

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

Ray Stuchman, a minor, who sues by  
his mother and next friend, Mrs.  
Frank Stuchman,

Plaintiff,

vs.

United Transports, Inc., and  
Charles Ernest Phillips,

Defendants.

No. 3123 Civil

NOBLE C. HOOD  
Clerk U. S. District Court

DISMISSAL WITH PREJUDICE

Comes now the plaintiff, Ray Stuchman, a minor, who sues by  
his mother and next friend, Mrs. Frank Stuchman, and asks the court to  
dismiss the above styled and numbered action with prejudice to the bringing  
of a future action.

Dated this 31st day of December, 1952.

Mrs. Frank Stuchman  
Mother and next friend of Ray  
Stuchman, a minor

Attorney for Plaintiff

For good cause shown, the above styled and numbered action is hereby  
dismissed with prejudice to the bringing of a future action, this 31st day of  
December, 1952.

U. S. District Judge

UNITED STATES DISTRICT COURT

WASH DC

THE DISTRICT OF COLUMBIA, ROBERT C. HOOD  
et al. vs. et al.

UNITED STATES DISTRICT COURT,

Plaintiff

CIVIL ACTION NO. \_\_\_\_\_

-vs-

371.18 acres of land, more or less, situate in Osage County, Oklahoma, and Walter Penman, et al., and Unknown Owners,

JURISDICTION OF DISTRICT COURT

NO. 12119

Defendants

This day came the plaintiff, the United States of America, by Curtis E. Harris, Chief Attorney for the Department of Justice, and moves the Court to enter a judgment vesting in the United States of America, the full, complete and perpetual easement, right, power and privilege to flood, inundate and submerge, intermittently or permanently, any and all of the outstanding oil leases or oil working interests in the lands hereinafter described lying below an elevation of 765 feet mean sea level, reserving, however, to the oil lessees of the said land, their heirs, successors and assigns the right of ingress and egress upon any and all of the said lands, lying between the elevations of 731 feet mean sea level and 765 feet mean sea level, for the purpose of exploration, development, production and removal of oil which may be produced from the said lands, upon condition that the oil rights so reserved are subordinated to the right of the United States to flood and submerge the said lands permanently or intermittently in the construction, operation and maintenance of the Mulah Dam and Reservoir Project, and that any exploration and development of such rights shall be subject to Federal or State laws with respect to pollution of the waters of the reservoir; provided further that the District Engineer, Corps of Engineers, Tulsa, Oklahoma, or his duly authorized representative, shall approve in furtherance of the exploration or development

of such reserved interests, the type of any structure or appurtenance thereto not existing or to be erected or constructed in connection with such exploration or development, said structure or appurtenance thereto not to be of a material determined to create floatable debris.

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 that 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 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 Frank Pace, Jr., Secretary of the Army of the United States, the person duly authorized by law to acquire the lands and estate therein taken as described in said documents for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceedings;

(4) A proper description of the lands sought to be taken, sufficient for the identification thereof, is set out in said Declaration of Taking 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 agency to be just compensation for the estate taken in said lands, in the amount of THREE THOUSAND FIVE HUNDRED AND NO/100 (\$3,500.00) DOLLARS, and said sum of



to the right of the said lands, to be used and managed as said  
lands, separately or intermittently in the construction, operation  
and maintenance of the said reservoir in respect, and against any  
extension or development of such lands, shall be subject to Federal  
control in respect to pollution of the waters of the reservoir;  
provided further that the District Engineer, Corps of Engineers, United  
States Army, or his duly authorized representative, shall approve in  
furtherance of the extension or development of said reserved interests,  
the type of any structure or appurtenance thereto now existing or to be  
erected or constructed in connection with such extension or develop-  
ment, and structure or appurtenance thereto not to be of a material  
character to create floatable debris, and vested in the United States  
of America upon the filing of declaration of taking and the depositing  
in the registry of this Court the sum of Fifty Thousand Dollars  
(\$50,000.00) in full, 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  
not withheld by judgment unless pursuant to law.

