * * *" Defendant.	)	No. 3033 Civil FILED JUL 14 1952 NOBLE C. HOOD Clerk U. S. District Court

O R D E R

This matter coming on for hearing this 14th day of July, 1952, and the court being advised in the premises finds that the United States filed a complaint in this action against 267 Bottles, more or less, article of drug labeled in part: (btl) "Forty Hope Mineral Tablets with B-Vitamins Dietary Supplement Each tablet contains 20 mgm. Iron; 1/2 mgm. Vitamin B_1; 1 mgm. Vitamin B_2; and 5 mgm. Niacin. Also contains traces of other minerals (elements) extracted from a natural clay. * * *", and that a monition issued. That the United States Marshal endeavored to serve the monition, but was unable to find any of said articles in this district and that, therefore, this action should be dismissed.

It is, THEREFORE, ORDERED that this action be and the same hereby is dismissed.

JUL 14 1952 ORDERED.

/S/ Royce H. S

JUDGE

[illegible]

[illegible]

United States [illegible],	)	
Plaintiff,	)	
vs.	)	[illegible] Civil
[illegible] Avenue,	)	
Defendant.	)	

FILED
JUL 21 1952
NOBLE C. HOOD
Clerk U. S. District Court

[illegible]

2/24 [illegible]

[illegible]

[illegible]

/S/ [illegible]

UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,	)	
v.	)	No. 3038 Civil
Gerald Aldridge, Defendant	)	

D I S M I S S A L

NOW, on this 21st day of July, 1952, it being represented to the court that the Attorney General of the United States has heretofore accepted the compromise offer of the defendant, in the sum of $150.00 and court costs in the sum of $22.70 as settlement in full and directed that said action be dismissed.

IT IS, THEREFORE, ORDERED BY THE COURT that said action be dismissed upon the payment of $22.70 court costs.

/S/ Royce H. Langer
Judge

[illegible]

[illegible]

United States of America,	)	
Libellant,	)	
v.	)	No. 3021 Civil.
One 1946 Plymouth Coupe, Motor No. P15-1380-7; Co.5375 Gallons of Untaxed Tax-Paid Whiskey,	)	
Respondents,	)	
James Cameron [illegible] of the Southern State Bank of [illegible] ton, Claimant,	)	
Claimants.	)	

FILED

JUL 23 1952

ROBERT M. HOOD
Clerk U.S. District Court

[illegible]

Now, on this 23rd day of July, 1952, the above matter coming on for hearing before the Honorable Royce H. Savage, Judge of the United States District Court for the Northern Judicial District of Oklahoma, and the Libellant appearing by John L. Young, Assistant United States District Attorney, and the claimant, Southern State Bank, in [illegible]ton, appearing by its attorneys, Hewitt and Hewitt, of Ada, Oklahoma, and the claimant, James Cameron Rucker, having been served but having failed to answer herein and having default [illegible] herein, the court proceeds to hear the evidence as stipulated by counsel, and having heard the evidence herein and the argument by counsel and being fully advised in the premises, the court makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

I.

The court finds that the evidence is insufficient to establish the fact that the aforesaid Plymouth automobile was used for the purpose of importing liquor into the State of Oklahoma in violation of the liquor enforcement Act of 1936.

II.

The court finds that the claimant, James Cameron Rucker, having confessed, that the 20.5375 gallons of untaxed tax-paid liquor, which is a part of the subject matter of the forfeiture petition, was seized in violation of the Alcohol Beverage Act of 1954.

III.

The court finds that the appraised value of the automobile, which is the subject of this forfeiture action, is $300.00.

IV.

The court finds that the Farmers State Bank, in Orton, Kansas, has a valid and subsisting lien on said automobile in excess of the value of the automobile.

CONCLUSIONS OF LAW

I.

The court concludes as a matter of law that the libel of information filed herein by the United States of America should be denied as to the 1941 Plymouth automobile.

II.

The court further concludes as a matter of law that the libel of information of the United States of America filed herein against the 60.5975 gallons of assorted taxpaid whiskey, should be and the same is hereby sustained.

JUDGMENT

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the 1941 Plymouth automobile be released to the claimant, Farmers State Bank.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the 60.5975 gallons of assorted taxpaid whiskey be forfeited to the United States of America.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the costs of these proceedings against the 1941 Plymouth automobile be taxed to the United States of America for the Northern Judicial District of Alabama.

Dated this 27th day of July, 1952.

[illegible]
Judge.

Agreed to Form:

[illegible]
Assistant U. S. Attorney

Farmers State Bank, Claimant,

[illegible]
Its Attorney.

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff	)	CIVIL ACTION NO. 3027
-vs-	)	
107.65 acres of land, more or less, situate in Mayes County, Oklahoma, and Board of County Commissioners of Mayes County, Oklahoma, et al., and Unknown Owners, Defendants	)	FINAL JUDGMENT

FILED
JUL 24 1952
NOBLE C. HOOD
Clerk U. S. District Court

Now on this 24 day of July, 1952, the plaintiff presents this application for judgment.

The Court finds that notice by personal service and by publication has been given, all as prescribed by law, to all parties who might claim any interest whatsoever in the real estate involved in this proceeding.

There is presented to the Court signed agreements whereby parties defendant have agreed as to the just compensation to which they are entitled by reason of the acquisition of the estates and rights involved in this proceeding by the United States of America. Such agreements are presented to the Court, and the Court finds that they should be confirmed in all respects.

The Court further finds that all the parties defendant are in default in that they have filed no pleadings in this case nor have any of them served notice of any kind or character upon counsel for plaintiff, except defendants, Joel Wayne Buffington, who is apparently in the armed services of the United States, and Mattie R. Buffington, a minor, both interested in Tract No. 1863, and that counsel appointed by the Court to represent said defendants has filed Answers in their behalf.

The Court further finds that the defendants named in the Agreements, as introduced in evidence, are the owners of the properties involved and entitled to receive the just compensation deposited in this Court for said properties.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Agreements between the parties as to the particular lands involved are hereby confirmed and the parties named in said Agreements are decreed to be those entitled to the just compensation deposited, all as follows, to-wit:

Tract No.	Agreement between the United States and:	Amount
MR1-4	Marie Shade; Jack Griffin; Betty Lou Griffin; and Lillian Griffin, heirs of Betsy Shade Griffin, deceased	$ 50.00
MR1-6 Rev.	R. W. Neel and Mary K. Neel	$ 500.00
1863	Eva Buffington; J. A. Buffington; Joel Lane Buffington; and Mary Lee Buffington	$7200.00
1872-C Rev.	Board of County Commissioners of Hayes County, Oklahoma	$ 85.00
1872-F	A. Harrison	$ 20.00
1873-A	W. A. Gray and Maulcie Gray	$ 20.00
1876-A	Board of County Commissioners of Hayes County, Oklahoma	$ 20.00
1903-Reapp.	Anna D. Bennett Van Horn	$ 675.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America has heretofore deposited the amount of $8,570.00 as to all of the tracts involved in this proceeding and that there exists no deficiency with reference to the just compensation to be paid for said tracts.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Judgments on Declarations of Taking are reaffirmed and the United States of America has, by depositing said sum of $8,570.00, acquired all rights and estates as set out in said Judgments on Declarations of Taking, and it is DECREED by this Court that said sum is determined to be just compensation for the rights condemned in this proceeding to which the owners are entitled for the taking of the properties involved.

/s/ Royce H. Savage
JUDGE

O.K.

UNITED STATES OF AMERICA, Plaintiff

By /s/ Curtis P. Harris
Trial Attorney, Dept. of Justice

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

UNITED STATES OF AMERICA, Libelant,	)	
vs.	)	No. 3053 Civil
ONE 1948 FORD 1/2-TON PICKUP TRUCK, MOTOR NO. 87BC102809, Respondent,	)	FILED
WALTER LEE WILLIS, Claimant.	)	JUL 24 1952 NOBLE C. HOOD Clerk U. S. District Court

FINDINGS OF FACT, CONCLUSIONS OF LAW
AND JOURNAL ENTRY OF JUDGMENT

Now on this 23rd day of July, 1952, the above entitled matter having come on for hearing and decision, and the libelant appearing by its counsel, John S. Athens, Assistant United States Attorney, and the claimant appearing by his counsel, William K. Powers, and both parties having announced ready for trial, the same proceeded for hearing and witnesses were sworn, testimony taken and at the conclusion thereupon the court announced his findings offact and conclusions of law as follows, to-wit:

1. The court finds that the claimant, Walter Lee Willis, is the owner of the vehicle described in the Libel of Information and that he was the owner of such vehicle at the time of its seizure.

2. The court finds that the libelant has failed to establish by competent evidence that said vehicle was used in violation of law by the said claimant and specifically finds that such evidence was insufficient to establish the use of said vehicle in the operation and carrying on of the business of a distillery by the claimant, Walter Lee Willis, or that said vehicle was used to transport water or other raw materials for the purpose of operating an illicit still in violation of law and particularly in violation of Section 3321, Title 26 U.S.C.

Conclusions of Law

1. The court concludes as a matter of law that said vehicle is not subject to forfeiture under the Revenue Laws of the United States of America, and that said vehicle should be returned unto said claimant.

2. The court further concludes that inasmuch as said forfeiture has been denied that the United States Marshall for the Northern District of Oklahoma pay all storage charges incident to the seizure and storage of said vehicle.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the seizure of the 1948 Ford 1/2-Ton Pickup Truck, Motor No. 87.010280, be and the same is hereby denied and that said vehicle be delivered unto the said claimant, Walter Lee Willis, or his agent, and that the United States Marshall for the Northern District of Oklahoma pay all storage costs incurred in connection therewith.

/s/ Royce H. Savage
UNITED STATES DISTRICT JUDGE

Approved:

/s/ John S. Athens
John S. Athens, Assistant District Attorney

Approved:

/s/ Tom R. Powers
William R. Powers, Attorney for Claimant.

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA.

United States of America, Libelant, vs. One 1949 Chevrolet Convertible Coupe, Motor No. [illegible]863116, Respondent, Bankers Investment Company, a Corporation, and James Calvin McGowan, Claimants.	)	No. 3052 Civil. FILED JUL 25 1952 NOBLE C. HOOD Clerk U. S. District Court

FINDINGS OF FACT, CONCLUSIONS OF LAW AND JOURNAL ENTRY OF JUDGMENT.

Now, on this 23d day of July, 1952, the above entitled cause coming on for hearing and decision, and the Libelant, United States of America, appearing by its attorney, John G. Athens, Assistant United States Attorney, and the claimant, Bankers Investment Company, a Corporation, appearing by its attorney, Wesley V. Disney, of Disney, Houston, Klein & Malone, of Tulsa, and the claimant, James Calvin McGowan, having been served with monition and copy of libel of information filed in the above entitled cause but having failed to file his answer herein and appearing not and being wholly in default, the court proceeded to hear the stipulation of evidence introduced by counsel, and having heard the evidence and argument of counsel and being fully advised in the premises, makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

I.

The court finds that the claimant, James Calvin McGowan, is the registered owner of the aforedescribed 1949 Chevrolet and was the owner of such vehicle at the time of its seizure.

II.

That the claimant McGowan purchased said automobile from the Doll Motor Car Company and executed a purchase mortgage and note to said Doll Motor Car Company in the amount of $1,411.56.

III.

That subsequent to the sale of said automobile and the taking of a note and mortgage thereon, the Doll Motor Car Company assigned its note and mortgage to the claimant, the Bankers Investment Company, a Corporation, of Tulsa, Oklahoma.

IV.

That neither the Doll Motor Car Company nor the Bankers Investment Company made inquiry as to the reputation or criminal record for being a liquor law violator of the claimant, James Calvin McGowan, at the time of the sale and subsequent assignment, but that if such inquiry had been made of law enforcement officers of the community where the said McGowan resided, such inquiry would not have disclosed that he had either a reputation or record as a liquor law violator.

V.

The court further finds that the said James Calvin McGowan used said automobile in violation of the Internal Revenue Code of the United States of America.

VI.

The court further finds that there is due and owing on said note and mortgage held by the Bankers Investment Company the sum of $1,019.86.

VII.

The court further finds that by stipulation the appraised value of said automobile does not exceed the indebtedness due the Bankers Investment Company secured by chattel mortgage on said automobile.

CONCLUSIONS OF LAW

The court concludes as a matter of law:

I.

That the said automobile should be and the same is hereby forfeited as to the claimant, James Calvin McGowan.

II.

That inasmuch as the indebtedness is equal to the appraised value of said automobile, the automobile should be remitted to the Bankers Investment Company for the purpose of satisfying its indebtedness.

III.

The court further concludes that the Bankers Investment Company should pay the storage charges due and owing on said automobile.

JOURNAL ENTRY OF JUDGMENT

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the said automobile be forfeited to the United States of America.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said automobile be remitted to the mortgagee, Bankers Investment Company.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Bankers Investment Company pay the storage charges due and owing against said automobile and that the same should not be released from the custody of the United States Marshal until such charges are paid.

/s/ Roger D. Hoyt
UNITED STATES DISTRICT JUDGE

Approved:

/s/ [illegible]
Assistant U. S. Attorney.

Disney, Houston, Klein & Malone,
Attorneys for Bankers Investment
Company,

By /s/ W. D. Disney

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN

DISTRICT OF OKLAHOMA

LOUIS KOREN, IRVING SOMMER, ROSE SOMMER, SIMON WOLFE and JEROME HERMAN, Plaintiffs,		
vs.		NO. 3065
GEORGE PETROPOL, Defendant.		FILED JUL 30 1952 NOBLE C. HOOD Clerk U. S. District Court

J U D G M E N T

On this 30 day of July, 1952, upon application and motion of the plaintiffs herein for judgment against the defendant, the Court finds that the defendant has been duly served with summons and is in default. Upon hearing evidence in support of the complaint, the Court finds the issues for the plaintiffs and against the defendant.

ORDERED that plaintiffs have and recover judgment against the defendant, George Petropol, in the amount of $7,500.00 principal, interest at the rate of six per cent (6%) per annum from the 18th day of January, 1947, attorneys' fees $750.00 and costs.

Royce H. Savage

Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff,	)	
vs.	)	CIVIL NO. 3069
ONE 1951 BARCOLT SEDAN, Motor No. 51SL 50422; 2 GALLONS AND ONE PINT OF LIQUOR; FRED BADGETT; and PERSONS, also known as MILDRED AND BADGETT, and the SOUTHWESTERN FINANCE COMPANY, Defendants.	)	FILED JUL 31 1952 NOBLE C. HOOD Clerk, U. S. District Court

FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER
ENTRY OF JUDGMENT

NOW, on this 3rd day of July, 1952, this cause of action coming on before the court pursuant to regular adjournment and the Libelant appearing by Whit Y. Mabry, United States Attorney, and Robert Brown, Assistant United States Attorney, for the Northern District of Oklahoma, and the defendants, Fred Badgett and Persons, also known as Mildred and Badgett, having filed herein their answer and appearing by and through their attorney, Alex C. Hensberry, and the Southwestern Finance Company having filed herein their answer and claim and having appeared by and through their attorney, Alex Dixon, and the court having jurisdiction of the parties and subject matter and having heard the evidence and testimony presented, together with a stipulation entered into by the parties and being duly advised in the premises, makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1.

That the Alcohol Tax Unit, Treasury Department, has reason to and does believe that Fred Badgett is engaged in the business of a retail liquor dealer without having been required to pay the special tax and without having been required to affix the proper stamps as provided by the Internal Revenue Code of the United States of America.

II.

That the Alcohol Tax Unit, Treasury Department, has reason to and does believe that officers of the Alcohol Tax Unit, Treasury Department, seized 2 gallons and 1 pint of liquor and that the automobile was seized by the United States

Wrehel under condition [illegible] this Honorable Court [illegible] that the 2 gallons of assorted tax-paid liquor are properly stored awaiting further disposition by order of this court.

III.

The court finds that the Southwestern Finance Company as the holder of a valid and subsistent lien on the automobile referred to herein in the amount of $140.00, and that this lien was acquired in good faith and without knowledge that the vehicle herein would be used in violation of the law.

IV.

The court further finds that claimant, Southwestern Finance Company, made no inquiry as to "bootleg hazard" at the time of acquiring its lien and further finds that at the time of acquiring said lien, and as in ordinary course of the mortgagor, reply to such inquiry would not reveal a reputation of liquor law violations on the part of the mortgagor.

CONCLUSIONS OF LAW

I.

The Court, therefore, concludes as a matter of law that the forfeiture of the automobile and the 2 gallons of assorted tax-paid liquor should be ordered.

II.

The court further concludes that the application for remission or mitigation of forfeiture in the amount of the Southwestern Finance Company mortgage should be allowed.

JUDGMENT

I.

IT IS, therefore, ORDERED, ADJUDGED and DECREED that the 1941 Mercury Sedan, Motor No. [illegible], and the 2 gallons of assorted tax-paid liquor in and the same are hereby ordered forfeited and the automobile is ordered delivered over to the District Supervisor of the Alcohol Tax Unit, Bureau of Internal Revenue, Treasury Department, [illegible], Missouri, under its authorization, subject herein pursuant to Title III, Section 304, of the Liquor Law Repeal [illegible], 49 Stat. 880 (U.S.C. Title 26, Section 304(b)) and the 2 gallons of assorted tax-paid liquor herein [illegible] to be disposed of according to law in such case made and provided.

II.

IT IS [illegible], ADJUDGED and DECREED by the court [illegible] the claim of the Southwestern Bell Telephone Company for reimbursement of expenditures in the amount of [illegible], be and the same is hereby disallowed [illegible] Alcohol Tax Unit of the Bureau of Internal Revenue [illegible] the Southwestern Bell Telephone Company, and in the amount of [illegible] full and complete settlement of its lien.

III.

IT IS [illegible], ADJUDGED and DECREED that the costs of seizure, together with the storage charges, be and the same are hereby ordered paid by the District Supervisor, Alcohol Tax Unit, Bureau of Internal Revenue.

Royce H. Savage
JUDGE

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

Martha W. Schneider,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 3625 Civil
	)	
Missouri, Kansas & Oklahoma Coach Lines, Inc.,	)	
	)	
Defendant.	)	

JUL 28

1952

NOBLE C. HOOD
Clerk U. S. District Court

DISMISSAL WITH PREJUDICE

Comes now the plaintiff, Martha W. Schneider, and dismisses the above styled and numbered action with prejudice to the bringing of a future action.

Dated this 30th day of July, 1952.

Martha W. Schneider
Plaintiff

Royal B. Young
Attorney for Plaintiff

IT IS HEREBY ORDERED that the above styled and numbered cause of action be dismissed with prejudice this 31 day of July, 1952.

by Royal H. Savage
U. S. District Judge

nfw/mr

IN THE [illegible] DISTRICT COURT OF THE [illegible] DISTRICT OF [illegible]

[illegible],
Corporation,

Plaintiff,

v.

[illegible],

Defendant.

No. 2957 [illegible]

[illegible]

[illegible] 1952

NOBLE C. HOOD
Clerk U. S. District Court

It appearing that plaintiff and defendant have joined in a motion to dismiss this cause, and good cause having been shown, IT IS [illegible] THE [illegible] THAT:

(1) The preliminary injunction heretofore entered by this Court on November 13, 1951, restraining the defendant, his agents, servants, employees and attorneys, and anyone acting by or through or for him, from interfering with the taking up or removal of a certain pipe line [illegible] is hereby dissolved;

(2) That the plaintiff be discharged and relieved from [illegible] all liability under its bond heretofore filed in this cause to pay all costs and damages as may be incurred or suffered by any party who may be found to have been wrongfully enjoined or restrained by reason of said preliminary injunction;

(3) That this cause be dismissed, with prejudice, at the cost of plaintiff.