The lands aggregating 371.18 acres, more or less, more or less described  
as follows, to-wit:

Tract Lease No. 13

The SW/4 SE/4, S/2 NW/4 SE/4, S/2 SE/4 SE/4 in Section 26, Township 29 North, Range 11 East AND

The S/2 NE/4, SW/4 NE/4, S/2 NW/4 NE/4, E/2 E/2 N/2 NW/4 NE/4 in Section 34, Township 29 North, Range 11 East of the Indian Base and Meridian, situate in Osage County, Oklahoma, and containing 225.00 acres, more or less.

Tract Lease No. 17

The North 28.68 acres and Southeast 10.00 acres of Lot 1, NE/4 SE/4 NE/4 and E/2 NW/4 SE/4 NE/4 in Section 3, Township 28 North, Range 10 East AND

The SW/4 SE/4, W/2 SE/4 SE/4, S/2 SE/4 SE/4 SE/4, N/2 NW/4 SE/4 SE/4 SE/4, W/2 SW/4 NE/4 SE/4 SE/4, SW/4 NW/4 SE/4, S/2 NW/4 NW/4 SE/4, NW/4 NW/4 NE/4 SE/4, W/2 SE/4 NE/4 SE/4, SE/4 SE/4 NW/4 SE/4 in Section 34, Township 29 North, Range 10 East of the Indian Base and Meridian, situate in Osage County, Oklahoma, and containing 146.18 acres, more or less.

EXHIBIT "A"



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

ALLAN PERSKY, )  
 )  
 Plaintiff, )  
 )  
 vs. ) No. 3131 Civil  
 )  
 HARRY P. CHAPLAIN, )  
 )  
 Defendant. )

D I S M I S S A L

Comes now the plaintiff, ALLAN PERSKY, and hereby  
moves to dismiss his above styled action against the  
defendant, Harry P. Chaplain.

/s/ H M Crowe, Jr.  
H. M. CROWE, Jr.  
Attorney for Plaintiff.

IT IS SO ORDERED:

/s/ Roy H. Savage  
DISTRICT JUDGE

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

Hugh L. Smith, Jr., Administrator with will annexed of the Estate of Hugh L. Smith, deceased,	Plaintiff,	)	Civil Action
vs.		)	No. 2647
United States of America,	Defendant.	)	

J U D G M E N T

This cause coming on for hearing September 16, 1952, and based on the Findings of Facts and Conclusions of Law entered herein on said date and on the calculations made by the representatives of the Commissioner of Internal Revenue,

IT IS ORDERED, ADJUDGED AND DECREED that plaintiff, Hugh L. Smith, Jr., Administrator with will annexed of the Estate of Hugh L. Smith, deceased, have judgment against the defendant, United States of America, for the sum of \$10,265.75, with interest thereon from February 27, 1948, at the rate of six per cent. per annum until paid.

*15/ Royal H. Savage*  
United States District Judge

APPROVED AS TO FORM AND AMOUNTS:

*15/ Whit G. Mays*  
United States District Attorney

*E. C. ...*  
Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OHIO - CLEVELAND

HAROLD V. MILLER,

Plaintiff

vs

LEATHER ROOFING & MATERIAL CO.,  
a corporation, and Ray M. Leatherage,

Defendants

No. 3119

FILED

JAN 14 1953

C R D E R

NOBLE C. HOOD  
Clerk U. S. District Court

Now, on this 12 day of January, 1953, upon the motion  
of the plaintiff, this cause is dismissed with prejudice at the cost of  
plaintiff.

*Royce H. Savage*  
DISTRICT JUDGE

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

HETIAH J. GARDNER, et al.,  
Plaintiff  
vs.  
Duke Duvall,  
Rudolph T. Taber,  
Defendants.

No. 2070

FILED  
JAN 7 1963  
ROBERT C. HOOD  
CLERK U. S. DISTRICT COURT

JOURNAL ENTRY OF DECISION

This case came on to be heard this 13 day of January, 1963, plaintiff appearing in person and by his attorney next to him, and by their attorney G. Raymond Rosenman; the defendants appearing by their attorneys, Duke Duvall, Rudolph T. Taber, by H. W. Taber, and both parties announcing ready for trial and a jury trial was not advised nor requested, and the court being fully advised and consideration being that plaintiff has sustained the allegations of his petition and is entitled to judgment, and assessed his damages in the sum of \$100.00.

IT IS THEREFORE ORDERED, ADJUDGED and ENJOINED by the court that the plaintiff have judgment of said judgment, and each of them, the sum of \$100.00 and for his cost herein expended.

W. J. ...  
Judge

APPROVED AS TO FORM

/s/ Raymond Rosenman  
By G. Raymond Rosenman  
Attorney for Plaintiff

/s/ Duke Duvall

/s/ R. W. Taber  
Attorney for Defendants

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

H. F. Carriger, as Administrator  
of the estate of Opal Carriger,  
deceased, for the use and benefit  
of the heirs and next of kin of  
said deceased. )

Plaintiff, )

vs. )

George L. McCormack,  
Burdick Commodity Company, a  
corporation, and  
Murrell Theodore Miller, )

Defendants. )

No. 3031 Civil

JAN 13 1953

JAN 13 1953

NOBLE C. HOOD  
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT.

Now on this 13th day of January, 1953, this cause comes regularly on for trial pursuant to assignment and by agreement of the parties, plaintiff appearing in person and by his attorneys, Bassmann & Gordon; defendants George L. McCormack and Murrell Theodore Miller appearing by their attorneys, Dudley, Duvall & Dudley; and defendant Burdick Commodity Company, a corporation, appearing by its representatives and its attorneys, Rucker & Tabor, All parties announce ready for trial, waive a jury and agree that the case may be tried to the Court.

Thereupon the evidence is introduced, and the Court, after reviewing the record and files in the case and upon consideration of the evidence, finds that H. F. Carriger is the duly appointed, qualified and acting Administrator of the estate of Opal Carriger, deceased, and as such is entitled to bring, main-

tain and compromise this action for damages for the wrongful death of said deceased, for the use and benefit of the heirs at law and next of kin of said deceased, whom the Court finds to be:

H. F. Carriger, surviving husband, age 49;

Auno F. Carriger, son, age 27;

T. J. Carriger, son, age 23;

Clara Mae Holt, daughter, age 21;

Richard Ray Carriger, son, age 14, who resides with H. F. Carriger.

The Court further finds that there is a bona fide dispute and controversy existing between the parties, both as to the issue of liability and the issue of damages, this case having heretofore been tried and resulting in a hung jury; that the parties have reached an agreement of compromise and settlement of said controversy and of this law suit, subject to the approval of the Court, by the terms of which an agreed judgment may be entered in this case in effectuation of said compromise, in the amount of \$8,541.00, with the costs being assessed against the plaintiff.

The Court finds that said settlement is reasonable and just and should be confirmed, approved and effectuated by the judgment of this Court.

The Court further finds that the aforesaid adult children of the deceased sustained no pecuniary loss or damage by virtue of her death; and that the aforesaid sum of \$8,441.00 should be apportioned in the amount of \$ 7,361.00 to the surviving husband H. F. Carriger, and \$ 1080.00 to Richard Ray Carriger.

By agreement, the complaint herein is considered as amended to assert a second cause of action for the use and benefit of the estate of said deceased, for damages for conscious pain and suffering of the deceased in the amount of \$100.00, and that judgment be rendered in compromise of such claim for said amount.

The Court further finds that medical and funeral expenses have been paid personally by H. F. Carriger, and that he has sued in a separate action for the same and recovered therefor.

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

(1) The aforesaid compromise and settlement is reasonable and just and is hereby approved and confirmed.

(2) That judgment be and is hereby rendered in favor of plaintiff, H. F. Carriger, as Administrator of the estate of Opal Carriger, deceased, and against the defendants, George L. McCormack, Burdick Commodity Company, a corporation, and Murrell Theodore Miller, and each of them, on the first cause of action for damages for wrongful death of Opal Carriger, deceased, the sum of \$8,441.00, which is apportioned \$ 7361.00 to H. F. Carriger, and \$ 1080.00 to Richard Ray Carriger, the only next of kin sustaining any pecuniary loss.