Dated, this 11th day of ~~July~~ Aug., 19[illegible].

[illegible]
United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Norman Barker, Plaintiff,	)	
vs.	)	No. [illegible] Civil
Calli Terrapin, nee Call, et al, Defendants.	)	FILED
	)	AUG 17 1982
	)	NOBLE C. HOOD, Clerk U.S. District Court

ORDER SUSTAINING MOTION OF UNITED STATES OF AMERICA TO DISMISS AND REMANDING CAUSE TO DISTRICT COURT

NOW, on this 1st day of August, 1982, there coming on for hearing, pursuant to regular assignment, motion of the United States of America to dismiss this action hereof as it pertains to the United States of America, the motion of the plaintiff, Norman Barker, to remand this cause to the District Court of Washington County, Oklahoma, and the United States of America appearing by John W. Athens, Assistant United States Attorney for the Northern District of Oklahoma, and the plaintiff, Norman Barker, appearing pro se, and the court having heard the statements and argument of counsel and being fully advised in the premises,

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that said action be dismissed as to the United States of America for the reason that service of notice on the Area Director in this action is not authorized under the Act of April 10, 1926 (44 Stat. 239), this action not being one involving title to or interest in lands allotted to a citizen of the Five Civilized Tribes or the proceeds, issues, rents or profits derived from same.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the United States not being a proper party to this action, but cause should be and the same is hereby remanded to the District Court in and for Washington County, State of Oklahoma, whence it was removed.

Judge

IN THE UNITED STATES DISTRICT COURT,

NORTHERN DISTRICT OF OKLAHOMA.

Jess F.Propst, Plaintiff,	)	CIVIL ACTION
vs.	)	No. 3082.
Lylia Gibson, Defendant.	)	

ORDER REMANDING CAUSE TO STATE COURT.

The motion of the plaintiff to remand this suit to the Superior Court of Creek County,Oklahoma,Bristow Division,coming on for hearing on this August 1st,1952,pursuant to regular setting,and the Court having considered the evidence of both plaintiff and defendant for and against said motion and being fully advised,upon consideration thereof finds that said motion should be sustained.

It is therefore ordered that said motion of the plaintiff to remand this cause be and same hereby is granted and that the cause be and same hereby is remanded to the Superior Court of Creek County,Oklahoma,Bristow Division,at Bristow,Oklahoma,for further proceedings.

Vance H. Junge

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

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA.

United States of America, Libellant, vs. One 1951 Mercury Sedan, Motor No. 51SL 50462; 2 Gallons Assorted Taxpaid liquor; Fred Badgett; Ann Parsons, also known as Mildred Ann Badgett, and the Southwestern Finance Company, Claimants.	Civil No. 3009

FILED

JUL 23 1952

NOBLE C. HOOD
Clerk U. S. District Court

CORRECTED FINDINGS OF FACT AND CONCLUSIONS OF LAW AND JOURNAL ENTRY OF JUDGMENT.

Now, on this 23rd day of July, 1952, this cause of action having come on before the court pursuant to regular assignment and the libellant appearing by Whit Y. Mauzy, United States Attorney, and Robert Brown, Assistant United States Attorney, for the Northern District of Oklahoma, and the claimants, Fred Badgett and Ann Parsons, also known as Mildred Ann Badgett, having filed herein their answer and appearing by and through their attorney, Walter C. Nonneberry, and the Southwestern Finance Company having filed herein their answer and claim and having appeared by and through their attorney, Cleo Wilson, and the court having jurisdiction of the parties and subject matter and having heard the evidence and testimony presented, together with a stipulation entered into by the parties and being fully advised in the premises, makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

I.

That the 1951 Mercury Sedan herein referred to was used in carrying on the business of a retail liquor dealer by Fred Badgett without there having been acquired a retail dealers stamp, as provided by the Internal Revenue laws of the United States of America.

II.

That the 1951 Mercury Sedan herein referred to was properly seized by officers of the Alcohol Tax Unit, together with 2 gallons of assorted taxpaid liquor and that the automobile was seized and retained by the United States

Marshal under monition of this Honorable Court and that the 2 gallons of assorted taxpaid liquor are properly stored awaiting lawful disposition by order of this court.

III.

The court finds that the Southwestern Finance Company is the owner of a valid and subsisting lien on the automobile referred to herein in the amount of $784.00, and that this lien was acquired in good faith and without knowledge that the vehicle herein would be used in violation of the law.

IV.

The court further finds that claimant, Southwestern Finance Company, made no inquiry as to "bootleg hazard" at the time of acquiring its lien and further finds that at the time of acquiring said lien, had an inquiry been made of the mortgagor, reply to such inquiry would not reveal a reputation of liquor law violations on the part of the mortgagor.

CONCLUSIONS OF LAW

I.

The Court, therefore, concludes as a matter of law that the forfeiture of the automobile and the 2 gallons of assorted taxpaid liquor should be ordered.

II.

The court further concludes that the application for remission or mitigation of forfeiture in the amount of the Southwestern Finance Company mortgage should be allowed.

JUDGMENT

I.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that the 1951 Mercury Sedan, Motor No. 51SL 50462, and the 2 gallons of assorted taxpaid liquor be and the same are hereby ordered forfeited and the automobile is ordered delivered over to the District Supervisor of the Alcohol Tax Unit, Bureau of Internal Revenue, Treasury Department, Kansas City, Missouri, under its application filed herein pursuant to Title III, Section 304, of the Liquor Law Repeal and Enforcement Act, 49 Stat. 880 (U.S.C. Title 40, Section 304(i)) and the 2 gallons of assorted taxpaid liquor herein is ordered disposed of according to law in such case made and provided.

II.

IT IS MOREOVER ORDERED, ADJUDGED and DECREED by the court that the claim of the Southwestern Finance Company for remission and mitigation of forfeiture in the amount of $784.00 be and the same is hereby allowed and the Alcohol Tax Unit of the Bureau of Internal Revenue is ordered and directed to pay to the Southwestern Finance Company a sum in the amount of $784.00 in full and complete settlement of its lien.

III.

IT IS MOREOVER ORDERED, ADJUDGED and DECREED that the costs of seizure, together with the attorney charges, be and the same are hereby ordered paid by the District Supervisor, Alcohol Tax Unit, Bureau of Internal Revenue.

W. Royal Lamar
JUDGE

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OKLAHOMA

Jack Conroy, Plaintiff,	)	
vs.	)	No. 3086
A. N. Edwards, Defendant.	)	

FILED

AUG 13 1952

NOBLE C. HOOD
Clerk U. S. District Court

MOTION TO DISMISS

Comes now the plaintiff, Jack Conroy, and shows to the Court that all matters heretofore in controversy between the plaintiff and the defendant, A. N. Edwards, have been fully, finally and completely compromised, settled and adjusted whereby the plaintiff now has no claim of any kind or character against the defendant, A. N. Edwards, by reason of, or in connection with, any of the matters referred to or involved in plaintiff's Complaint herein and that, therefore, there is now no issue for submission to the Court herein.

WHEREFORE, plaintiff moves the Court for an Order dismissing plaintiff's Complaint herein at the cost of plaintiff and with prejudice to a new action.

Dated this 7th day of August, 1952.

Jack Conroy
JACK CONROY, PLAINTIFF

Cannon B. McMahan
CANNON B. McMAHAN
ATTORNEY FOR PLAINTIFF

ORDER

It is ordered that the above styled and numbered cause be and it is hereby dismissed with prejudice at cost of plaintiff.

(S) [illegible]
Judge

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

THE FIRST NATIONAL BANK AND TRUST COMPANY OF TULSA, a national banking association, Plaintiff	
vs.	Civil No. 2940
TULSA PIPELINE CONTRACTORS, INC., a Delaware corporation Defendant	
STANDARD ACCIDENT INSURANCE COMPANY, a corporation Garnishee	AUG 14 1952 NOBLE C. HOOD Clerk U. S. District Court

JUDGMENT AGAINST GARNISHEE

Judgment in the above cause having been entered in favor of Plaintiff and against the Defendant on the 2nd day of November, 1951, and the Plaintiff having thereafter filed its Affidavit for Garnishment against the Garnishee, Standard Accident Insurance Company, and having propounded Interrogatories to said Garnishee in the manner provided by law, and the Garnishee, Standard Accident Insurance Company, having answered said Interrogatories by affidavit, and the Plaintiff having elected to take issue with the Garnishee on said answers, and Plaintiff having caused Notice of its Election to Take Issue with the answers of the Garnishee to be served upon defendant, and the Defendant having failed to answer or plead to said garnishment proceedings.

And the said judgment rendered in this cause on the 2nd day of November, 1951 in favor of Plaintiff and against Defendant having been assigned to R. H. Siegfried Co., a Business Trust, on the 20 day of June, 1952, and the said R. H. Siegfried Co., a Business Trust, having elected to continue the garnishment proceedings in the name of the Plaintiff,

NOW, on this 14 day of August, 1952, this matter comes on for trial between R. H. Siegfried Co., a Business Trust, proceeding in the name of the Plaintiff, and the Garnishee and the Defendant, upon the issues made as afore said.

[illegible]

[illegible] 60,000.00

[illegible] 60,000.00

[illegible]

[illegible] 14 [illegible]

Royce H. Savage

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

STANDARD TRANSFORMER COMPANY, a corporation, Plaintiff,	)	
vs.	)	No. 3005 - Civ 1
GRAND RIVER DAM AUTHORITY, a corporation, Defendant.	)	FILED
	)	AUG 19 1952

NOBLE C. HOOD
Clerk U. S. District Court

D E C R E E

This case came on for trial and was tried to the Court on the 21st day of May, 1952. It was taken under advisement for further consideration of the evidence and briefs, and upon such consideration the Court now makes the written findings of fact and conclusions of law, and in accordance therewith, finds plaintiff is entitled to judgment in the amount of Four Thousand, Three Hundred Twenty-eight Dollars and Forty-two cents ($4,328.42) with interest thereon at the rate of six percent (6%) per annum from the 21st day of May, 1952 and the costs of this action; that the plaintiff is entitled to judgment against the defendant on the defendant's counter claims.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, by the Court that the plaintiff have judgment against the defendant for the sum of Four Thousand, Three Hundred Twenty-eight and 42/100 Dollars ($4,328.42) with interest thereon at the rate of 6% per annum from the 21st day of May, 1952, and for the costs of this action; that the plaintiff have judgment against the defendant on defendant's counter claims and that the defendant take nothing by reason thereof.

Dated this 19 day of August, 1952.

/s/ Royce H. Savage
THE HONORABLE ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

MLB:hl
8/18/52

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB 28 1952

NOBLE C. HOOD
Clerk U. S. District Court

UNITED STATES OF AMERICA, Plaintiff	)	
-vs-	)	CIVIL ACTION NO. 3114
185.00 acres of land, more or less, situate in Tulsa County, Oklahoma, and Acme Materials Company, et al, and Unknown Owners, Defendants	)	JUDGMENT ON DECLARATION OF TAKING

This day comes the plaintiff, the United States of America, by Curtis P. Harris, Trial Attorney for the Department of Justice, and moves the Court to enter a judgment vesting in the United States of America, the fee simple title thereto, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipe lines in and to the property hereinafter described, and described in the Declaration of Taking and in the Complaint filed herein.

Thereupon the Court proceeded to hear and pass upon said motion, the Complaint in condemnation and the Declaration of Taking and finds that:

(1) Each and all of the allegations in said Complaint in condemnation and the 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 Complaint;

(2) In said Complaint in condemnation and the 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 Complaint in condemnation and the Declaration of Taking were filed at the request of Roswell L. Gilpatric, Under Secretary of the Air Force of the United States, by direction of the Secretary of the Air Force, 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 Complaint in 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 FIFTY-FIVE THOUSAND FIVE HUNDRED AND NO/100 ($55,500.00) DOLLARS, 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 Roswell L. Gilpatric, Under Secretary of the Air Force of the United States, will probably be within any limits prescribed by Congress as the price to be paid therefor;

(7) And the Court, having fully considered the Complaint in condemnation, Declaration of Taking, and the Acts of Congress approved February 26, 1931 (46 Stat. 1421; 40 U.S.C. Sec. 258a), August 1, 1888 (25 Stat. 357; 40 U.S.C. 257), August 18, 1890 (26 Stat. 316), July 2, 1917 (40 Stat. 241), April 11, 1918 (40 Stat. 518; 50 U.S.C., Sec. 171), August 12, 1935 (49 Stat. 610; 611; 10 U.S.C., Sec. 1343 a, b and c), July 26, 1947 (61 Stat. 495); January 6, 1951 (Public Law 911 - 81st Congress, 2d Session), and such other Acts of Congress which are declaratory or amendatory thereto, 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, ORDERED BY THE COURT, AND IT IS THE SAID, JUDGMENT AND DECREE of the Court that the fee simple title thereto, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipe lines was vested in the United States of America upon the filing

of the Declaration of Taking and the depositing in the Registry of this Court the sum of FIFTY-FIVE THOUSAND FIVE HUNDRED AND NO/100 ($55,500.00) DOLLARS, and said lands and estate therein taken are deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the same thereby vested in the persons entitled thereto, the amount of just compensation to be ascertained and awarded in this proceeding and established by judgment herein pursuant to law.

The lands aggregate 185.00 acres, more or less, and are described as follows, to-wit:

TRACT NO. 2

Lots 14, 17, and 18, Drummond Acres, a subdivision in Tulsa County, Oklahoma, according to the recorded amended plat thereof, and containing 16.00 acres, more or less, in Section 13, Township 20 North, Range 13 East of the Indian Base and Meridian, situate in Tulsa County, Oklahoma, and containing 16.00 acres, more or less.

TRACT NO. 5

A tract of land described as follows: Beginning at the Southeast corner of the SW/4 SW/4 SW/4 of said Section 13; thence East along the South line of said Section 1181.84 feet; thence North 50.0 feet; thence Northeasterly on a curve to the left having a radius of 523.69 feet, a distance of 688.0 feet; thence N. 14° 27' E., a distance of 1165.0 feet to the North-South Quarter line of said Section 13; thence North along said quarter section line 1113.68 feet to the Southeast corner of a 2.75 acre tract described in a deed to Anna M. Porter, recorded in Book 2179 at Page 115, Deed Records of Tulsa County, Oklahoma; thence N. 81° 27.59' W. 300.8 feet to the Southwest corner of said 2.75 acre tract; thence N. 11° 31.74' E. 463.76 feet to the NW corner of said 2.75 acre tract; thence S. 81° 54.56' E. along the North line of said 2.75 acre tract 106.55 feet; thence North 793.22 feet, more or less, to the South line of the NE/4 NW/4 of said Section 13; thence West along the South line of said NE/4 NW/4 1220.88 feet, more or less, to the SW corner of said NE/4 NW/4; thence North along the West line of said NE/4 NW/4 573.19 feet, more or less, to the Southeast line of A. T. & S. F. Railroad Right-of-way; thence Southwesterly along said right-of-way line 921.50 feet, more or less, to the East line of the W/2 W/2 W/2 of said Section 13; thence South along the East line of said W/2 W/2 W/2 of Section 13 to the place of beginning; in Section 13, Township 20 North, Range 13 East of the Indian Base and Meridian, situate in Tulsa County, Oklahoma, and containing 169.00 acres, more or less.

EXHIBIT "A"

[illegible], adjudge and decree 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 22 day of August, 1952.

Royce H. Savage
Judge

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

Northeast Oklahoma Electric Cooperative, a corporation,	)	
Plaintiff,	)	
-vs-	)	No. 3118
William H. Downing, et al.,	)	
Defendants.	)	

ORDER FIXING TIME FOR DETERMINING THE RIGHT AND NECESSITY FOR THE CONDEMNATION AND APPROPRIATION AND FOR THE APPOINTMENT OF COMMISSIONERS AND PRESCRIBING FORM OF NOTICE

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

Now, on this 28 day of August, 1952, the above entitled and numbered cause coming on to be heard, upon the application of petitioner herein for an order of this Court fixing the date for the appointment of three disinterested referees or commissioners to inspect said real property involved herein and consider the injuries sustained by reason of the condemnation and appropriation of the absolute, entire and unencumbered perpetual easement for public use, and benefit, as alleged in the petition filed herein, and for an order of court prescribing notice to be given said defendants in said cause of the time and place when the Judge of this Court will appoint said referees or commissioners; the petitioner appearing by Jack L. Rorschach, General Counsel.

It appearing to the Judge of this Court that petitioner has filed its petition in the above styled and numbered cause, for the condemnation of an absolute, entire and unencumbered perpetual easement, to erect, operate and maintain a transmission line for the transmission of electric energy, upon, over and across the lands described in the petition heretofore filed, for the purpose of distributing and marketing electric energy.

It appearing to the Judge of this Court that under the law applicable in such cases, it is necessary that the Judge of this Court appoint three disinterested referees or commissioners, to be selected by the Judge of this Court according to law, to inspect the lands upon, over and across which said perpetual easement and right-of-way shall cross and consider the injuries sustained by reason of the condemnation and appropriation of said right-of-way and perpetual easement for public use and benefit.

It further appearing that the Judge of this Court should prescribe the notice to be given to the defendants in said cause of the time and place that the Judge of this Court will appoint said referees or commissioners.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Judge of this Court, that notice be given said defendants, and each of them, and all persons claiming any right, title, interest or possession in and to the land involved, personally, by serving a copy of said notice upon said defendants, and each of the, said notice to be served by the United States Marshal of the District and State in which said defendants, and each of them, may reside, and that said notice be signed by attorneys for the petitioner, Northeast Electric Cooperative, a corporation, and duly attested by the Clerk of this Court, notifying said defendants, and each of them, that the application of the plaintiff for the appointment of three disinterested referees or commissioners to inspect said real property and consider the injuries which the owners thereof or persons having some right, title or interest therein, may have sustained or will sustain by reason of the condemnation and appropriation of said property for public use, will be heard before the Judge of this Court, at Tulsa, Oklahoma, on the 17th day of October, 1952, at the hour of 10:00 o'clock A.M., or as soon thereafter as counsel may be heard, and that said defendants, and each of them, may appear if they so desire.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Judge of this Court that in the event petitioner is unable to obtain personal service of the notice of this proceeding upon any of the defendants in said action, notifying them of the hearing of petitioner's application for the appointment of three disinterested referees or commissioners, as aforesaid, that the petitioner may apply to the Judge of this Court for an order directing the publication of such notice as he may prescribe to such defendants.

U. S. District Judge

IN THE UNITED STATES DISTRICT COURT FOR

THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Libellant,	)	
-vs-	)	No. 3100 Civil
ONE 1950 FORD DELUXE TUDOR SEDAN, MOTOR NO. HOMP135996, J. C. McDANIEL and the ASSOCIATES DISCOUNT CORPORATION OF TULSA, OKLAHOMA, Claimants.	)	

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND JOURNAL ENTRY OF JUDGMENT

Now, on this 28th day of August, 1952, the above entitled matter having come on for hearing and decision, and the libellant appearing by its counsel, Mobart Brown, Assistant United States Attorney, and the claimants, J. C. McDaniel and Associates Discount Corporation of Tulsa, Oklahoma, appearing by their counsel, Dyer & Powers, and both parties having announced ready for trial, the same proceeded for hearing and upon stipulation of testimony, said cause was submitted to the court for decision. Whereupon the court announced his findings of fact and conclusions of law as follows, to-wit:

1. The court finds that the claimant J. C. McDaniel is the owner of the vehicle described in the Libel of Information, and that he was the owner of such vehicle at the time of seizure.