(3) That judgment be and is hereby rendered in favor of plaintiff, H. F. Carriger, as Administrator of the estate of Opal Carriger, deceased, and against the defendants, George L. McCormack, Burdick Commodity Company, a corporation, and Murrell Theodore Miller, and each of them, on the second cause of action the sum of \$100.00 for the use and benefit of the estate for conscious pain and suffering of the deceased.

(4) That the costs of this action are assessed against the plaintiff.

Signed: Royce Savage  
Judge

ATTEST:

A TRUE COPY OF ORIGINAL

NOBLE C. HOOD, CLERK

BY \_\_\_\_\_ Deputy

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

V. I. SAINTE, individually,  
and as Trustee of, and as  
Successor of NATIONAL STATES FIRE  
INSURANCE CO.,  
Plaintiff,

vs.

WALTER L. BOGERTON,  
WALTER L. BOGERTON COMPANY,  
and  
WALTER L. BOGERTON COMPANY,  
Defendants.

No. 3038

FILED

JAN 13 1953

NOBLE C. HOOD  
Clerk U. S. District

SERIAL ENTRY OF JUDGMENT

This cause came on to be heard on the 12th day of January, 1953, plaintiff appearing in person by their attorney, in person. Defendants appeared by their attorneys, J. D. Dyer, J. D. Haber, H. W. Jones, and their entire attendance being for trial and hearing. In the trial, evidence was introduced, and the court will take evidence on consideration filed. Plaintiff have requested the allegations of their petition and are entitled to judgment, and to recover their damage in the sum of \$276.

IT IS THE COURT'S ORDER, TO BE DONE AND FORWARDED, the court that the plaintiffs have and recover of said defendants, the sum of \$276, and the cost of suit as expended.

Walter L. Bogerton  
Judge

APPROVED AND FORWARDED:

Bozeman & Co. Inc.  
By S. Rayner  
Attorneys for Plaintiff

/s/ Eugene F. Voe  
Walter L. Bogerton  
Attorneys for Defendants.

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

FEDERAL DEPOSIT INSURANCE CORPORATION,  
Complainant

vs.

JOSEPH W. SHAWNEY,

Defendant

No. 3184

FILED

JAN 20 1953

ORDER DISMISSING  
ACTION

NOBLE C. HOOD  
Clerk U. S. District Court

This cause coming on to be heard on this the 14<sup>th</sup> day of January, 1953, on the motion of Complainant for an order permitting it to dismiss the above entitled cause with prejudice at its costs; and the court being fully advised in the premises, finds that said motion should be sustained.

IT IS, BY THE COURT, ORDERED, ADJUDGED AND DECREED that the above entitled cause be and it is hereby dismissed with prejudice at Complainant's costs.

(s) Bryce H. Savage  
United States District Judge

U.S. District Court  
District of Columbia

John Doe, )  
Plaintiff, )  
vs. )  
Jane Smith, )  
Defendant. )

No. 12345

**FILED**  
In Open Court

JAN 15 1953

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

The evidence adduced at the deposition of the parties and  
admission of facts, the facts are as follows: On or about  
the 1st day of January, 1953, the defendant, Jane Smith,  
did purchase a certain quantity of goods from the plaintiff,  
John Doe.

The defendant, Jane Smith, is a resident of the District  
of Columbia and is a duly licensed merchant. The plaintiff,  
John Doe, is a resident of the District of Columbia and is  
a duly licensed merchant. The defendant, Jane Smith, is  
a resident of the District of Columbia and is a duly  
licensed merchant.

On or about the 1st day of January, 1953, the defendant,  
Jane Smith, did purchase a certain quantity of goods from  
the plaintiff, John Doe. The goods were purchased for the  
purpose of resale. The defendant, Jane Smith, is a  
resident of the District of Columbia and is a duly  
licensed merchant.