2. That the claimant Associates Discount Corporation of Tulsa, Oklahoma is the holder of a certain conditional sales contract covering the above described vehicle which was made, executed and delivered on the 14th day of December, 1951; that a true and correct copy of said conditional sales contract was duly filed for record in the office of the County Clerk, Tulsa County, State of Oklahoma on December 21, 1951 and that there is now due and owing to Associates Discount Corporation the sum of $819.00 on the principal balance of said conditional sales contract.

3. The court further finds that the libellant has failed to establish by competent evidence that said vehicle was used by the claimant J. C. McDaniel in the operation of his business as a illicit distiller of nontaxpaid whiskey within the jurisdiction of this court and specifically finds that such evidence is insufficient to establish that said vehicle was used in the operation and carrying on of the business of a distillery or that said vehicle was used to transport water or other raw materials for the manufacture of the same or the transportation or removal of the said nontaxpaid intoxicating liquor.

CONCLUSIONS OF LAW

1. The court concludes as a matter of law that said vehicle is not subject to forfeiture under the Internal Revenue laws of the United States of America and that said vehicle should be returned unto the claimants, J. C. McDaniel and the Associates Discount Corporation.

2. The court further concludes that inasmuch as said forfeiture has been denied, that the United States Marshal for the Northern District of Oklahoma pay all storage charges incident to the seizure and storage of said vehicle.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the forfeiture of one 1950 Ford Deluxe Tudor Sedan, Motor No. HOMP135996 be and the same is denied, and that said vehicle be ordered delivered unto the claimants' attorney, William K. Powers, or his agent, and that the United States Marshal for the Northern District of Oklahoma pay all storage charges or costs incurred in connection with the seizure of the same.

Royce H. Savage
United States District Judge

Approved: As To Form
Hobart Brown
Hobart Brown
Assistant United States Attorney

William K. Powers
William K. Powers
Attorney for J. C. McDaniel and
Associates Discount Corporation
of Tulsa, Oklahoma, claimants.

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA.

United States of America, Libelant,	)	
vs.	)	No. 3035 Civil.
One 1950 Ford Tudor Sedan, Motor No. BOMF116290, James Silas Stevenson, Jess Paul Stevenson and D. H. Welch Company, Claimants.	)	

ROBERT M. HOOD
Clerk U. S. District Court

FINDINGS OF FACT, CONCLUSIONS OF LAW
AND JOURNAL ENTRY OF JUDGMENT.

NOW, on this 19th day of August, 1952, this cause of action having come on before the Court pursuant to regular assignment, and the libelant appearing by Whit Y. Mauzy, United States Attorney, and Mobart Brown, Assistant United States Attorney, for the Northern District of Oklahoma; and the claimants, James Silas Stevenson and Jess Paul Stevenson, having filed their response, being present by and through their attorney, G. C. Lassiter; and the D. H. Welch Company having filed herein its response and being present by and through its attorney, Robert Woolsey, and the Court having jurisdiction of the parties and the subject matter and having heard and considered the evidence and testimony presented, together with stipulation entered into by the parties, and being fully advised in the premises makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

I.

That the 1950 Ford Tudor Sedan herein referred to was used in the illegal importation of taxpaid liquor into the State of Oklahoma.

II.

That the D. H. Welch Company made no inquiry as to bootleg hazard at the time of acquiring its lien, and further finds that at the time of acquiring said lien that had an inquiry been made such inquiry would have revealed a reputation of liquor law violation on the part of James Silas Stevenson and Jess Paul Stevenson.

CONCLUSIONS OF LAW

I.

The Court therefore concludes as a matter of law that the forfeiture of the automobile referred to herein should be ordered.

II.

The Court further concludes that the application for remission or mitigation of forfeiture by the D. H. Welch Company should be denied.

JUDGMENT

I.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the 1950 Ford Tudor Sedan, Motor No. BOMP116290, be and the same is hereby ordered forfeited, and said automobile is ordered delivered over to the District Supervisor of the Alcohol Tax Unit, Bureau of Internal Revenue, Treasury Department, Kansas City, Missouri, under its application filed herein pursuant to Title III, Section 304 of the Liquor Law and Repeal and Enforcement Act, 49 Stat. 880 (U.S.C. Title 40, Sec. 304i), and the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, (U.S.C., Title 41, Sec. 201).

II.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the claim of the D. H. Welch company for remission and mitigation of forfeiture be and the same is hereby denied.

III.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the costs of seizure, together with the storage charges, be and the same are hereby ordered paid by the District Supervisor, Alcohol Tax Unit, Bureau of Internal Revenue, Treasury Department, Kansas City, Missouri.

Royce H. Savage
U. S. DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America, Libelant,	)	
vs.	)	Civil No. 3098
One 1949 Lincoln Sedan, Motor No. 9EH-41087; 41.25 gallons of assorted taxpaid liquor; Thurman M. Brown; G. E. Shook, d.b.a Oldsmobile Agency, of Pawhuska, Oklahoma, and General Motors Acceptance Corporation of Tulsa, Oklahoma, Claimants.	)	

FINDINGS OF FACT, CONCLUSIONS OF LAW AND JOURNAL ENTRY OF JUDGMENT

NOW, on this 19th day of August, 1951, this cause of action having come on before the Court pursuant to regular assignment, and the libelant appearing by Whit Y. Mauzy, United States Attorney, and Robert Brown, Assistant United States Attorney, for the Northern District of Oklahoma; and the claimant, Thurman M. Brown, having been duly served with monition under the order of this Honorable Court and having filed herein no response nor having appeared is in default; and the General Motors Acceptance Corporation having filed herein its response and having appeared by and through its attorneys, R. P. Colley and Robert O. Bailey; and the Court having jurisdiction of the parties and the subject matters, and the parties having entered into a stipulation as to the facts, and the court being fully advised in the premises, makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

I.

The court finds that General Motors Acceptance Corporation is and was the owner and holder of a valid conditional sale contract and lien, a true copy of which is attached to its answer and claim herein filed; that said contract was made and entered into by Thurman M. Brown and Shook Oldsmobile Company on the 16th day of February, 1951; that there was a deferred balance due on the purchase price of the automobile for which forfeiture is sought herein, in the amount of $1515.90, payable in installments of $101.00 each, commencing the 30th day of March, 1951; that there is now and was on the 30th day of May, 1951, an unpaid balance on said contract in the amount of $1313.78, and that Thurman M. Brown is in default in the payments due on said contract.

II.

The court further finds that the lien and contract under which General Motors Acceptance Corporation claims and objects to forfeiture herein was made and incurred by the dealer, Shook Oldsmobile Company, and acquired by General Motors Acceptance Corporation without knowledge of Thurman M. Brown's record or reputation, or that the car was to be used for any illegal purposes.

III.

The court further finds that the value of the automobile as appraised at the time of the commencement of this proceeding was $1,250.00.

IV.

The court further finds that the automobile for which the Government seeks a decree of forfeiture herein was originally seized and taken into custody in the State of Oklahoma by state officers for violation of State law, to-wit, Sections 50.1 to 50.12, both inclusive, of Title 37, Oklahoma Statutes of 1951, that thereafter the automobile was delivered by the state officers to the Alcohol Tax Enforcement Unit, and this proceeding commenced.

V.

The court further finds that the 1949 Lincoln Sedan, Motor No. 9EH-41087, was used by Thurman M. Brown for illegal liquor importation of assorted taxpaid liquor from Joplin, Missouri, into the State of Oklahoma.

VI.

The court further finds that the claimant, A. A. Shook, doing business as the Oldsmobile Agency, of Pawhuska, Oklahoma, is not a necessary party in this cause of action.

VII.

The court further finds that the claimant, General Motors Acceptance Corporation, Tulsa, Oklahoma, made no inquiry as to the bootleg hazard at the time of acquiring its lien and that had such inquiry been made it would have revealed a reputation of liquor law violations on the part of Thurman M. Brown.

CONCLUSIONS OF LAW

I.

The court, therefore, concludes, as a matter of law, that forfeiture of the automobile and the 41.25 gallons of assorted taxpaid liquor should be ordered.

II.

The court further concludes that the application for remission and mitigation in the amount of lien of the General Motors Acceptance Corporation should be denied.

JUDGMENT

I.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the 1949 Lincoln Sedan, Motor No. 91M-41067, and the 41.25 gallons of assorted taxpaid liquor be and the same are hereby ordered forfeited, and the liquor is ordered disposed of according to law and the automobile is ordered delivered over to the District Supervisor of the Alcohol Tax Unit, Bureau of Internal Revenue, Treasury Department, Kansas City, Missouri, under its application filed herein pursuant to Title III, Section 304 of the Liquor Law and Repeal and Enforcement Act, 49 Stat. 880, (U. S. C. Title 40, Sec. 304l), and the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, (U. S. C. Title 41, Sec. 401).

II.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the claim of General Motors Acceptance Corporation for remission and mitigation of forfeiture be and the same is hereby denied.

III.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the costs of the seizure, together with the storage charges, be and the same are hereby ordered paid by the District Supervisor, Alcohol Tax Unit, Bureau of Internal Revenue.

Joyce H. Savage
U. S. DISTRICT JUDGE

Approved as to Form.
N.V. Conley
Atty for Petitioner

OK Richard Dixon
Asst U.S. Atty.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff, vs. 929 Cases, each containing 24 Cans Article labeled in part "Adair Brand Hand Packed, contents 1 Lb. 3 Ozs. Tomatoes Packed by Wauhillau Canning Co. Adair County, Stillwell, Okla.", Defendant.	)	No. 3078 Civil

JOURNAL ENTRY

This matter coming on for hearing this 4th day of September, 1952, in its regular order, the plaintiff, United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendant appearing not, and the court being fully advised in the premises finds:

That copies of the pleadings in this cause were sent to the Wauhillau Canning Co. Adair County, Stillwell, Oklahoma. That no answer or other pleading has been filed in this cause. That the 929 cases, each containing 24 Cans Article labeled in part "Adair Brand Hand Packed, contents 1 Lb. 3 Ozs. Tomatoes Packed by Wauhillau Canning Co. Adair County, Stillwell, Okla.", were transported in interstate commerce on or about April 25, 1952, by Davis Canning Company, Summers, Arkansas, via truck of W. M. Peterson and were delivered to Nash-Finch Company, Tulsa, Oklahoma.

The court further finds that said merchandise was adulterated when introduced into and while in interstate commerce, within the meaning of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 342(B)(2), in that a product containing added water has been substituted wholly or in part for canned tomatoes and 21 U.S.C. 342(B)(4), in that water has been added thereto and mixed and packed therewith so as to increase its bulk or weight and reduce its quality.

The court further finds that said merchandise was misbranded when introduced into and while in interstate commerce, within the meaning of the Federal Good, Drug, and Cosmetic Act, 21 U.S.C. 343(G)(1), in that it purports to be and is represented as canned tomatoes, a food for which a definition and standard of identity has been prescribed by regulations promulgated pursuant to 21 U.S.C. 341 and it fails to conform to such definition and standard since it contains added water which is not a permitted ingredient of canned tomatoes in such definition and standard.

The court further finds that the United States Marshal for the Northern District of Oklahoma, upon order of the court of the 30th day of June, 1952, to seize and arrest said merchandise, did seize and arrest 115 cases of said tomatoes on July 2, 1952.

The court further finds that the seized cans of tomatoes contained added water in violation of the rules and standards promulgated by the standard of identity and said violation is not amenable to correction by labeling; that said tomatoes are not unfit for human consumption and should be turned over to some charitable institution for its own use, but not for resale or redistribution.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the said 115 cases, each containing 24 Cans Article labeled in part "Adair Brand Hand Packed, contents 1 Lb. 3 Ozs. Tomatoes Packed by Wauhillau Canning Co., Adair County, Stillwell, Okla.", be and the same hereby are condemned, forfeited and confiscated.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Virgil B. Stanley, United States Marshal for the Northern District of Oklahoma, be and he hereby is instructed and directed to deliver to the Children's Home, of Tulsa, Oklahoma, 55 cases of the seized tomatoes and that he deliver to the Salvation Army, of Tulsa, Oklahoma, 60 cases of the seized tomatoes, the said Children's Home and the Salvation Army to use said tomatoes themselves and the said Children's Home and the Salvation Army is hereby directed, instructed and prohibited from redistributing any of said cans of tomatoes to any other person in any manner whatsoever.

The said United States Marshal is further directed to report his disposal of said cases of tomatoes as hereinbefore directed within thirty (30) days from this date.

IT IS THE FURTHER ORDER OF THE COURT that the plaintiff, United States of America, recover no costs in this action from Nash-Finch Company of Tulsa, Oklahoma.

AND IT IS SO ORDERED.

/S/ Royce D. Savage
JUDGE

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

Grain Dealers Mutual Insurance Company, a corporation, Plaintiff, -vs- Butler Personality Homes, Inc., R. B. Butler, Jr., Effie Mae Butler and Joe Simpson, Defendants.	No. 3076 Civil

FILED

SEP 9 1952

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL WITH PREJUDICE

Now on this 9th day of September, 1952, there came on for hearing the plaintiff's motion to dismiss its Complaint and Amendment thereto. The Court finds that the plaintiff in open court request that said Complaint and Amendment thereto be dismissed with prejudice at the cost of the plaintiff.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Complaint and Amendment thereto be and the same are hereby dismissed with prejudice at the cost of the plaintiff.

Frank R. Jones
Judge of United States District Court in and for the Northern Dist of Oklahoma

APPROVAL:

Alfred L. Wright
Attorney for Plaintiff.

T. G. Hudson
Attorney for Defendants.

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF OKLAHOMA.

United States of America, Libelant,	)	
vs.	)	No. 2104 Civil
One 1948 Chevrolet Fleetmaster Sport Coupe, Motor No. F6550476. Respondent,	)	Sealed
Maybury Avert Cowan, Claimant.	)	[illegible] 1952

NOBLE C. HOOD
Clerk U. S. District Court

FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGMENT OF FORFEITURE.

Now on 6th day of September, 1952, this cause of action came on to be heard before the court pursuant to regular pre-trial order, the libelant appearing by Fred X. Vosey, United States Attorney and John [illegible], Assistant United States Attorney, for the Northern District of Oklahoma; and the claimant, Maybury Avert Cowan, appearing by himself and by his attorney, [illegible], of Tulsa, Oklahoma and the above described 1948 Chevrolet Fleetmaster Sport Coupe having heretofore been seized by the United States Marshal for the Northern District of Oklahoma under condition issued by this court, and the cause having been the statement of counsel and the parties hereto having waived a jury trial at this time and the court having heard the evidence and having been fully advised in the premises finds:

FINDINGS OF FACT

I.

THAT THE claimant, Maybury Avert Cowan, is the owner of the said 1948 Chevrolet Sport Coupe [illegible] at the time of seizure.

II.

THAT on June 21, 1952, the claimant, [illegible] of uncolored, [illegible], [illegible] miles North of Muskogee, Oklahoma on U. S. Highway No. 69.

III.

THAT the claimant, Maybury Avert Cowan, [illegible] three quarters of non-tax [illegible], [illegible] Highway, transported them in the [illegible] 1948

Chevrolet Styleline Club Coupe to a point about [illegible] miles [illegible] of Claremore, Oklahoma on the Highway No. 88 of the Northern Judicial District of Oklahoma.

IV.

THE COURT further finds that on the aforesaid day and at the aforesaid point, near Claremore, Oklahoma, Rogers County Sheriff, Amos [illegible] and Deputy Sheriff, William Bryant, apprehended the claimant transporting the aforesaid moonshine whiskey, arrested him and thereupon seized the automobile and after seizure, turned it over to the possession of [illegible] Nash, Internal Revenue Agent, Alcohol & Tobacco Tax Division and said automobile is now in the custody of the United States Marshal within the jurisdiction of this court awaiting lawful disposition.

V.

THE COURT further finds that the District Supervisor, Alcohol & Tobacco Tax Division, Bureau of Internal Revenue, Treasury Department, Kansas City, Missouri has heretofore filed his application for delivery of the 1942 Chevrolet City Sedan Club Coupe.

CONCLUSIONS OF LAW

I.

THE COURT finds that the claimant, Bryant [illegible], has violated Section 2803, Title 26 USC by possessing and transporting untaxed [illegible] whiskey.

II.

THAT THE aforedescribed 1942 Chevrolet Styleline Club Coupe [illegible] by claimant in violating the aforesaid provisions.

III.

THAT a forfeiture should be and the same is hereby decreed as to the [illegible] 1942 Chevrolet and that said 1942 Chevrolet be forfeited and delivered to the District Supervisor, Alcohol & Tobacco Tax Division, Bureau of Internal Revenue, Treasury Department, Kansas City, Missouri.

JUDGMENT

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that a forfeiture be and the same is hereby decreed as to the [illegible] 1942 Chevrolet Styleline, Club Coupe, Motor No. [illegible], and that the said 1942 Chevrolet be hereby ordered delivered by the United States Marshal to the District Supervisor, Alcohol & Tobacco

[illegible] Division, [illegible] Kansas City, Missouri.

It is [illegible] that the claimant [illegible] the costs of this action [illegible] seizure of the [illegible] by the disaster supervisor, Alcohol [illegible] Division, [illegible] Avenue, [illegible], Kansas City, Missouri.

/s/ Roger H. Lange
District Judge

/s/ John L. Atkins
Assistant U. S. Attorney,
Attorney for Libelant

/s/ S. S. Lawrence
Attorney for the Claimant, Mayberry Liquor Corp.

[illegible]

[illegible],

[illegible],

vs.

[illegible],

[illegible]
Third-Party
Plaintiffs,

vs.

The [illegible] Corporation,

Third-Party
Defendants.

No. [illegible] Civil

FILED

SEP 12 1952

[illegible] C. BOOD
Clerk U. S. District Court

JUDGMENT

[illegible]

Royce H. Savage

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

MOZELLA GLEASON (Now Mozella Cook) Plaintiff, vs. CROWN DRUG COMPANY, a corporation, Defendant	No. 3057-Civil

ORDER OF DISMISSAL

As on the 28th day of August, 1952, at the time of pre-trial, the Plaintiff by oral Motion, moved the court to dismiss this action without prejudice.

WHEREFORE upon oral Motion by attorney for the plaintiff, this case is hereby dismissed without prejudice.

(s) Royce H. Savage
Judge

FILED

SEP 12 1952

NOBLE C. HOOD
Clerk U. S. District Court

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

Bert E. Scott, Plaintiff, -vs- Joe Leonard Larison and Lynn E. Wiles, Defendants.	No. 3068 Civil

FILED

SEP 24 1952

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL WITH PREJUDICE

Now on this 24th day of September, 1952, there came on for hearing the motion of the plaintiff, Bert E. Scott, to dismiss his petition or complaint with prejudice, and the motion of the defendant, Joe Leonard Larison, to dismiss his cross-petition. The court finds that said Bert E. Scott and Joe Leonard Larison have moved to dismiss their petition and cross-petition.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petition or complaint of Bert E. Scott be dismissed with prejudice and that the cross-petition of the defendant, Joe Leonard Larison, be dismissed with prejudice at the cost of the defendants, and each of them.