The defendant, Jane Smith, is a resident of the District  
of Columbia and is a duly licensed merchant. The plaintiff,  
John Doe, is a resident of the District of Columbia and is  
a duly licensed merchant. The defendant, Jane Smith, is  
a resident of the District of Columbia and is a duly  
licensed merchant.

The defendant, Jane Smith, is a resident of the District  
of Columbia and is a duly licensed merchant. The plaintiff,  
John Doe, is a resident of the District of Columbia and is  
a duly licensed merchant. The defendant, Jane Smith, is  
a resident of the District of Columbia and is a duly  
licensed merchant.

The defendant, Jane Smith, is a resident of the District  
of Columbia and is a duly licensed merchant. The plaintiff,  
John Doe, is a resident of the District of Columbia and is  
a duly licensed merchant. The defendant, Jane Smith, is  
a resident of the District of Columbia and is a duly  
licensed merchant.



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

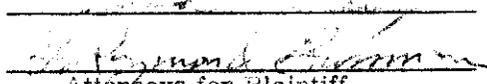
E. G. Kunze, )  
 )  
 Plaintiff, )  
 )  
 vs. ) No. 3093 Civil  
 )  
 Mid-States Trailer Transport, )  
 Inc., and Adelbert J. Sanders, )  
 )  
 Defendants. )

RECORDED  
INDEXED  
MAR 25 1953

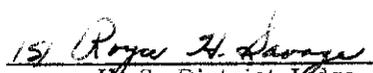
DISMISSAL WITH PREJUDICE

Comes now the plaintiff, E. G. Kunze, and asks the court to dismiss  
the above styled and numbered action with prejudice to the bringing of a future  
action.

Dated this 14th day of January, 1953.

  
\_\_\_\_\_  
Plaintiff  
  
\_\_\_\_\_  
\_\_\_\_\_  
  
\_\_\_\_\_  
Attorneys for Plaintiff

For good cause shown, the above styled and numbered action is  
hereby dismissed with prejudice, this 16 day of January, 1953.

  
\_\_\_\_\_  
U. S. District Judge

rdh/mr

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

Mabel Kunze, )  
 )  
 Plaintiff, )  
 )  
 vs. ) No. 3094 Civil  
 )  
 Mid-States Trailer Transport, Inc., )  
 and Adelbert J. Sanders, )  
 )  
 Defendants. )

DISMISSAL WITH PREJUDICE

Comes now the plaintiff, Mabel Kunze, and asks the court to  
dismiss the above styled and numbered action with prejudice to the bringing  
of a future action.

Dated this 14th day of January, 1953.

Mabel Kunze  
Plaintiff  
W. H. H. H. H.  
W. H. H. H. H.  
W. H. H. H. H.  
Attorneys for Plaintiff

For good cause shown, the above styled and numbered action is  
hereby dismissed with prejudice, this 16 day of January, 1953.

15) Roy H. H. H.  
U. S. District Judge

rdh/mr

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

Jack J. Gray and Frankie Gray, )  
 )  
 Plaintiffs, )  
 )  
 vs. ) No. 3095 Civil  
 )  
 Mid-States Trailer Transport, Inc., )  
 and Auelbert J. Sanders, )  
 )  
 Defendants. )

DISMISSAL WITH PREJUDICE

Come now the plaintiffs, Jack J. Gray and Frankie Gray, and ask  
the court to dismiss the above styled and numbered action with prejudice to  
the bringing of a future action.

Dated this 14th day of January, 1953.

*Frankie Gray*  
\_\_\_\_\_  
*Jack J. Gray*  
\_\_\_\_\_  
Plaintiffs  
\_\_\_\_\_  
*Raymond S. Savage*  
\_\_\_\_\_  
Attorneys for Plaintiffs

For good cause shown, the above styled and numbered action is  
hereby dismissed with prejudice, this 16 day of January, 1953.