(s) Royce H. Savage
Judge of District Court.

Charles F. Burns
Attorney for Plaintiff.

C. E. Rumsey Robert E. Nesbitt
Attorney for Defendant,
Joe Leonard Larison.

Alfred B. Knight
Attorney for Defendant,
Lynn E. Wiles

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

Hazel Sawvel,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 3116 Civil
	)	
Charles E. McCartney,	)	
	)	
Defendant.	)	

FILED
SEP 25 1952
NOBLE C. HOOD
Clerk U. S. District Court

MOTION TO DISMISS WITH PREJUDICE

Comes now the plaintiff and moves the court to dismiss the above styled and numbered cause with prejudice to the bringing of a future action.

Dated this 16 day of September, 1952.

Hazel Sawvel
Plaintiff

L. V. Brannan

W. E. Beauchamp
Attorneys for Plaintiff

For good cause shown, the above styled and numbered cause is hereby dismissed with prejudice.

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

nw/ee
9-16-52

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,	)	
vs.	)	Number 7710 Civil
T. J. Burnsaw and Jane Burnsaw, his wife, Defendants.	)	

SEP 29 1952

NORMAN S. MOON
Clerk U. S. District Court

ORDER FOR DISCONTINUANCE

NOW, on this 29th day of September, 1952, the plaintiff appearing by Whit Y. Mauzy, United States Attorney and John F. Sullivan, Assistant United States Attorney, for the Northern Judicial District of Oklahoma and it being shown in the court that said defendants have paid to the Attorney General of the United States the sum of $218.01, principal and $3.40, interest and to the clerk of this court the sum of $28.20, court costs being paid as ordered;

It IS THEREFORE ORDERED by the court that said case be discontinued with prejudice to any future action.

Royce H. Savage
United States District Judge

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,	)	
vs.	)	No. 3037 Civil
Chester Henderson and Charley Henderson, Defendants.	)	

FILED

SEP 29 1952

NOBLE C. HOOD
CLERK U. S. DISTRICT COURT

ORDER OF DISCONTINUANCE

NOW, on this 26th day of September, 1952, the plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern Judicial District of Oklahoma, and John S. Athens, Assistant United States Attorney, and it being shown in court that defendants have paid to the plaintiff the sum of $1,775.35, being the full amount of principal and interest to date, and having paid to the Court Clerk the sum of $24.00 costs.

IT IS THEREFORE ORDERED by the court that said complaint and said case be and the same are hereby discontinued with prejudice.

Royce H. Savage
U. S. DISTRICT JUDGE

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

[illegible],
Plaintiff

vs.

[illegible] OF [illegible], INC.,
a corporation,
Defendant.

No. [illegible]

FILED
OCT 2 1952
NOBLE C. HOOD
Clerk U. S. District

[illegible]

Comes now the plaintiff, [illegible], and dismisses the above styled and numbered action without prejudice to the bringing of a future action.

Dated this 1st day of October, 1952.

[illegible] & EARNHEART?, [illegible]

[illegible]
Attorneys for Plaintiff

IT IS ORDERED that the above styled and numbered cause of action be dismissed without prejudice this 2nd day of October, 1952.

/s/ Royce H. Savage
United States Judge

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA.

United States of America, Libelant,	)	
vs.	)	No. 3113 Civil.
41.675 Gallons of Assorted Taxpaid Whiskey, Respondent,	)	
Cleo Mae Epps and Alva A. Hines, Claimants.	)	

JOURNAL ENTRY OF JUDGMENT

NOW on this 2nd day of October, 1952, this cause coming on before the Court pursuant to regular assignment, the libelant appearing by John S. Athens, Assistant United States Attorney for the Northern District of Oklahoma, and the above described 41.675 gallons of assorted taxpaid whiskey having been heretofore seized by the United States Marshal for the Northern District of Oklahoma under monition issued by this Court, and the claimants, Cleo Mae Epps and Alva A. Hines, having been duly served with notice of the pendency of the aforestyled action more than twenty days prior hereto and having failed to file their answer or other pleadings herein, and having been thrice called in open Court on this date and appearing not, the Court finds that said claimants are wholly in default, and the Court having proceeded to hear the evidence and being fully advised in the premises finds all issues in favor of the libelant and against the claimants, Cleo Mae Epps and Alva A. Hines.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that a forfeiture herein be and the same is hereby allowed as to the 41.675 gallons of assorted taxpaid whiskey, and said whiskey is hereby ordered delivered to the Alcohol and Tobacco Tax Unit, Tulsa, Oklahoma, for proper disposition.

Royce Savage
United States District Judge.

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

Grafe-Callahan Construction Co., Plaintiff,	)	
vs.	)	No. 3091 Civil Docket
[illegible] Williams, Jr., Defendant.	)	Civil Order

ORDER OF DISMISSAL

NOBLE C. HOOD
Clerk U.S. District Court

NOW this 3rd day of October, 1952, come before a judicial day of said court, this cause coming on for hearing on the stipulation of counsel and it appearing that all parties to said action and in interest are present:

It is ordered that the above entitled and numbered action be and the same hereby is dismissed with prejudice at the cost of the defendant.

/s/ Royce H. Lang
JUDGE

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

Richard L. Hennack

JOHN LINEGAR, AS THE FATHER AND
NEXT FRIEND OF RAY LINEGAR, A MINOR,

PLAINTIFF,

VS.

YELLOW TRANSIT FREIGHT LINES,
INC., et al.,

DEFENDANTS.

No. 2986

FILED
In Open Court

OCT 6 1952

NOBLE C. HOOD
Clerk U. S. District Court

ORDER PERMITTING DISMISSAL WITHOUT PREJUDICE.

NOW, on this 6th day of October, 1952, this matter came on for hearing on the application of the plaintiff for an Order Permitting Dismissal Without Prejudice of this case; and the Court finds that, for good cause shown, the plaintiff should be permitted to dismiss, on compliance with the terms thereof imposed by defendant, resulting from expenses incurred in preparation for trial.

IT IS, THEREFORE, ORDERED that the plaintiff herein be, and he is hereby, permitted to dismiss this case, without prejudice, on the condition that plaintiff, within 30 days from the date hereof, pay to defendants' counsel of record the sum of $75.00, in reimbursement to them for expenses incurred, and as a payment on account of services rendered by them in the preparation for trial.

IT IS FURTHER ORDERED that in the event said account shall not be paid within said time, that this case shall be, on default of said payment, dismissed, without prejudice, on the payment of the court costs by the plaintiff.

Lewis N. Davis
Judge

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

JOHN LINEGAR, AS THE FATHER AND NEXT FRIEND OF RAY LINEGAR, A MINOR, PLAINTIFF,	)	
VS.	)	No. 2989.
YELLOW TRANSIT FREIGHT LINES, INC., et al., DEFENDANTS.	)	FILED In Open Court OCT 6 1952 NOBLE C. HOOD Clerk U. S. District Court

ORDER PERMITTING DISMISSAL WITHOUT PREJUDICE.

NOW, on this 6th day of October, 1952, this matter came on for hearing on the application of the plaintiff for an Order Permitting Dismissal Without Prejudice of this case; and the Court finds that, for good cause shown, the plaintiff should be permitted to dismiss, on compliance with the terms thereof imposed by defendant, resulting from expenses incurred in preparation for trial.

IT IS, THEREFORE, ORDERED that the plaintiff herein be, and he is hereby, permitted to dismiss this case, without prejudice, on the condition that plaintiff, within 30 days from the date hereof, pay to defendants' counsel of record the sum of $ 75.00, in reimbursement to them for expenses incurred, and as a payment on account of services rendered by them in the preparation for trial.

IT IS FURTHER ORDERED that in the event said amount shall not be paid within said time, that this case shall be, on default of said payment, dismissed, without prejudice, on the payment of the court costs by the plaintiff.

Royce H. Savage
Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,	)	
vs.	)	No. 3003 Civil
	)	F.D.C. No. 32471
8 Articles of device, 7 of which are unlabeled and one labeled in part "Color Therm Dr. Fred Gerkey, Mission, Kansas" including 7 hand applicators, which are a component of said device, Defendant.	)	FILED OCT 6 1952 NOBLE C. HOOD Clerk U. S. District Court

JOURNAL ENTRY

This matter coming on for hearing this 30th day of September, 1952 and the plaintiff, United States of America, being represented by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the claimant, Leatha N. Foley, being represented by Bassman & Gordon and Dyer & Powers, and the court after being fully advised in the premises and after consideration of the affidavits attached to plaintiff's motion for judgment and the depositions on file, finds:

That this action was instituted by the United States under the Federal Food, Drug and Cosmetic Act for the seizure and condemnation of certain articles of device; that the 8 devices, the subject matter of this action, were introduced into interstate commerce and that said articles of device were misbranded within the meaning of the Federal Food, Drug and Cosmetic Act, 21 U.S.C. 352(f)(1) in that their labeling failed to bear adequate directions for use for helping arthritis, rheumatism, aches and pains of other diseases, which said diseases said devices were intended to be used in the treatment of. That said devices were in the possession of claimant, Mrs. Leatha N. Foley, Rogers County, Oklahoma, within the jurisdiction of this court and were seized by the United States Marshal pursuant to a monition issued under the order of this court. The court finds that there is no controversial issue involved in this action and that said devices are subject to seizure and condemnation pursuant to the provisions of the Federal Food, Drug and Cosmetic Act, 21 U.S.C. 334, as amended, and that the motion for judgment on the pleadings of the plaintiff, the affidavits and the depositions should be sustained and judgment entered condemning and forfeiting said devices.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the said 8 articles of device, including 8 hand applicators, which are a component of each device, be and the same hereby are condemned, forfeited and confiscated.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said devices and said hand applicators be destroyed and that Virgil B. Stanley, United States Marshal for the Northern District of Oklahoma, be and he hereby is instructed and directed to destroy said devices and applicators and to report his acts under this order to this court within thirty (30) days from this date.

AND IT IS SO ORDERED.

Signed

Royce H. Savage
JUDGE

O. K. as to form:

Bassman & Gordon
Bassman & Gordon

Dyer & Powers

By Jack E. Gordon
Jack E. Gordon
Attorneys for Claimant,
Leatha M. Foley

Whit Y. Mauzy
Whit Y. Mauzy
United States Attorney
Attorney for Plaintiff

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

JAMES RANDALL and LILLIE RANDALL, Plaintiffs, -vs- F. C. CUMMINGS and AXELSON MANUFACTURING COMPANY, a corporation, Defendants.	No. 3013 (Civil)

FILED

OCT 8 1952

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL

It is hereby ordered that the above styled case be dismissed with prejudice.

/s/ W. R. Wallace
Judge

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

Jefferson W. Wadley, a minor of the age of nineteen years, who sues by J. W. Wadley, his father and next friend,	)	
Plaintiff,	)	
vs.	)	No. 3081 Civil
Smulcer Trucking Company, a co-partnership composed of Howard E. Smulcer and Jimmy A. Smulcer; Arthur McInturff, and The Travelers Insurance Company,	)	
Defendants.	)	

FILED
OCT 8 1952
NOBLE C. HOOD
Clerk U. S. District Court

DISMISSAL WITH PREJUDICE

Comes now the plaintiff above named and dismisses the above styled and numbered action with prejudice to the bringing of a future action.

Dated this 8th day of October, 1952.

J W Wadley
Father and next friend of
Jefferson W. Wadley,
Plaintiff

Attorneys for Plaintiff

IT IS HEREBY ORDERED that the above styled and numbered cause be dismissed with prejudice, this 8th day of October, 1952.

by W. R. Wallace
U. S. District Judge

rdh/mr

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

* * * * * *

QUINTON PETERSON, Plaintiff,	)	
-vs-	)	No. 3000 - Civil
MIDLAND VALLEY RAILROAD COMPANY, A Corporation, and JOHN DOE, Defendant,	)	

J U D G M E N T

Now, on this 8th day of October, 1952, the above entitled cause coming on in its regular order for trial and the plaintiff appearing in person and by his attorneys, Raymon D. Thomas and Harley Van Cleave, and the defendant appearing by its attorneys, H. L. Smith and J. D. Gibson, and each side having announced ready for trial, thereupon a jury of twelve good and true men and women were duly empaneled to try the issues in said cause. Thereupon the plaintiff introduced his evidence and rested. The defendant demurred to said evidence, which demurrer was by the Court overruled. Thereupon the defendant introduced its evidence and rested.

On argument of counsel, and after having been duly instructed by the Court, the jury retired to consider its verdict and returned into court the verdict as follows:

"Quinton Peterson, Plaintiff,	)	
-vs-	)	No. 3000 Civil
Midland Valley Railroad Company, a corporation, and JOHN DOE, Defendants	)	

VERDICT

We, the jury, duly empaneled in the above entitled cause do upon our oaths find the issues in favor of the defendant.

Levi L. Tarr, Foreman"

IT IS THEREFORE by the Court ordered, adjudged and decreed that the plaintiff take nothing and that the defendant have judgment in this cause for its costs.

W. R. Wallace
District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT

OF OKLAHOMA

FILED

OCT 9 1952

NOBLE C. HOOD
Clerk U. S. District Court

Albert Lane, Plaintiff	)	No. 3111-C
vs	)	
Dana Charles Ryan, Jr., Defendant	)	

ORDER OF DISMISSAL

This matter coming on for hearing before me the undersigned Judge of the United States District Court for the Northern District of Oklahoma upon motion of the defendant Dana Charles Ryan, Jr., to dismiss the action of the plaintiff herein, and the court having examined the records, the affidavit filed in support of said motion, and being otherwise fully advised in the premises, finds that this action should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT, that this action be and the same is hereby dismissed without prejudice.

/s/ ROYCE H. SAVAGE
Judge.

O.K.

TILLMAN & TILLMAN

BY /s/ JOHN TILLMAN
Attorneys for Plaintiff

BUTLER, RINEHART & MORRISON

BY /s/ GUS RINEHART
Attorneys for Defendant.

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

* * * * * * * *

ROBERT L. DUELING, et al., Plaintiffs,	)	
-vs-	)	No. 3103 Civil
MIDCO OIL CORPORATION, et al., Defendants,	)	

FILED
[illegible]
PAUL [illegible] HOOD
Clerk U. S. District Court

ORDER AUTHORIZING AND APPROVING PARTIAL DISMISSAL

On motion of plaintiffs to dismiss this action as against the defendant, First National Bank of Bartlesville, Oklahoma, and it appearing to the Court that no answer or motion for summary judgment has been filed or served by the defendant First National Bank of Bartlesville, Oklahoma, and it further appearing that this is a stockholders' derivative action to be dismissed only with approval of the Court,

IT IS ORDERED that the Notice of Dismissal of this action as to the defendant First National Bank of Bartlesville filed in this action be and the same is hereby approved and said action is dismissed as to the First National Bank of Bartlesville, Oklahoma, such dismissal not to affect the rights of any of the other parties herein.

/s/ Royce H. Thompson
District Judge

73

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

LOIS DESHAN, Plaintiff,	
-vs-	No. 3088 CIVIL
BOBBY DEAN STOW, a minor, Defendant.	
	Filed Jul 16 1952
O R D E R	NOBLE C. HOOD Clerk U. S. District

Upon motion of the plaintiff, and upon it being shown to this court that a settlement has been entered into, the above styled case is hereby dismissed with prejudice.

Owen H. Jones
Assistant Judge

IN THE UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

HAROLD F. MILLER, Plaintiff,	)	
vs.	)	NO. 3110 - Civil
STANDARD ROOFING & MATERIAL CO., a corporation, and RAY M. DEATHERAGE, Defendants.	)	

FILED

OCT 14 1952

NORMA G. HOOD
Clerk, U. S. District Court

ORDER

On this 3rd day of October, 1952, there came on to be heard Motion of the defendant, Ray M. Deatherage, to Dismiss, Motion of plaintiff, Harold F. Miller, to Remand this case to the State Court, and Motion of defendant, Standard Roofing & Material Co., for a More Definite Statement, and to Dismiss. Plaintiff appeared by his attorneys, Wheeler and Wheeler, by Robert Wheeler; the defendant, Ray M. Deatherage, appeared by his attorney, F. J. Lucas, and the defendant, Standard Roofing & Material Co., appeared by its attorney, F. A. Bodovitz.

Thereupon, plaintiff confessed the Motion to Dismiss of the defendant, Ray M. Deatherage, and said Motion was by the Court sustained. Plaintiff withdrew his Motion to Remand the case to the State Court, and the defendant, Standard Roofing & Material Co., withdrew its Motions for a More Definite Statement, and to Dismiss.

IT IS, THEREFORE, ORDERED that the Motion to Dismiss of Ray M. Deatherage, be, and the same is sustained, and the said cause of action and case is dismissed as to said defendant, Ray M. Deatherage, at the cost of plaintiff.

IT IS FURTHER ORDERED that the defendant, Standard Roofing & Material Co., be, and it is given twenty (20) days from the date hereof in which to file its Answer to the Petition of plaintiff.

A. F. A. Bodovitz
F. J. Lucas
A. Robert Wheeler
By Robert L. Wheeler

/S/ Royce H. Savage
United States District Judge

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA.

United States of America, Libellant, vs. One 1948 Special Deluxe Plymouth Sedan Motor No. P15-600841 One 1952 Buick Super Sedan, Motor No. 66843735, Respondents, Russell Milton Meadows, Pearl Ellen Meadows and the Chick-Morton Buick Company, Inc., of Tulsa, Oklahoma, a Corporation, Claimants.	)	No. 3107 Civil.

JOURNAL ENTRY OF JUDGMENT

NOW, on this 30th day of October, 1952, this cause coming on before the court pursuant to regular assignment, libellant appearing by John S. Athens, Assistant United States Attorney for the Northern District of Oklahoma, and the above described 1948 Special Deluxe Plymouth Sedan and 1952 Buick Super Sedan having been heretofore seized by the United States Marshal for the Northern District of Oklahoma under monition issued by this court, and the claimants, Russell Milton Meadows and Pearl Ellen Meadows having been duly served with notice of the pendency of the above styled action more than twenty days prior hereto and having failed to file their answer or other pleadings herein and having been thrice called in open court on this day and appearing not, the court finds that said claimants are wholly in default; and the court further finds that the claimant, Chick Morton Buick Company, Inc., a corporation, of Tulsa, Oklahoma, has filed herein a good and sufficient disclaimer of any right, title or interest in and to the above described 1952 Buick Super Sedan; and the court having proceeded to hear the evidence and being fully advised in the premises finds all issues in favor of libellant and against the claimants, Russell Milton Meadows, Pearl Ellen Meadows and the Chick Morton Buick Company, Inc., a corporation; and it further appearing to the court that the administrator of Veterans Services has filed herein his application for delivery of the aforedescribed 1948 Plymouth

Sedan and the 1952 Buick Super Sedan to the District Supervisor, Alcohol and Tobacco Tax Division, Bureau of Internal Revenue, Treasury Department, Kansas City, Missouri, and that said automobiles should be delivered as requested.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that a forfeiture herein be and the same is hereby allowed as to the 1948 Special Deluxe Plymouth Sedan, Motor No. P15-600841, and the 1952 Buick Super Sedan, Motor No. 6683735, and said automobiles are hereby ordered delivered to the District Supervisor, Alcohol and Tobacco Tax Division, Bureau of Internal Revenue, Treasury Department, Kansas City, Missouri.

J. S. [illegible] JUDGE

UNITED STATES DISTRICT COURT

[illegible] DISTRICT OF [illegible]

United States [illegible],	)	
Plaintiff,	)	
vs.	)	No. [illegible] Civil
[illegible] Exelar Repairs and Mrs. Arlene Reed 765 and 765[illegible] [illegible] Street Tulsa, Oklahoma,	)	[illegible]
Defendants	)	[illegible]

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL

Now, on this [illegible] day of October, [illegible], being [illegible] to the Court by the [illegible] Intiff that [illegible] have [illegible] to the costs [illegible] to the Clerk of this Court, the Court [illegible] upon said [illegible] to the Attorney [illegible] the United States and upon motion of the plaintiff the Court finds that [illegible] to causes of action should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that said causes of action be and the same are hereby dismissed.

Royce H. Savage
U. S. District Judge

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

FILED

OCT 24 1962

Clerk, U. S. District Court

McKESSON & ROBBINS, INCORPORATED, a corporation, Plaintiff	)	
vs	)	No. [illegible]-Civil
ALEXANDER DRUGGISTS SUPPLY COMPANY, a corporation, Defendant	)	

ORDER

Upon showing that the Defendant has amended its corporate name to Squire Drug Company, and has otherwise abandoned the use of the word or name "Alexander" in connection with its business, it is hereby ordered that this action be and it is hereby dismissed without prejudice, and without costs to either party.

Dated at Tulsa, Oklahoma, this 24th day of October, 1962.

/s/ BOYCE H. SAVAGE
United States District Judge

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

165.00 Acres of Land, more or less, situate in Osage County, Oklahoma, and Atlantic Refining Company, et al., and Unknown Owners,

Defendants.

No. 3114 Civil

FILED

OCT 24 1962

NOBLE C. HOOD
Clerk U. S. District Court

JUDGMENT ON VERDICT

Now on this 5th day of October, 1962, this matter comes on for jury trial pursuant to regular assignment. The United States of America, plaintiff herein, appears by and through its attorney, Curtis A. Harris, trial attorney for the Department of Justice. Defendants appear by and through their attorneys, Lynn H. Boone, Alfred L. Knight, of the firm of Boone, Knight & Knight, and Robert E. Hudson.

A jury having been duly empaneled and sworn, counsel for both sides introduced evidence and rested; whereupon arguments of counsel were heard and the jury was properly instructed as to the law in the premises by the Court. Under proper instructions the jury retired in the charge of a sworn deputy United States marshal and deliberated upon their verdict.

And now on this 5th day of October, 1962, the jury, after due deliberation, returned the following verdict, to-wit:

"VERDICT

We, the jury, find for the United States of America.

United States of America,
vs.
165.00 acres of land, more or less, situate in Osage County, Oklahoma, et al.,

Tract No. 2, Atlantic Company, owner,

Civil Action No. 3114

VERDICT

We, the jury, in the above entitled cause, duly impaneled and sworn, upon our oaths, find that the just compensation to be paid defendants herein, as of Tract No. 2, is $[illegible],132.00.

/s/ [illegible]
Foreman

Filed in open court Oct 7, 1952 Noble C. Hood, Clerk, U. S. District Court"

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

United States of America, vs [illegible] acres of land, more or less, situate in Tulsa County, Oklahoma, etc., Tract No. [illegible], [illegible] C. Jackson, Jr., et al., Owners.	Civil Action No. 3111

VERDICT

We, the jury in the above-entitled cause, duly impaneled and sworn, upon our oaths, find that the market value of Tract No. [illegible], as of [illegible], 1952 was $[illegible],351.00.

/s/ [illegible]
Foreman

Filed in open Court Oct 7, 1952 Noble C. Hood, Clerk U. S. District Court."

The record disclosed that at the time the United States, plaintiff herein, took possession of the premises there were improvements on the premises which were removed by the owners and defendants in this proceeding, and that it was stipulated and agreed that the improvements had a value, in place, of $[illegible],100.00, and that the salvage value of said improvements was in the amount of $1,000.00, and that to the verdict of the jury should be added the sum of $[illegible],000.00.

IT IS, [illegible], ADJUDGED AND DECREED that judgment be, and the same is hereby rendered upon the verdicts of the jury as above set out, and the fair, just, market value of the lands involved herein and the estate taken thereby by plaintiff, being the fee simple title, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines, all as fully set out and described in the Complaint in Condemnation filed herein, is hereby fixed at the total sum of $111,305.00, consisting $[illegible],374.00 as to Tract No. 2, and $102,631.00 as to Tract No. 3.

It is further ordered and directed that the United States of America, plaintiff herein, deposit the sum of $3,234.00 to cover the deficiency between the amount deposited under the declaration of taking filed herein and the verdicts as set out above, for the use and benefit of the owners of Tract No. 2; said $3,234.00 to bear interest at the rate of six per cent per annum from the 21st day of August, 1952, until paid.

It is further ordered and directed that the United States of America, plaintiff herein, deposit the sum of $52,691.00, to cover the deficiency between the amount deposited under the declaration of taking filed herein and the verdicts as set out above, for the use and benefit of the owners of Tract No. 5, with interest on the sum of $102,691.00 from March 1, 1952, to August 21, 1952, at the rate of six per cent per annum until paid, and interest on the sum of $52,691.00 at the rate of six per cent per annum from the 21st day of August, 1952, until paid.

Royce H. Savage
United States District Judge

C. R.

UNITED STATES OF AMERICA, Plaintiff

vs.

Trial Attorney, Dept. of Justice

Byron V. Boone
Byron V. Boone

Alfred L. Knight, of the Firm of
Lanadt, Knight & Knight

Attorneys for Defendants

Richards and Henry L. Baker, in open court suggested the necessity of additional time to consider the proposed compromise and settlement, and upon consent by named plaintiffs, the court continued the hearing of this case until 9:30 A.M. Monday, October 27, 1952.

This case then came on regularly for hearing at 9:30 A.M. on Monday, October 27, 1952. Claude H. Rosenstein appeared in behalf of the stockholders represented on October 24, 1952 by Henry L. Baker, Jonathan V. Richards and himself. Attorneys for the named plaintiffs announced that the named plaintiff, Robert . Lewin was not joining in the motion for approval of the proposed compromise. In all other respects, appearances were made as recited above.

Thereupon, plaintiffs and defendant Sinco Oil Corporation introduced evidence, and the Court, having heard the testimony of witnesses sworn and examined in open court, and being fully advised in the premises, finds that this is a class action filed by plaintiffs for the benefit of themselves and all other stockholders of defendant Sinco Oil Corporation, other than the stockholders who are defendants in this action. The Court further finds that the plaintiffs herein have exercised their rights of discovery, have taken the deposition of the defendant Charles G. Toomey, have employed certified public accountants to examine the books of defendant Sinco Oil Corporation with respect to alleged acts of mismanagement on the part of defendant Charles G. Toomey, have obtained and considered the report of said accountants, have employed investigators, and have consulted with experienced oil operators in connection with the establishment of the value of various oil properties involved in alleged acts of mismanagement, and have availed themselves of information obtained from numerous sources and by various means. The Court further finds that said investigation by plaintiffs has been adequate in scope and thoroughness.

The Court further finds that the defendant Video Oil Corporation is a Delaware corporation; that at all times since the pendency of this action there were 20,000 shares of the capital stock of said corporation outstanding; that the named defendants were and are the owners of 15,399½ shares of the stock of said corporation, and that all other stockholders, including the named plaintiffs and the class for whom plaintiffs maintained this action, separately and severally own a total of 4,600½ shares.

The Court further finds that defendants and each of them have denied, and still deny, all acts of disagreement, conspiracy and all matters in connection therewith, alleged in plaintiffs' amended complaint; that defendants have caused the assets of the defendant Video Oil Corporation to be examined and appraised by qualified experts as to such values; that according to the evidence of defendants total value of all said assets is approximately $1,870,000.00; that defendants are proceeding under a plan of liquidation and dissolution adopted at a meeting of the stockholders of said corporation under the terms of which those stockholders of the class represented by plaintiffs who did not elect to take distribution in kind, will receive $89.78 per share in cash, and that all other stockholders of the class represented by plaintiffs who have elected to receive distribution in kind are to obtain their pro rata and aliquot share of the assets of said corporation, subject to liabilities.

The Court further finds that for the purpose of avoiding the hazards and uncertainties of litigation, the named plaintiffs and defendants have reached an agreement, subject to approval by the court, to compromise and settle all of the issues in this case as particularly set forth in the stipulation heretofore filed herein on October 14, 1958; that under the terms of the proposed settlement defendant,

[illegible] . [illegible] attorney fees, accounting fees [illegible] expenses of plaintiffs in the prosecution of this action, in the sum of $6,000.00, and would deposit in the [illegible] [illegible], Oklahoma, a sum sufficient to pay all [illegible] of the class represented by the plaintiffs herein, the sum of $[illegible], in addition to the amounts to be received by the stockholders upon the dissolution of said corporation, the amount so to be deposited by defendant money to be $55,000.00. [illegible] further [illegible] as part of said [illegible] and settlement defendant [illegible] to [illegible], [illegible] deliver to defendant [illegible] Oil Corporation a good and sufficient assignment of the one-half [illegible] in the oil and gas leases [illegible] by defendant, [illegible] and covering the following described lands in Garfield County, Oklahoma, to-wit:

> [illegible] half (½) of [illegible], [illegible] Section [illegible], [illegible] 7, [illegible].

and that in addition thereto defendant should deliver to defendant [illegible] Oil Corporation good and sufficient warranty deeds on certain lands [illegible] defendant [illegible] Oil Corporation, [illegible] in the name of said [illegible] County and sufficient recorded, which lands are in particular described as follows:

> [illegible] one-fourth [illegible] in [illegible] [illegible] of the [illegible] [illegible] [illegible] 18, [illegible], [illegible], and [illegible] 1, [illegible] and
>
> [illegible] [illegible] [illegible] [illegible] [illegible] 18, [illegible] County, [illegible], [illegible] 1, [illegible],

all in [illegible] County, Oklahoma; [illegible] in consideration of the [illegible], [illegible], [illegible], plaintiffs would [illegible] [illegible] and recover [illegible] the [illegible] [illegible] [illegible] . [illegible] in full

complaint.

[illegible]

[illegible] 11.95 per share, [illegible] expenses [illegible]

[illegible]

t[illegible] said [illegible] necessarily [illegible], [illegible] certificate [illegible] and [illegible] re-[illegible]. [illegible] plaintiffs [illegible]. Indeed, [illegible] Rice O, [illegible], [illegible] them, [illegible] to employ additional [illegible] practice [illegible]. [illegible] employed [illegible] ten [illegible] about [illegible] before the [illegible] of [illegible] until this date, all [illegible] of said att[illegible] been [illegible] almost continuously en-gaged in [illegible], the investigation of [illegible], [illegible] application [illegible] appli-cation for [illegible] injunction, [illegible] preparation [illegible] this cause for [illegible]. The Court [illegible] finds [illegible] reason-able fee [illegible] allowed to attorneys for plaintiffs for all services [illegible] action is the sum of [illegible],000.00; [illegible] [illegible], in addition [illegible] expenses of plaintiffs [illegible] attorneys [illegible] respective amounts [illegible], [illegible] of [illegible], [illegible] total of [illegible].87 [illegible] on [illegible] basis [illegible] de-fendant [illegible], [illegible], as per [illegible] holders [illegible] exhibit to the stipulation [illegible] on [illegible], 19[illegible].

[illegible]

[illegible] That [illegible] allowance of attorneys' fees, costs and [illegible] for the [illegible] plaintiffs, the compromise and settlement [illegible] the named plaintiffs and defendant [illegible] in the stipulation filed in this action [illegible], [illegible] approved and confirmed.

[illegible], [illegible] that the defendant [illegible]arles [illegible], [illegible] to, [illegible] all [illegible] un-divided [illegible] in [illegible]

the following [illegible] in said county, [illegible], to-wit:

[illegible] Section [illegible], township 24
South, Range 7, East,

and the [illegible] of the [illegible] for [illegible] and [illegible] all leases on the said [illegible].

[illegible] that the defendant [illegible] deliver to defendant [illegible] all [illegible] in the [illegible] to the [illegible] in said county, Alabama, above mentioned and described.

[illegible] that the defendant [illegible] deposit in the National Bank of [illegible], Alabama, for distribution under orders of [illegible] the [illegible] set forth in the said stipulations [illegible] filed; that said [illegible] consists [illegible] the sum of $2,544.43 to [illegible] the [illegible] for their expenses and costs in connection with instituting and prosecuting this action, and the further sum of $3,000.00 as attorney fees, and [illegible] satisfaction of all claims of plaintiffs for said costs and expenses incurred in this action. It is further ordered that said [illegible] distribute the entire balance of said [illegible] deposited [illegible] the 2,100½ shares of [illegible] stock, as per list of stockholders [illegible], comprising all of the stockholders of said corporation, except the stockholders who are defendants herein; that said [illegible] of said stockholders be equal [illegible].

[illegible] the court [illegible] to it the [illegible] to [illegible] to [illegible] order.

[illegible] this 27th day of [illegible], 1952, at the hour of 11:30 o'clock [illegible], this cause [illegible] for final [illegible] the defendant [illegible] [illegible]

[illegible] will [illegible] modifications [illegible] objections [illegible] filed [illegible] modifications [illegible] be it, [illegible] be modified as so modified.

[illegible] that [illegible] the suit [illegible] defendants [illegible] costs of the plaintiffs.

/s/ Royce H. Savage
U. S. D. J.

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

TRI-STATE INSURANCE COMPANY, a corporation, Plaintiff, vs. THE EXCESS INSURANCE COMPANY of AMERICA, Defendant.	No. 3022-Civil

JOURNAL ENTRY

The above entitled action came on for trial before the Court, without a jury, on November 3, 1952, and the plaintiff appeared by its attorney, Norma Wheaton, and the defendant by its attorneys, Joe Francis and Clayton B. Pierce, and the court having considered the stipulations and exhibits thereto filed a part, and having heard argument, and the Court having filed its findings of fact and conclusions of law and an order on judgment,

IT IS HEREBY ORDERED and ADJUDGED that the complainant take nothing against the defendant by reason of its complaint and that the defendant have judgment for its costs.

/s/ Roy H. Savage
United States District Judge

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

POLLY CHAPLAIN, Plaintiff,	)	
vs-	)	No. 3041 Civil
ALLAN PERSKY and LEAH PERSKY, Defendants.	)	FILED
	)	SEP 30 1952
JUDGMENT		NOBLE C. HOOD Clerk U. S. District Court

The Court having made findings of fact and conclusions of law after having heard all of the evidence, finds the issues for the plaintiff and against the defendant, Allan Persky and finds for the defendant, Leah Persky as against the plaintiff.

IT IS ORDERED that plaintiff have and recover judgment against the defendant, Allan Persky for the sum of $3,000.00 with interest from the date of this judgment at the rate of six per cent per annum, and costs.

IT IS FURTHER ORDERED that the defendant, Leah Persky have judgment against the plaintiff for her costs.

/s/ ROYCE H. SAVAGE
Judge

O.K. as to form:

/s/ JOE N. SHIPLER
Attorneys for Plaintiff.

O.K. as to form:

/s/ H.M. CROME, JR.
Attorneys for Defendants.

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

B. V. SIMMONS, Plaintiff	
vs.	No. Civil [illegible]
SARACO OIL COMPANY, a corporation Defendant	

[illegible] 1962

NORMAN O. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL AND JUDGMENT

The above action this day coming on regularly to be heard upon the Motion of Saraco Oil Company, the defendant, to dismiss said action, and the court having heard the arguments of counsel and being fully advised in the premises, does hereby find that said Motion should be granted and said action dismissed upon the ground and for the reason that the complaint fails to state a claim against the defendantupon which relief can be granted.

And the plaintiff having been given opportunity to amend his complaint and having declined to do so,

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that said action be and the same hereby is dismissed with prejudice to any subsequent suit upon said claim, and that defendant have and recover of plaintiff its costs.

/s/ BOYD T. SAVAGE
DISTRICT JUDGE

O.K. as to form:

/s/ Spradling A. Moores
Attorney for Plaintiff

/s/ Conner Winters Randolph & Ballaine
Attorney for Defendant

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff	)	
-vs-	)	CIVIL ACTION NO. 3153
2.80 Acres of Land, more or less, situated in Tulsa County, Oklahoma, and Dorson L. Wickhuff, et al., and Unknown Owners, Defendants	)	JUDGMENT ON DECLARATION OF TAKING

FILED

NOBLE C. HOOD
Clerk U. S. District

This day comes the Plaintiff, the United States of America, by Curtis T. Harris, Trial Attorney for the Department of Justice, and moves the Court to enter a judgment vesting in the United States of America, the full fee simple title thereto, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipe lines in and to the property hereinafter described, and described in the Declaration of Taking and in the Complaint filed herein.

Thereupon the Court proceeded to hear and pass upon said motion, the Complaint in condemnation and the Declaration of Taking and finds that:

(1) Each and all of the allegations in said Complaint in condemnation and the 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 Complaint;

(2) In said Complaint in condemnation and the 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 Complaint in condemnation and the Declaration of Taking were filed at the request of Roswell L. Gilpatric, Under Secretary of the Air Force of the United States, by direction of the Secretary of the Air Force, 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 Complaint in 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 THOUSAND SEVEN HUNDRED AND NO/100 ($1,700.00) DOLLARS, 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 Roswell L. Gilpatric, Under Secretary of the Air Force of the United States, will probably be within any limits prescribed by Congress as the price to be paid therefor;

(7) And the Court, having fully considered the Complaint in Condemnation, Declaration of Taking, and the Acts of Congress approved February 26, 1931 (46 Stat. 1421, 40 U.S.C. 258a), August 1, 1888 (25 Stat. 357; 40 U.S.C. 257), August 18, 1890 (26 Stat. 316), July 2, 1917 (40 Stat. 241), April 11, 1918 (40 Stat. 518; 50 U.S.C. 171), August 12, 1935 (49 Stat. 610; 611; 10 U.S.C. 1343 a, b and c), July 26, 1947 (61 Stat. 495), January 6, 1951 (Public Law 911 - 81st Congress), and such other Acts of Congress which are declaratory or amendatory thereto, is of the opinion that the United States of America has and is entitled to take said property and have the true estate vested in it.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, that the full fee simple title to said lands, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipe lines was vested in the United States of America upon the

filing of the Declaration of Taking and the depositing in the Registry of this Court the sum of ONE THOUSAND SEVEN HUNDRED AND NO/100 ($1,700.00) DOLLARS, and said lands and estate therein taken are deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the same thereby vested in the persons entitled thereto, the amount of just compensation to be ascertained and awarded in this proceeding and established by judgment herein pursuant to law.

The lands aggregate 2.80 acres, more or less, and are described as follows, to-wit:

Tract No. 7

All that part of Block C, Woodland Park, a subdivision of Tulsa County, Oklahoma, according to the recorded plat thereof, lying east of the east line of the W/2 NW/4 NW/4 of said Section 24, all in Section 24, Township 20 North, Range 13 East of the Indian Base and Meridian, situate in Tulsa County, Oklahoma, and containing 1.80 acres, more or less.

Tract No. 8

The west 140.77 feet of Lot 5, Block 7, Woodland Park, a subdivision in Tulsa County, Oklahoma, according to the recorded plat thereof, all in Section 24, Township 20 North, Range 13 East of the Indian Base and Meridian, situate in Tulsa County, Oklahoma, and containing 1.00 acre, more or less.

EXHIBIT A

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 6th day of Nov., 1952.

Royce H. Savage
JUDGE

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

Northeast Oklahoma Electric Cooperative, a corporation,	)	
Plaintiff	)	
vs	)	Civil No. 3118
William H. Downing, et al.,	)	JUDGMENT CONFIRMING
Defendants	)	REPORT OF COMMISSION

Now on this 7th day of November, 1952, this matter comes on for confirmation of report of commission filed in this proceeding, and the Court, being fully advised in the matter, finds that this Court did, on the 17th day of October, 1952, appoint a commission to conduct hearings, receive evidence, and view the lands involved and to do all acts and take all measures necessary and proper for the efficient performance of this duty, as in such cases provided - said commission to have the powers of a master provided in Sub-division (c) of Rule 53, and in such proceeding be governed by the provisions of paragraphs 1 and 2 of Sub-division (d) of Rule 53.

Pursuant to the order issued by this Court on the 17th day of October, 1952, and after proper notice, the commission conducted a hearing in Room 309-310 at the United States Court House, Tulsa, Oklahoma, on the 6th day of November, 1952, wherein plaintiff was represented by its attorney, Jack L. Rorschach, and defendants appeared by counsel, Whit Y. Mauzy, [redacted] U. S. District Attorney. All parties presented testimony of witnesses and introduced exhibits. The commission has now filed its report and the same should be approved.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the awards set forth in the report of commission as to the lands involved in this proceeding be, and the same are hereby, confirmed and approved in every respect by this Court, and in the following amounts, to-wit:

Tract No. 1

Commission's Award	$ 20.00
Deposited	$ 20.00

Tract No. 2

Commission's Award	$ 20.00
Deposited	$ 20.00

Tract No. 3

Commission's Award	$ 40.00
Deposited	$ 40.00

Tract No. 4

Commission's Award	$ 20.00
Deposited	$ 20.00

Tract No. 5

Commission's Award	$ 180.00
Deposited	$ 180.00

Tract No. 6

Commission's Award	$ 60.00
Deposited	$ 60.00

Tract No. 7

Commission's Award	$ 80.00
Deposited	$ 80.00

Tract No. 8

Commission's Award	$ 250.00
Deposited	$ 250.00

Tract No. 9

Commission's Award	$ 150.00
Deposited	$ 150.00

Tract No. 10

Commission's Award	$ 190.00
Deposited	$ 190.00

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

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the commission's award is affirmed in its entirety in the amount of $ 1,010.00 for all of the interests in the land involved in this proceeding.

/s/ Royce H. Savage
Judge

O. K.

UNITED STATES OF AMERICA, Defendant

By _____
U. S. District Attorney

Jack L. Porochach
Attorney for Plaintiff

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

Northeast Oklahoma Electric Cooperative, a corporation,	)	
	)	
Plaintiff	)	Civil No. 3118
vs	)	JUDGMENT ON DECLARATION OF TAKING
William H. Downing, et al.,	)	
	)	
Defendants	)	

This day comes the plaintiff, the Northeast Oklahoma Electric Cooperative, a corporation, by Jack L. Morschach, Chief Counsel for Northeast Oklahoma Electric Cooperative, a corporation, and moves the Court to enter a judgment vesting in the Northeast Oklahoma Electric Cooperative, a corporation, a perpetual and assignable right-of-way and easement for the construction, maintenance and operation of a transmission line for the purpose of transmitting electric energy necessary and proper for use in distributing and marketing the electric energy owned by this cooperative, at the total fair, cash, market value of $ 1,010.00, said amount being just compensation awarded the owners of the real estate involved in this proceeding by reason of such appropriation by Northeast Oklahoma Electric Cooperative, a corporation.

Thereupon the Court proceeded to hear and pass upon said motion, the Complaint in condemnation and Declaration of Taking, and finds that:

(1) Each and all of the allegations in said Complaint in condemnation and Declaration of Taking are true, and the Northeast Oklahoma Electric Cooperative, a corporation, is entitled to acquire property by eminent domain for the purposes set forth in said Complaint;

(2) In said Complaint in condemnation 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 Complaint in condemnation and Declaration of Taking were filed at the request of L. M. Ross, Manager of Northeast Oklahoma Electric Cooperative, a corporation, 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.

(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 Complaint in 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 Thousand Ten and no/100, 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) And the Court, having fully considered the Complaint in condemnation, Declaration of Taking, and the Acts of Congress approved April 26, 1906, being Section 25 of said Act (34 Stat. 137); and acts supplementary thereto and amendatory thereof; February 28, 1902, being Sections 13 to 23 inclusive, (32 Stat. 43); and May 27, 1906, being Section 1 (35 Stat. 312), and such other Acts of Congress which are declaratory or amendatory thereto, is of the opinion that the Northeast Oklahoma Electric Cooperative, a corporation, 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 a perpetual and assignable right-of-way and easement for the construction, maintenance and operation of a transmission line for the purpose of transmitting electric energy necessary and proper for use in distributing and marketing the electric energy owned by this cooperative, was vested in Northeast Oklahoma Electric Cooperative, a corporation, upon the filing of Declaration of Taking and the depositing in the Registry of this Court the sum of One Thousand Ten and no/100, and said lands and estate therein taken are deemed to have been condemned and taken for the use of the Northeast Oklahoma Electric Cooperative, a corporation, and the right to just compensation for the same thereby vested in the persons entitled thereto, the amount of just compensation to be ascertained and awarded in this proceeding and established by judgment herein pursuant to law.

The lands are described as follows, to-wit:

Tract No. 1

All that part of the NW¼ of Lot 3 in Sec. 19, T 23 N, R 22 E, of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

> Beginning at the Northeast corner of said NW¼ of Lot 3, thence Southerly along the East boundary of said NW¼ of Lot 3 a distance of 95.9 feet; thence in a Northwesterly direction a distance of 312.4 feet to a point in the North boundary of said NW¼ of Lot 3; thence Easterly along said North boundary a distance of 297.3 feet to the point of beginning.
> No structures.

Tract No. 2

All that part of the NW¼ SE¼ SE¼ of Sec. 19, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the Northeast corner of said NW¼ SE¼ SE¼; thence Southerly along the East boundary of said NW¼ SE¼ SE¼ a distance of 23.2 feet; thence in a Northwesterly direction a distance of 76.3 feet to a point in the North boundary of said NW¼ SE¼ SE¼; thence Easterly along said North boundary a distance of 72.7 feet to the point of beginning.
No structures.

Tract No. 3

A strip of land 100 feet in width in the NE¼ NE¼ SW¼ of Sec. 26, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said NE¼ NE¼ SW¼ 236.8 feet North of the Southwest corner thereof, thence in a Southeasterly direction to a point in the East boundary of said NE¼ NE¼ SW¼ 68.9 feet North of the Southeast corner thereof.
2 Structures.

Tract No. 4

A strip of land 100 feet in width in the SE¼ NE¼ SE¼ of Sec. 26, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said SE¼ NE¼ SE¼ 219.0 feet North of the Southwest corner thereof, thence in a Southeasterly direction to a point in the East boundary of said SE¼ NE¼ SE¼ 49.0 feet North of the Southeast corner thereof.
1 structure.

Tract No. 5

A strip of land 100 feet in width in the SW¼ NW¼ SW¼, the S½ SW¼, and the SW¼ SW¼ of Sec. 25, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said SW¼ NW¼ SW¼ 49.0 feet North of the Southwest corner thereof, thence in a Southeasterly direction to a point 417.7 feet North and 256.3 feet West of the Southeast corner of said SW¼ SE¼; thence in a Southeasterly direction to a point in the East boundary of said SW¼ SW¼ 399.5 feet North of the Southeast corner thereof.
7 structures.

Tract No. 6

A strip of land 100 feet in width in the S½ SE¼ SE¼ of Sec. 25, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said S½ SE¼ SE¼ 399.5 feet North of the Southwest corner thereof, thence in a Southeasterly direction to a point in the East boundary of said S½ SE¼ SE¼ 305.9 feet North of the Southeast corner thereof.
3 structures.

Tract No. 7

A strip of land 100 feet in width in the S½ SE¼ SW¼ and the S½ SW¼ SE¼ of Sec. 30, T 23 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

> Beginning at a point in the West boundary of said S½ SE¼ SW¼ 2320 feet North of the Southwest corner thereof, thence in a Southeasterly direction to a point in the East boundary of said S½ SW¼ SE¼ 76.1 feet North of the Southeast corner thereof.
> 4 structures.

Tract No. 8

A strip of land 100 feet in width in the NE¼ SE¼ SE¼ of Sec. 32, T 23 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

> Beginning at a point in the West boundary of said SE¼ SE¼ SE¼ 306.6 feet North of the Southwest corner thereof, thence in a Southeasterly direction to a point in the East boundary of said SE¼ SE¼ SE¼ 149.3 feet North of the Southeast corner thereof.
> 1 structure.

AND

A strip of land 100 feet in width in the SW¼ SW¼ SW¼ of Sec. 33, T 23 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

> Beginning at a point in the West boundary of said SW¼ SW¼ SW¼ 149.3 feet North of the Southwest corner thereof, thence in a Southeasterly direction to a point 141.3 feet North and 33.5 feet East of said Southwest corner; thence in a Southeasterly direction to a point in the South boundary of said SW¼ SW¼ SW¼ 484.0 feet East of said Southwest corner.
> 1 structure.

AND

A strip of land 100 feet in width in the North 20 acres of Lot 4 and in Lot 3 in Sec. 4, T 22 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

> Beginning at a point in the North boundary of said North 20 acres of Lot 4, 484.0 feet East of the Northwest corner thereof, thence in a Southeasterly direction to a point 17.3 feet South and 539.2 feet East of said Northwest corner; thence in a Southeasterly direction to a point 478.7 feet South and 479.1 feet East of the Northwest corner of said Lot 3, thence in a Southeasterly direction to a point in the East boundary of said Lot 3, 605.2 feet North of the Southeast corner thereof.
> 4 structures.

Tract No. 9

All that part of the NE¼ NW¼ NW¼ of Sec. 28, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the Southwest corner of said NE¼ NW¼ NW¼, thence Northerly along the West boundary of said NE¼ NW¼ NW¼ a distance of 63.2 feet; thence in a Southeasterly direction a distance of 532.3 feet to a point in the South boundary of said NE¼ NW¼ NW¼; thence Westerly along said South boundary a distance of 528.4 feet to the point of beginning.
1 structure.

AND

A strip of land 100 feet in width in the S½ NE¼ NW¼, and S½ NW¼ NE¼, and the SW¼ NE¼ NW¼ of Sec. 28, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said S½ NE¼ NW¼ 66.4 feet South of the Northwest corner thereof, thence in a Southeasterly direction to a point in the East boundary of said SW¼ NE¼ NW¼ 197.4 feet North of the Northeast corner thereof.
4 structures.

Tract No. 10

A strip of land 100 feet in width in the N½ NW¼ NW¼ and the N½ N½ NE¼ of Sec. 33, T 23 N, R 23 E, of the Indian Base and Meridian in Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said N½ NE¼ NW¼ 158.8 feet South of the Northwest corner thereof, thence in a Southeasterly direction to a point 294.6 feet South and 304.4 feet East of the Northeast corner of said N½ NE¼ NW¼; thence in a Southeasterly direction to a point in the East boundary of said N½ N½ NE¼ 334.2 feet South of the Northeast corner thereof.
5 structures.

IT IS [illegible], ADJUDGED AND ORDERED 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 Northeast Oklahoma Electric Cooperative, a corporation.

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

Entered this 7th day of November, 1952.

W. Royal H. Savage

Judge

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN

DISTRICT OF OKLAHOMA

D. J. [illegible], Plaintiff,	)	
-vs-	)	No. 3066 - Civil
[illegible]-CALAMITY CORPORATION, A Corporation, Defendant.	)	

FILED

[illegible]

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL

The above entitled and numbered cause coming on to be heard upon the joint application of the plaintiff and defendant for an order of this court dismissing said cause with prejudice at the cost of the plaintiff, and the court having heard the statement of counsel and being fully advised in the premises, finds that all matters and controversy existing between the said plaintiff and defendant have been compromised and settled and that said joint motion for an order of dismissal should be allowed.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the above entitled and numbered cause be, and it is hereby, dismissed with prejudice upon the application of the plaintiff and defendant, said dismissal to be at plaintiff's cost.

District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,	)	
vs.	)	No. 3139 Civil
346 cases, each containing 24 cans of article labeled in part "Jinjo Tomatoes net weight 1 Lb. - - -", Defendant.	)	

NOBLE C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY

This matter coming on for hearing this ~~27th~~ 30 day of ~~October~~ November, 1952, in its regular order, the plaintiff, United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendant appearing not, and the court being fully advised in the premises finds:

That copies of the pleadings in this cause were sent to Rush Canning Company, Exeter, Missouri, on the 13th day of October, 1952. That no answer or other pleading has been filed in this cause. That the 346 cases, each containing 24 cans of article labeled in part "Jinjo Tomatoes, net weight 1 Lb. - - -", were transported in interstate commerce on or about September 22, 1952, by Rush Canning Company, Exeter, Missouri, via Shipper's Truck and were delivered to Tulsa Wholesale Grocery Company, 1003 North Lewis, Tulsa, Oklahoma.

The court further finds that said merchandise was adulterated when introduced into and while in interstate commerce, within the meaning of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 342(a)(3), in that it consisted wholly or in part of a filthy substance by reason of the presence therein of fly eggs and maggots, and within the meaning of 342(a)(4), in that it was prepared under insanitary conditions whereby it may have become contaminated with filth.

The court further finds that the United States Marshal for the Northern District of Oklahoma, upon order of the court of the 13th day of October, 1952, to seize and arrest said merchandise, did seize and arrest 339 cases of said tomatoes on the 15th day of October, 1952.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the said 339 cases, each containing 24 cans of article labeled in part "Jimjo Tomatoes, net weight 1 lb. - - -", be and the same hereby are condemned, forfeited and confiscated.

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

AND IT IS THE FURTHER ORDER OF THE COURT that the plaintiff, United States of America, recover no costs in this action from Tulsa Wholesale Grocery Company, 1009 North Lewis, Tulsa, Oklahoma.

AND IT IS SO ORDERED.

Frank H. Dewey
JUDGE

O. K. as to form:

Whit Y. Mauzy
Whit Y. Mauzy

GL
1 & 5
11/7/52

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

INVESTORS ROYALTY COMPANY, INC., Plaintiff.	
vs.	CIVIL NO. 3059.
MARKET TREND SURVEY, ET AL., Defendants.	Filed 11-14-1952 Noble C. Hood Clerk, U.S. District Court

ORDER SUSTAINING MOTION TO
QUASH SERVICE BY PUBLICATION

The Court, having heard evidence, makes the following findings and conclusions:

FINDINGS OF FACT

1. Plaintiff is a Delaware corporation domesticated in Oklahoma; defendants Stewart are citizens of Michigan; and the matter in controversy exceeds the sum or value of Three Thousand ($3,000.00) Dollars, exclusive of interest and costs.

2. Plaintiff is engaged in acquiring and holding oil and gas royalty interests under producing and non-producing lands in Oklahoma and other states; its income is derived almost exclusively from producing royalties; and its operating policy is, and for some fifteen years has been, to reinvest income in royalty interests to obtain continuity of income, to provide for dividends and to safeguard the stockholders' investment.

3. During the first five months of the year 1952, plaintiff's income from oil and gas royalties was $152,471.59, derived from royalty interest in various states as follows: Oklahoma 38.16%; Kansas, 16.90%; Texas 31.48%; Arkansas 4.28%; Louisiana, 1.78%; Mississippi, 0.45%; Illinois, 1.55%; Indiana, 0.59%; New Mexico, 2.52%; California, 1.66%, and Michigan, 0.63%.

4. As of December 31, 1951, plaintiff's oil reserves, as shown by its records, (and being the latest date reserves have been determined) were 2,246,198.30 barrels, located as follows: Oklahoma, 700,842.24; Texas, 782,800.13; Kansas, 311,942.39; Arkansas, 132,294.30; Louisiana, 121,789.07; Mississippi, 22,965.75; New Mexico, 53,206.63; California, 29,918.39; Illinois, 44,843.13; Michigan, 30,031.80; Indiana, 15,564.47. Since December 31, 1951, plaintiff purchased, for the prices shown, producing royalties located as follows: Oklahoma, $6,649.50; outside Oklahoma, $6,260.90.

5. Plaintiff's producing royalties are of the market value of 83 1/3¢ per barrel of reserves.

6. More than half of plaintiff's production is from royalty interests that were non-producing when purchased and thereafter came into production.

7. If plaintiff's properties and assets are considered to be of the value at which they are carried on plaintiff's balance sheets, then 56.8% thereof is located in Oklahoma. Producing royalties are carried at $547,606.66 on the balance sheet of December 31, 1951, and at $540,637.95 on the balance sheet of April 30, 1952.

8. Plaintiff's balance sheet nearest in time to the issuance and levy of attachment herein is its balance sheet of April 30, 1952.

9. Using balance sheet figures as the value of all properties and assets except producing royalties, and using the market value of producing royalties at December 31, 1951, with addition of purchases of non-producing leases and producing and non-producing royalties since December 31, 1951, the location and value of plaintiff's properties and assets at the time of the issuance and levy of the attachment herein are as follows:

ITEM	IN OKLAHOMA	OUTSIDE OKLAHOMA
Current Assets	$ 210,138.80	
Furniture and Equipment	1,728.23	
Other Assets	451.00	
Non-Producing Royalties	268,363.74	$ 182,768.74
Unclassified Royalty Purchase	28,035.00	
Non-Producing Leases	7,267.47	11,820.66
Producing Royalties	590,684.70	1,294,057.61
Totals	$ 1,106,668.94	$ 1,488,647.01

10. Plaintiff's cause of action did not arise wholly within the limits of the State of Oklahoma.

CONCLUSIONS OF LAW

1. Defendants' motion to quash publication service does not constitute a collateral attack upon the attachment in this case.

2. Defendants have not made a general appearance in this action, but had they done so, the jurisdictional questions would not have been waived thereby.

3. The principal portion of plaintiff's property and assets is located in the State of Oklahoma, within the purview of Title 18, Oklahoma Statutes 1951, Section 1.96b, which has not been construed by the Supreme Court of Oklahoma.

4. The suit for injunction herein is not a civil action for the recovery of money within the purview of 12 Oklahoma Statutes 1951, Section 1151, but its joinder with the action for damages set out in plaintiff's amended petition does not render the attachment void. The Supreme Court of Oklahoma has not decided this point, and the Court is in some doubt concerning it.

5. 12 Oklahoma Statutes, Section 1151, Subdivision 1, furnishes no ground for the attachment issued herein, since plaintiff's cause of action did not arise wholly within the limits of the State of Oklahoma.

6. 12 Oklahoma Statutes, 1951, Section 1151, Subdivision 9, furnishes no ground for the attachment issued herein, since plaintiff's cause of action sounds in tort, and the statute is limited to actions ex contractu.

7. Balance sheet figures are not evidence of asset value or market value of assets.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT:

1. The attachment herein is void and will not sustain publication service.

2. The notice and service by publication herein upon defendants A. Clifton Stewart and Margaret A. Stewart is quashed, vacated, set aside and held for naught.

Plaintiff objects and excepts to Conclusions of law Nos. 1, 2, 6 and 7 and the judgment of the Court and its exceptions are allowed. Defendants object and except to Conclusions of Law Nos. 3 and 4 and their exceptions are allowed.

This 14 day of Nov., 1952.

(Sgd.) Royce H. Savage
DISTRICT JUDGE.

Filed in open court
Nannie Hoogil Clerk
By Ben D. Bellinger Deputy

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Noble Drilling Company, Plaintiff,	)	
vs.	)	No. 2,491 Civil
United States of America, Defendant.	)	

DISMISSAL WITH PREJUDICE

This matter coming on for hearing this 19 day of ~~October~~ April, 1952, upon the motion of the plaintiff to dismiss this cause with prejudice and the court being fully advised in the premises, finds that the parties hereto have heretofore stipulated to compromise said cause of action and that said compromise has been approved by the Attorney General of the United States and by this court.

The court further finds that plaintiff has received from the United States the sum of $3,000.00, the amount of their compromise offer, and that this cause of action should be dismissed with prejudice and that Civil Cause No. 1173 pending in the United States District Court of Delaware, between the same parties, should likewise be dismissed with prejudice.

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

AND IT IS SO ORDERED.

JUDGE

APPROVED:

John Gibson

Harry M. Crowe, Jr.

Attorneys for Plaintiff

Whit I. Mauzy
United States Attorney for the
Northern District of Oklahoma

IN THE UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

LLOYD RAYMOND McPHEE for himself and as the duly authorized agent and attorney in fact, in writing, of LLOYD SUMMERLIN, Plaintiff,	)	
vs.	)	No. 3312 Civil
DON E. EATON, d/b/a DON EATON TRANSFER & STORAGE CO., 1[illegible] East [illegible]th Court Tulsa, Oklahoma Defendant.	)	

FILED

NOV 19 1952

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

ORDER FOR DISMISSAL WITHOUT PREJUDICE

Now on this 7th day of November, 1952, plaintiff through his counsel, Harry Seaton, having moved for dismissal of the above entitled action without prejudice, the Court finds that such dismissal is proper.

IT IS THEREFORE ORDERED that the above entitled action be, and the same is hereby dismissed without prejudice at plaintiff's cost.

/s/ ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

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

FILED

NOV 20 1982

[illegible] C. HOOD
Clerk, U.S. District Court

John Linegar, as the father and best friend of Ray Linegar, a minor, Plaintiff	)	
vs.	)	No. 2984 - Civil
Yellow Transit Freight Lines, Inc., et al., Defendants.	)	

ORDER OF DISMISSAL WITH PREJUDICE

For failure to comply with the order of the court of October 5, 1982, this cause is dismissed with prejudice at the cost of the plaintiff.

/s/ Royce H. Savage
United States District Judge

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America,		
	Plaintiff,	
vs.		No. 3119 Civil
Joseph N. Sanders, 17 South Main Street or 212 East Woodrow Street Tulsa, Oklahoma		
	Defendant.	

J U D G M E N T

NOW, on this 24th day of November, 1952, the above entitled action coming on for hearing, and the United States of America, plaintiff, appearing by Whit Y. Mauzy, United States Attorney and John W. McCune, Assistant United States Attorney, for the Northern District of Oklahoma, and the defendant appearing not and the court having heard the evidence and having examined the files finds that said defendant was served with summons more than twenty (20) days prior to this date and is and should be adjudged in default: that a proper Affidavit of Non-Military Service has been filed herein and is hereby approved: That the allegations of said complaint are correct and that the plaintiff is entitled to judgment for overpayment of subsistence allowance in the sum of One Hundred Ninety-two and 50/100 Dollars ($192.50) with interest at the rate of six per cent (6%) per annum from December 31, 1946, and its costs.

/s/ Lloyd H. Savage

DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE NORTHERN

DISTRICT OF OKLAHOMA

United States of America, Plaintiff,	)	
vs.	)	No. 2875-Civil
School District #15, Ottawa County, Oklahoma; Austin Keithley, President; Roger Graham, Vice-President; Elbert Howe, Clerk; Melvin Perry and Giles Johnson, Members, Defendants.	)	

FILED

NOV 26 1952

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

O R D E R

This matter coming on for hearing this 26 day of November, 1952 and the court finds that the matter of controversy has been amicably settled between the parties and that said cause should be dismissed.

IT IS, THEREFORE, ORDERED that the above cause be and the same hereby is dismissed.

(s) Royce H. Savage
JUDGE

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

State of Oklahoma, ex rel Mac Q. Williamson, Attorney General of the State of Oklahoma, Petitioner vs. 0.44 acres of land, more or less, in Pawnee County, Oklahoma; the United States of America; Stephen Gover and Vera Smith Gover, husband and wife, Defendants	)	CIVIL NO. 3067

ORDER APPROVING AND CONFIRMING

NOBLE C. HOOD
Clerk U. S. District Court

Now on this 26th day of November, 1952, this matter comes on for hearing, plaintiff appearing herein by its attorneys, Mac Q. Williamson, Attorney General of Oklahoma, and Finis O. Stevart, Assistant Attorney General, who request this Court for an order approving the condemnation proceedings and confirmation of plaintiff's appropriation of the hereinafter described property.

The Court finds from an examination of the files and pleadings herein that the plaintiff filed its petition June 12th, 1952, alleging that it was necessary for plaintiff to appropriate the hereinafter described realty for highway purposes and that plaintiff had been unable to secure same by purchase because of the refusal by the defendant landowners to grant same to the State for public purposes; that in such instances the laws of the State of Oklahoma authorized the appropriation of same by condemnation proceedings and that plaintiff therefore prayed the Court to appoint three disinterested freeholders from the current jury list of this Court, not interested in any like question, to inspect said property and consider the injury that would be sustained by the owners thereof by plaintiff's appropriation of same as well as the damages, to the remainder of the real estate owned by them, either directly or indirectly. The Court finds that the pleadings show that good and lawful notice of the date of hearing of said petition was given the defendants, the United States of America; Stephen Gover and Vera Smith Gover, husband and wife; and

that on the 30th day of June, 1952, it duly and regularly appointed John L. Johnson, Clifford C. Krow and Ralph LeRoy Hagle condemnation commissioners who filed their report with the Clerk of this Court on the 21st day of August, 1952, assessing a judgment against plaintiff in the amount of Fifty-eight Dollars ($58.00) for the appropriation by said plaintiff of the following described property, to-wit:

(SEE NEXT PAGE)

Stephen Gover, et ux

TRACT 1

A strip, piece or parcel of land lying in the NE$\frac{1}{4}$ NE$\frac{1}{4}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$ of Section 30, T 22 N, R 5 E in Pawnee County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Beginning at the point where the present West right-of-way line intersects the South line of said NE$\frac{1}{4}$ NE$\frac{1}{4}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$, 50 feet West of the SE corner of said NE$\frac{1}{4}$ NE$\frac{1}{4}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$, thence North along said right-of-way line a distance of 328.4 feet to a point on the North line of said NE$\frac{1}{4}$ NE$\frac{1}{4}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$, 50 feet West of the NE corner of said NE$\frac{1}{4}$ NE$\frac{1}{4}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$, thence West along said North line a distance of 10 feet, thence S 0°06'E a distance of 328.4 feet to a point on the South line of said NE$\frac{1}{4}$ NE$\frac{1}{4}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$, thence East along said South line a distance of 10 feet to point of beginning.

Containing 0.07 acres, more or less.

TRACT NO. 2

An undivided one-third interest in the following described land, to-wit:

A strip, piece or parcel of land lying in the S$\frac{1}{2}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$ and the NE$\frac{1}{4}$ SE$\frac{1}{4}$ of Section 30, T 22 N, R 5 E in Pawnee County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Beginning at a point on the present West right-of-way line of State Highway No. 18, a distance of 33 feet North and 50 feet West of the SE corner of said S$\frac{1}{2}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$, thence North along said right-of-way line a distance of 295.3 feet to a point on the North line of said S$\frac{1}{2}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$, 50 feet West of the NE corner of said S$\frac{1}{2}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$, thence West along said North line a distance of 10 feet, thence S 0°06'E a distance of 295.3 feet to a point 33 feet North of the South line of said S$\frac{1}{2}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$, thence East on a line parallel to and 33 feet North of said South line a distance of 10 feet to point of beginning.

ALSO: Beginning at the point where the present West right-of-way line intersects the South line of said NE$\frac{1}{4}$ SE$\frac{1}{4}$, 50 feet West of the SE corner of said NE$\frac{1}{4}$ SE$\frac{1}{4}$, thence North along said right-of-way line a distance of 1313.2 feet to a point on the North line of said NE$\frac{1}{4}$ SE$\frac{1}{4}$, 50 feet West of the NE corner of said NE$\frac{1}{4}$ SE$\frac{1}{4}$, thence West along said North line a distance of 10 feet, thence S 0°06'E a distance of 1313.2 feet to a point on the South line of said NE$\frac{1}{4}$ SE$\frac{1}{4}$, thence East along said South line a distance of 10 feet to point of beginning.

Containing in both parcels 0.37 acres, more or less.

The Court finds that pursuant to such award plaintiff deposited with the Clerk of this Court on the 26th day of August, 1952, the said sum of Fifty-eight Dollars ($58.00) and thereupon became entitled to the immediate possession of the above described property for public purposes, and that defendants were thereupon, by operation of law, immediately entitled to have said award disbursed to them by the Court Clerk, free and clear of all poundage or other fees.

The Court finds that the statutory limitation period within which the parties of said proceeding might have filed a demand for jury trial or otherwise objected has elapsed without there having been a demand for jury trial or other objection filed herein, and that these proceedings have therefore become final and the condemnation proceedings complete and that plaintiff is entitled to an order of this Court approving the said proceedings and confirming the appropriation in condemnation by plaintiff of the right, title and interest taken by it in the above described property.

It is therefore by the Court considered, ordered, adjudged and decreed that plaintiff's taking of the right and interest sought by it in these proceedings as acquired by it on the 26th day of August, 1952, in the following described property is hereby approved and confirmed.

(SEE NEXT PAGE)

Stephen Gover, et ux

TRACT 1

A strip, piece or parcel of land lying in the NE¼ NE¼ SE¼ SE¼ of Section 30, T 22 N, R 5 E in Pawnee County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Beginning at the point where the present West right-of-way line intersects the South line of said NE¼ NE¼ SE¼ SE¼, 50 feet West of the SE corner of said NE¼ NE¼ SE¼ SE¼, thence North along said right-of-way line a distance of 328.4 feet to a point on the North line of said NE¼ NE¼ SE¼ SE¼, 50 feet West of the NE corner of said NE¼ NE¼ SE¼ SE¼, thence West along said North line a distance of 10 feet, thence S 0°06'E a distance of 328.4 feet to a point on the South line of said NE¼ NE¼ SE¼ SE¼, thence East along said South line a distance of 10 feet to point of beginning.

Containing 0.07 acres, more or less.

TRACT NO. 2

An undivided one-third interest in the following described land, to-wit:

A strip, piece or parcel of land lying in the S½ SE¼ SE¼ SE¼ and the NE¼ SE¼ of Section 30, T 22 N, R 5 E in Pawnee County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Beginning at a point on the present West right-of-way line of State Highway No. 18, a distance of 33 feet North and 50 feet West of the SE corner of said S½ SE¼ SE¼ SE¼, thence North along said right-of-way line a distance of 295.3 feet to a point on the North line of said S½ SE¼ SE¼ SE¼, 50 feet West of the NE corner of said S½ SE¼ SE¼ SE¼, thence West along said North line a distance of 10 feet, thence S 0°06'E a distance of 295.3 feet to a point 33 feet North of the South line of said S½ SE¼ SE¼ SE¼, thence East on a line parallel to and 33 feet North of said South line a distance of 10 feet to point of beginning.

ALSO: Beginning at the point where the present West right-of-way line intersects the South line of said NE¼ SE¼, 50 feet West of the SE corner of said NE¼ SE¼, thence North along said right-of-way line a distance of 1313.2 feet to a point on the North line of said NE¼ SE¼, 50 feet West of the NE corner of said NE¼ SE¼, thence West along said North line a distance of 10 feet, thence S 0°06'E a distance of 1313.2 feet to a point on the South line of said NE¼ SE¼, thence East along said South line a distance of 10 feet to point of beginning.

Containing in both parcels 0.37 acres, more or less.

/s/ Roger H. Sharp
DISTRICT JUDGE

APPROVED:

Finis O. Stewart
Finis O. Stewart
Assistant Attorney General
510 Capitol Office Building
Oklahoma City, Oklahoma

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

THE FIRST NATIONAL BANK AND TRUST COMPANY OF TULSA, a national banking association, as Trustee under the Last Will and Testament of John F. Kerrigan, Deceased, Plaintiff, vs. ROY V. NELSON, et al., Defendants.	No. 2185 - Civil

FILED

DEC 8 1952

NOBLE C. HOOD
Clerk U. S. District Court

ORDER AMENDING AND CORRECTING FINDINGS OF FACT AND CONCLUSIONS OF LAW AND JUDGMENT OF JULY 19, 1948

This cause having come on to be heard on this 8th day of December, 1952, on motion of the plaintiff that the findings of fact and conclusions of law and that the judgment made and entered in this cause on July 19, 1948, be amended and corrected as hereinafter set forth,

IT IS ORDERED that said findings of fact and conclusions of law and said judgment be and the same are hereby amended and corrected by striking from the description of the land therein found and adjudged to have been erroneously included in the inventory of the estate of John F. Kerrigan, deceased, and to which none of the parties to this action, nor the estate of John F. Kerrigan, deceased, has any interest:

> South Half (S½) of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) and the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section Seventeen (17), Township Twenty-four (24) North, Range Seventeen (17) East in Rogers County, Oklahoma,

and by including said land and all interest therein with the land therein found and adjudged to be owned and possessed by the plaintiff and Frances T. Newport, as Trusteee under the Last Will and Testament of John F. Kerrigan, deceased.

Royce H. Savage
Chief Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,	)	
vs.	)	No. 3154 Civil
7 Cases, each containing 12 cans article labeled in part "Sorghum Made for and Guaranteed by M. Dawson & Son, Springdale, Arkansas, Liquid contents - 1 Quart, 1 Pint or over," Defendant.	)	

NOBLE C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY

This matter coming on for hearing this 19th day of ~~December~~ November, 1952, in its regular order, the plaintiff, United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendant appearing not, and the court being fully advised in the premises finds:

That copies of the pleadings in this cause were sent to M. Dawson & Son, Springdale, Arkansas. That no answer or other pleading has been filed in this cause. That the 7 Cases, each containing 12 cans article labeled in part "Sorghum Made for and Guaranteed by M. Dawson & Son, Springdale, Arkansas, Liquid contents - 1 Quart, 1 Pint or over", were transported in interstate commerce on or about September 23, 1952, by Paul England, Joplin, Missouri, via shipper's truck and were delivered to Warehouse Market, 10th & Elgin, Tulsa, Oklahoma.

The court further finds that said merchandise was adulterated when introduced into and while in interstate commerce, within the meaning of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 342(b)(2), in that a mixture of sorghum and glucose has been substituted wholly or in part for sorghum.

The court further finds that said merchandise was misbranded when introduced into and while in interstate commerce, within the meaning of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 343(a) in that the label designation "Sorghum" is false and misleading as applied to a mixture of sorghum and glucose and within the meaning of 21 U.S.C. 343(i)(2) in that it is fabricated from two or more ingredients and fails to bear a label containing the common or usual name of each such ingredient.

The court further finds that the United States Marshal for the Northern District of Oklahoma, upon order of the court of the 6th day of November, 1952, to seize and arrest said merchandise, did seize and arrest said merchandise on November 12, 1952.

The court further finds that the seized cases of sorghum contained added glucose in violation of the rules and standards promulgated by the standard of identity and said violation is not amenable to correction by labeling; that said sorghum is not unfit for human consumption and should be turned over to some charitable institution for its own use, but not for resale or redistribution.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the said 7 Cases, each containing 12 cans article labeled in part "Sorghum Made for and Guaranteed by M. Dawson & Son, Springdale, Arkansas, Liquid contents - 1 Quart, 1 Pint or over", be and same hereby are condemned, forfeited and confiscated.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Virgil B. Stanley, United States Marshal for the Northern District of Oklahoma, be and he hereby is instructed and directed to deliver to the Children's Home, of Tulsa, Oklahoma, 3 cases of the seized sorghum and deliver to the Salvation Army, of Tulsa, Oklahoma, 4 cases of the seized sorghum, the said Children's Home and the Salvation Army to use said sorghum themselves and the said Children's Home and the Salvation Army is hereby directed, instructed and prohibited from redistributing any of said sorghum to any other person in any manner whatsoever.

The said United States Marshal is further directed to report his disposal of said cases of sorghum as hereinbefore directed within thirty (30) days from this date.

IT IS THE FURTHER ORDER OF THE COURT that the plaintiff, United States of America, recover no costs in this action from the Warehouse Market, Tulsa, Oklahoma.

AND IT IS SO ORDERED.

JUDGE

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

JACK A. JOHNSON, Plaintiff	)	
vs.	)	Civil Action
Lee Way Motor Freight, Inc., a corporation, Cecil Farris, and Transport Insurance Company,	)	No. 3157
Defendant	)	

ORDER REMANDING CASE

Upon plaintiff's motion in that behalf, and the argument of counsel thereon, the Court finds it is without jurisdiction herein, and

IT IS ORDERED BY THE COURT that this case be and hereby is remanded to the District Court of Tulsa County, Oklahoma.

December 15, 1952.

/s/ Royce H. Savage
DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,	)	
vs.	)	No. 3108 Civil
J. A. Nolen, Defendant.	)	

NOBLE C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

This matter coming on for hearing this 3rd day of December, 1952, in regular order, for disposition and the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendant, J. A. Nolen, makes no appearance and the court being advised in the premises, finds that the defendant, J. A. Nolen, has been legally notified of the pendency of this action and that said defendant is wholly in default.

After the introduction of evidence and after the court being fully advised in the premises, the court finds:

That all the principal allegations of plaintiff's complaint are true and correct. That the defendant is indebted to the United States of America in the sum of $75,098.06, by virtue of the defendant becoming a surety on the performance bond of O. J. Lewis under Contract No. W-34-066-ENG-1963, and that the plaintiff is entitled to judgment for said amount.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the United States of America have and recover judgment against the defendant, J. A. Nolen, in the sum of $75,098.06, together with interest at the rate of 6% from this date until paid and for the costs of this action, for all of which let execution issue.

Royce H. Savage
JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

OLSON DRILLING COMPANY, a Delaware corporation, Plaintiff, vs THE UNITED STATES OF AMERICA, Defendant.	Civil Action No. 2974

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL WITH PREJUDICE

THIS MATTER coming on for hearing this 12th day of December, 1957, upon the motion of the plaintiff and defendant for dismissal of the above-entitled action, with prejudice, and it appearing from said Motion that the issues between the parties have been compromised and settled, and that the defendant has paid to the plaintiff a sum of money in full settlement of said cause of action, the Court finds that the said Motion should be granted and that the action should be dismissed with prejudice;

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

/s/ Royce H. Savage
Judge

APPROVED:

Conner, Winters, Randolph & Ballaine

By /s/ Roger S. Randolph
Attorneys for Plaintiff

/s/ Whit Y. Mauzy
United States Attorney
Attorney for Defendant

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

G. Y. PARRISH, Plaintiff,	)	
vs.	)	NO. 2942 CIVIL
THE UNITED STATES OF AMERICA, Defendant.	)	

NOBLE C. HOOD
Clerk U. S. District Court

ORDER ALLOWING DISMISSAL ON PLAINTIFF'S MOTION

On this 15th day of December, 1952, upon Plaintiff's motion for leave to discontinue this action, it is ordered that the Complaint be dismissed without prejudice at Plaintiff's cost.

/s/ Royce H. Savage
District Judge

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

PAULINE PARRISH, Plaintiff,	)	
vs.	)	NO. 2943 CIVIL
THE UNITED STATES OF AMERICA, Defendant.	)	

ORDER ALLOWING DISMISSAL ON PLAINTIFF'S MOTION

On this 15th day of December, 1952, upon Plaintiff's motion for leave to discontinue this action, it is ordered that the Complaint be dismissed without prejudice at Plaintiff's cost.

/s/ Royce H. Savage
District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

C. E. WATSON, Plaintiff,	)	
vs.	)	NO. 2944 CIVIL
THE UNITED STATES OF AMERICA, Defendant.	)	

NOBLE C. HOOD
Clerk U. S. District Court

ORDER ALLOWING DISMISSAL ON PLAINTIFF'S MOTION

On this 15th day of December, 1952, upon Plaintiff's motion for leave to discontinue this action, it is ordered that the Complaint be dismissed without prejudice at Plaintiff's cost.

/s/ Royce H. Savage
District Judge

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

JACK A. JOHNSON, Plaintiff	)	
vs.	)	Civil Action
Lee Way Motor Freight, Inc., a corporation, Cecil Farris, and Transport Insurance Company, Defendant	)	No. 5167

ORDER REMANDING CASE

Upon plaintiff's motion in that behalf, and the argument of counsel thereon, the Court finds it is without jurisdiction herein, and

IT IS ORDERED BY THE COURT that this case be and hereby is remanded to the District Court of Tulsa County, Oklahoma.

December 15, 1952.

/s/ Royce H. Savage
DISTRICT JUDGE

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

J. W. PEEVEY, Plaintiff	)	
vs.	)	Civil Action No. 2158
LEE WAY MOTOR FREIGHT, INC., a corporation, et al., Defendants	)	

NORMAN C. HOOD
Clerk U. S. District Court

ORDER REMANDING CASE

Upon plaintiff's motion in that behalf, and the argument of counsel thereon, the Court finds it is without jurisdiction herein, and

IT IS ORDERED BY THE COURT that this case be and hereby is remanded to the District Court of Tulsa County, Oklahoma.

December 15, 1952.

/s/ Royce H. Savage
DISTRICT JUDGE

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

R. L. GREEN, Plaintiff		
vs		NO. 1145 - Civil
ST. LOUIS-SAN FRANCISCO RAILROAD COMPANY, a corporation, Defendant.		

NOBLE C. HOOD
Clerk U. S. District Court

O R D E R

The motion of plaintiff to remand this suit to the District Court of Tulsa County, Oklahoma, coming on for hearing this 12th day of December, 1952, pursuant to regular setting, and the court having heard the argument of counsel and being fully advised upon consideration finds that said motion should be sustained.

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

/s/ LEWIS R. SCHAGER
Judge of the U. S. District Court

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT

OF OKLAHOMA

DANT & RUSSELL, INC., a corporation	)	
Plaintiff	)	
vs	)	No. 3029 Civil
HOLLOWAY MATERIAL & SUPPLY COMPANY, a corporation	)	
Defendant	)	

NOBLE C. HOOD
Clerk U. S. District Court

O R D E R.

Now on this 10th day of December, 1952, there coming on for hearing before the United States District Court for the Northern District of Oklahoma at Tulsa an application for permission and authority to execute and deliver to Airosol Sales Company a good and sufficient conveyance of the equitable title and interest of Holloway Material & Supply Company in and to Lots 13 and 14 and the West 9 feet of Lot 15 in Block 11 Burnett Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, upon the payment to said receiver of the sum of $12,000.00, and the Court, being fully advised in the premises, finds that said application should be granted.

IT IS, THEREFORE ORDERED by this Court that E. Lawton Bragg, Receiver herein, be and he is hereby authorized, directed and permitted to execute and deliver to Airosol Sales Company, a corporation, a good and sufficient conveyance of the equitable interest of Holloway Material & Supply Company, a corporation in and to Lots 13 and 14 and the West 9 feet of Lot 15 in Block 11 Burnett Addition to the city of Tulsa, Tulsa County, Oklahoma, upon the payment to said receiver of the sum of $12,000.00.

Royce H. Savage

United States District Judge

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

NATIONAL L-P GAS INSTITUTE, INC., Plaintiff	)	
vs.	)	NO. 3084 Civil
UNITED STATES OF AMERICA, Defendant	)	

ORDER DISMISSING UPON MOTION OF PLAINTIFF FOR LACK OF JURISDICTION

Now on this 17th day of December, 1952, this matter coming on for hearing upon motion of the plaintiff to dismiss the above styled cause of action because of lack of jurisdiction of this court, and the court being fully advised in the premises,

IT IS ORDERED that this cause of action be dismissed without prejudice to the bringing of a future action.

Royce H. Savage
Royce H. Savage JUDGE

[illegible]

[illegible]

[illegible], Plaintiff	[illegible] 3096
-vs-	
117.[illegible] acres of land, more or less, situate in [illegible] Counties, Oklahoma, [illegible] State of [illegible] Sutton, et al., and or none owners, Defendants	[illegible]

[illegible]

NOBLE & HOOD
[illegible]

Now on this 19th day of December, 1952, this matter comes on for confirmation of the Report of Commission filed in this proceeding, and the Court, being fully advised in the premises, finds that this Court did, on the 14th day of November, 1952, appoint a commission to conduct hearings, receive evidence, and view the lands involved and to do all acts and take all measures necessary and proper for the efficient performance of this duty, as in such cases provided - said commission to have the powers of a master provided in sub-division (c) of Rule 53, and to conduct proceedings as governed by the provisions of paragraphs [illegible] of sub-division (d) of Rule 53.

Pursuant to the order issued by the Court on the [illegible] day of November, 1952, and after proper notice, the commission conducted a hearing in the [illegible] County Courthouse at [illegible], on the [illegible] day of November, 1952, wherein the plaintiff was represented by its attorney, Curtis [illegible], Trial Attorney for the Department of Justice, and defendants in rem in Tracts [illegible], 3042, 3027 and 3072 were represented by attorneys [illegible] Bailey, [illegible] Gibson, [illegible] Akerson and Marvin Bailey. All parties introduced evidence and presented testimony of witnesses. The commission has filed its report and the same should be approved.

[illegible], [illegible], [illegible], [illegible] [illegible] the awards set forth in the report of Commission as to the lands involved in this proceeding be, and the same are hereby, confirmed and approved in every respect by this Court, and in the following amounts, to-wit:

Tract No. [illegible]-6

Commission's award	$ 50.00
Deposited	50.00

Tract No. [illegible] 3-7

Commission's award	[illegible]
Deposited	[illegible]

Tract No. [illegible] 3-12

Commission's award	$ 25.00
Deposited	[illegible]

Tract No. [illegible] 3-13

Commission's award	[illegible]
Deposited	[illegible]

Tract No. [illegible] 5-B-1

Commission's award	[illegible]
Deposited	[illegible]

Tract No. 3012

Commission's award	$[illegible]
Deposited	[illegible]

Tract No. 3013

Commission's award	[illegible]
Deposited	[illegible]

Tract No. [illegible]

Commission's award	1,[illegible]
Deposited	1,[illegible]

Tract No. 3025

Commission's award	[illegible]
Deposited	[illegible]

Tract No. 3027

Commission's award	[illegible]
Deposited	[illegible]
Deficiency	[illegible]

Tract No. [illegible]

Commission's award	[illegible]
Deposited	[illegible]

Tract No. 37[illegible]

Commission's award	1,500.00
Deposited	(1,500.00)
Deficiency	[illegible]

[illegible], [illegible] that said amounts are fixed in all respects as to the [illegible], [illegible], market value of said tract of land, including interest and all damages of whatsoever nature. The judgments on declarations of taking No. [illegible] heretofore entered in this proceeding are hereby reaffirmed.

[illegible] that the United States of America, plaintiff, deposit the sum of [illegible].00 into the registry of the court to cover the deficiencies as hereinabove set out.

/s/ Royal H. Savage
District Judge

O.K.

[illegible], Plaintiff
By Curtis P. Harris
Trial Attorney, Dept. of Justice

IN THE UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF OKLAHOMA

COLLEEN ZENTNER, Plaintiff,	)	
vs.	)	Civil Action No. 3148
GUY E. KIESTER, Defendant.	)	

NOBLE C. HOOD
Clerk U. S. District Court

ORDER OF DISMISSAL WITH PREJUDICE

Now on this day come the parties in the above entitled cause and present to the Court their stipulation for a dismissal of said cause with prejudice to the bringing of another action, reciting therein that all matters and things in controversy between the plaintiff and defendant have been settled and compromised.

It is therefore ordered, adjudged and decreed that the above entitled cause be dismissed with prejudice to the bringing of another action, that the costs be assessed against the defendant, and that the item of costs for the prevailing attorney be waived.

/s/ Frank H. Kennedy
Judge of the United States District Court for the Northern District of Oklahoma.

IN THE UNITED STATES DISTRICT COURT, NORTHERN DISTRICT

OF OKLAHOMA

GELTA ZENTNER, Plaintiff,	)	
vs.	)	Civil Action No. 3147
GUY E. KIESTER, Defendant.	)	

ORDER OF DISMISSAL WITH PREJUDICE

Now on this day come the parties in the above entitled cause and present to the Court their stipulation for a dismissal of said cause with prejudice to the bringing of another action, reciting therein that all matters and things in controversy between the plaintiff and defendant have been settled and compromised.

It is therefore ordered, adjudged and decreed that the above entitled cause be dismissed with prejudice to the bringing of another action, that the costs be assessed against the defendant, and that the item of costs for the prevailing attorney be waived.

/S/ Roger N. Savage
Judge of the United States District Court for the Northern District of Oklahoma.

IN THE UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

TULSA PAPER COMPANY, a corporation, Plaintiff,	)	
vs.	)	No. 2796 Civil
H. C. JONES, Collector of Internal Revenue, Defendant.	)	

J U D G M E N T

This cause having been submitted to the Court for trial without a jury and the Court having made Findings of Fact and Conclusions of Law, it is hereby

ORDERED, ADJUDGED AND DECREED that Plaintiff have and recover of and from the Defendant the sum of $14,981.38 of income tax and excess profits tax and $420.09 of interest on a deficiency of excess profits tax for the fiscal year ending March 31, 1945, with interest upon each of the foregoing sums at the rate of six per cent (6%) per annum from the respective dates of payment by Plaintiff of such sums.

Royce H. Savage
Judge

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff	)	CIVIL ACTION NO. 3153
-vs-	)	
2.80 acres of Land, more or less, situated in Tulsa County, Oklahoma, and Bonnie . Kirkhuff, et al., and Unknown Owners, Defendants	)	FINAL JUDGMENT AS TO TRACT NO. 7 [illegible]

[illegible] 1952

NOBLE C. HOCK

Now on this 3rd day of May, 1952, the plaintiff presents this application for judgment.

The Court finds that notice by personal service has been given, as prescribed by law, to all parties who might claim any interest whatsoever in the real estate involved in this proceeding.

There is presented to the Court signed agreement whereby parties defendant have agreed as to the just compensation to which they are entitled by reason of the acquisition of the estate and rights involved in this proceeding by the United States of America. Such agreement is presented to the Court, and the Court finds that said agreement was entered into and duly accepted by the U. S. Corps of Engineers prior to the time of filing this proceeding and that such agreement should be confirmed in all respects.

The Court finds that all the parties defendant are in default in that they have filed no pleadings in this case nor have any of them served notice of any kind or character upon counsel for plaintiff.

The Court further finds that the defendants W. B. Bush, Clemence . Bush and Leah . Fichthorn, named in the agreement introduced in evidence, are the owners of the property involved and entitled to receive the just compensation deposited or to be deposited in this Court for said property.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the agreement between the parties as to the particular land involved is hereby confirmed and the parties decreed to be those entitled to the just compensation are as follows, to-wit:

Tract No.		Amount
7	W. D. Rush, Clemence E. Rush, and Leah S. Fichthorn, named in Agreement, and United Federal Savings and Loan Association of Tulsa, mortgagee	$1,000.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America has heretofore deposited the amount of $1,000.00 as to Tract No. 7 involved in this proceeding and that there exists no deficiency with reference to the just compensation to be paid for said tract.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Judgment on Declaration of Taking is reaffirmed and the United States of America has, by depositing said sum of $1,000.00, acquired all rights and estate as set out in said Judgment on Declaration of Taking, and it is DECREED by this Court that said sum is determined to be just compensation for the rights condemned in this proceeding to which the owners are entitled for the taking of the property involved.

JUDGE

O.K.

UNITED STATES OF AMERICA, Plaintiff

By Curtis [illegible]

Trial Attorney, Dept. of Justice

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,	)	
vs.	)	No. 3173 Civil
One unlabeled device known as Color-Therm, Defendant.	)	

NOBLE C. MOON
Clerk U. S. District Court

JOURNAL ENTRY

This matter coming on for hearing this 29th day of December, 1952 and the plaintiff, United States of America, being represented by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the claimant, Louise Boyles, appearing not, and the court after being fully advised in the premises and after consideration of the facts herein finds:

That this action was instituted by the United States under the Federal Food, Drug and Cosmetic Act for the seizure and condemnation of One unlabeled device known as Color-Therm, the subject matter of this action, for the reason that said article is a device within the meaning of the Federal Food, Drug and Cosmetic Act and was misbranded when introduced into and while in interstate commerce, within the meaning of said Act, 21 U.S.C. 352(f)(1) in that its labeling failed to bear adequate directions for use for the purposes for which it was intended, namely, arthritis, rheumatism and other diseases. That said device was in the possession of claimant, Louise Boyles, Vinita, Oklahoma, within the jurisdiction of this court and was seized by the United States Marshal pursuant to a monition issued under the order of this court.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said unlabeled device known as Color-Therm, be and the same is hereby condemned, forfeited and confiscated.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said device and any applicators which may have been seized be dismantled and destroyed, and that Virgil B. Stanley, United States Marshal for the Northern District of Oklahoma, be and he hereby is instructed and directed to dismantle said device. He is further authorized to sell at private sale for such sum as he deems advisable any useable parts in the commercial field, if he receives a bid therefor, and that any sum so received be credited to the costs of this action.

IT IS FURTHER ORDERED that no costs be assessed against Louise Boyles, of Vinita, Oklahoma.

AND IT IS SO ORDERED.

/S/ Roger H. Sanger
JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,	)	
vs.	)	No. 3174
One unlabeled device known as Color-Therm, Defendant.	)	

NORMAN C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY

This matter coming on for hearing this 29th day of December, 1952 and the plaintiff, United States of America, being represented by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the claimant, Jack M. Morrison, appearing not, and the court after being fully advised in the premises and after consideration of the facts herein finds:

That this action was instituted by the United States under the Federal Food, Drug and Cosmetic Act for the seizure and condemnation of One unlabeled device known as Color-Therm, the subject matter of this action, for the reason that said article is a device within the meaning of the Federal Food, Drug and Cosmetic Act and was misbranded when introduced into and while in interstate commerce, within the meaning of said Act, 21 U.S.C. 352(f)(1) in that its labeling failed to bear adequate directions for use for the purposes for which it was intended, namely, arthritis, rheumatism and other diseases. That said device was in the possession of claimant, Jack M. Morrison, Sapulpa, Oklahoma, within the jurisdiction of this court and was seized by the United States Marshal pursuant to a monition issued under the order of this court.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said unlabeled device known as Color-Therm, be and the same is hereby condemned, forfeited and confiscated.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said device and any applicators which may have been seized be dismantled and destroyed, and that Virgil B. Stanley, United States Marshal for the Northern District of Oklahoma, be and he hereby is instructed and directed to dismantle said device. He is further authorized to sell at private sale for such sum as he deems advisable any useable parts in the commercial field, if he receives a bid therefor, and that anysum so received be credited to the costs of this action.

IT IS FURTHER ORDERED that no costs be assessed against Jack M. Morrison, of Sapulpa, Oklahoma.

AND IT IS SO ORDERED.

/s/ Royce H. Stevenson

JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,	)	
vs.	)	No. 3176 Civil
One unlabeled device known as Color-Therm, Defendant.	)	

NOBLE C. HOOD
Clerk U. S. District Court

JOURNAL ENTRY

This matter coming on for hearing this 29th day of December, 1952 and the plaintiff, United States of America, being represented by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the claimant, Mrs. Elsie Magness, appearing not, and the court after being fully advised in the premises and after consideration of the facts herein finds:

That this action was instituted by the United States under the Federal Food, Drug and Cosmetic Act for the seizure and condemnation of One unlabeled device known as Color-Therm, the subject matter of this action, for the reason that said article was misbranded when introduced into and while in interstate commerce, within the meaning of said Act, 21 U.S.C. 352(f)(1) in that its labeling failed to bear adequate directions for use for the purposes for which it was intended, namely, arthritis, rheumatism and other diseases. That said device was in the possession of claimant, Mrs. Elsie Magness, Nowata, Oklahoma, within the jurisdiction of this court and was seized by the United States Marshal pursuant to a monition issued under the order of this court.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said unlabeled device, known as Color-Therm, be and the same is hereby condemned, forfeited and confiscated.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said device and any applicators which may have been seized be dismantled and destroyed, and that Virgil B. Stanley, United States Marshal for the Northern District of Oklahoma, be and he hereby is instructed and directed to dismantle said device. He is further authorized to sell at private sale for such sum as he deems advisable any useable parts in the commercial field, if he receives a bid therefor, and that any sum so received be credited to the costs of this action.

IT IS FURTHER ORDERED that no costs be assessed against Mrs. Elsie Magness, of Nowata, Oklahoma.

AND IT IS SO ORDERED.

JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,	)	
vs.	)	No. 3180 Civil
One unlabeled device known as Color-Therm, Defendant.	)	

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

JOURNAL ENTRY

This matter coming on for hearing this 31st day of December, 1952, and the plaintiff, United States of America, being represented by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the claimant, Earl J. Deeter, appearing not, and the court after being fully advised in the premises and after consideration of the facts herein finds:

That this action was instituted by the United States under the Federal Food, Drug and Cosmetic Act for the seizure and condemnation of One unlabeled device known as Color-Therm, the subject matter of this action, for the reason that said article was misbranded when introduced into and while in interstate commerce, within the meaning of said Act, 21 U.S.C. 352(f)(1) in that its labeling failed to bear adequate directions for use for the purposes for which it was intended, namely, arthritis, rheumatism and other diseases. That said device was in the possession of claimant, Earl J. Deeter, Delaware, Oklahoma, within the jurisdiction of this court and was seized by the United States Marshal pursuant to a monition issued under the order of this court.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said unlabeled device, known as Color-Therm, be and the same is hereby condemned, forfeited and confiscated.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said device and any applicators which may have been seized be dismantled and destroyed, and that Virgil B. Stanley, United States Marshal for the Northern District of Oklahoma, be and he hereby is instructed and directed to dismantle said device. He is further authorized to sell at private sale for such sum as he deems advisable any useable parts in the commercial field, if he receives a bid therefor, and that any sum so received be credited to the costs of this action.

IT IS FURTHER ORDERED that no costs be assessed against Earl J. Deeter, of Delaware, Oklahoma.

AND IT IS SO ORDERED.

/S/ Roger H. Savage
JUDGE