*(s) Raymond S. Savage*  
\_\_\_\_\_  
U. S. District Judge

rdh/mr

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

Frankie Gray, )  
 )  
 Plaintiff, )  
 )  
 vs. ) No. 3096 Civil  
 )  
 Mid-States Trailer Transport, Inc., )  
 and Adelbert J. Sanders, )  
 )  
 Defendants. )

DISMISSAL WITH PREJUDICE

Comes now the plaintiff, Frankie Gray, and asks the court to  
dismiss the above styled and numbered action with prejudice to the bringing  
of a future action.

Dated this 14th day of January, 1953.

Frankie Gray  
Plaintiff  
Raymond H. Sampson  
Raymond H. Sampson  
Attorneys for Plaintiff

For good cause shown, the above styled and numbered action is  
hereby dismissed with prejudice, this 16 day of January, 1953.

Ray H. Sampson  
U. S. District Judge

rdh/mr

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

Judy Gray, an infant, by and through her  
father and next friend, Jack J. Gray,

Plaintiff,

vs.

Mid-states Trailer Transport, Inc.,  
and Adelbert J. Sanders,

Defendants.

No. 3097 Civil

DISMISSAL WITH PREJUDICE

Comes now the plaintiff, Judy Gray, an infant by and through  
her father and next friend, Jack J. Gray, and asks the court to dismiss  
the above styled and numbered action with prejudice to the bringing of a  
future action.

Dated this 14th day of January, 1953.

Jack J. Gray  
Father and next friend of  
Judy Gray, an infant

W. Royce H. Stanger  
Attorneys for Plaintiff

For good cause shown, the above styled and numbered action is  
hereby dismissed with prejudice this 16 day of January, 1953.

W. Royce H. Stanger  
U. S. District Judge

ruh/mr

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

CHARLES B. MOSS,

Plaintiff,

vs.

GILLIOZ CONSTRUCTION COMPANY, et al.,

Defendants.

No. 3088 Civil

JOURNAL ENTRY OF JUDGMENT

Now on this 19th day of December, 1952, this matter came on to be heard before the undersigned judge, and the court, being fully advised in the premises, upon consideration of same finds that the defendants's Motion to Dismiss the plaintiff's complaint should be sustained. The court further finds that the plaintiff elects to stand on his complaint, and the court therefore finds that judgment should be rendered in favor of the defendants.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the defendant's Motion to Dismiss plaintiff's complaint be and the same is hereby sustained.

IT IS FURTHER ORDERED by the court that judgment be and the same is hereby rendered for the defendants, the plaintiff having elected to stand on his complaint.

  
District Judge

Copy mailed this \_\_\_ day of January, 1953, to Edward Swinney, 200 Central, Monett, Missouri, with postage prepaid thereon by the undersigned.

  
Paul W. Brigham

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

Arthur B. Honnola, )  
 )  
Plaintiff, )  
 )  
vs. ) No. 3120 Civil  
 )  
George L. Norvell, George E. )  
Norvell, Administrator of the )  
Estate of "Robert W. Norvell, )  
deceased, Jennie Bushfield and )  
Charles L. Tyler, )  
 )  
Defendants. )

ARLENE G. HODD  
Clerk U. S. District Court

ORDER

Now, on this the 3rd day of October, 1932, this matter comes on to be heard upon the defendants' motion to dismiss plaintiff's complaint. The parties appeared by their respective counsel of record and after the presentation of some argument counsel for plaintiff asked leave to file an amended complaint, and said leave was granted by the court and the defendants were given time within which to plead to said complaint as amended. The court having been advised that it was the intention of the defendants to interpose a motion to dismiss to the proposed amended complaint, the court advised counsel to submit briefs in support of and in opposition to said motion to dismiss.

And thereafter the respective parties did submit briefs in support of their respective positions in connection with said motion to dismiss the complaint as amended, and the court having considered said briefs caused counsel to be notified that the court would pass upon said motion to dismiss the amended complaint on January 9, 1933.

And now on this the 9th day of January, 1953, the parties appeared as before and the court announced that from the argument of counsel and from a study of the briefs the court concluded:

I.

That this court has no jurisdiction to determine which attorney or counsel has the right to appear in any proceeding pending before the United States Court of Claims but that the United States Court of Claims has exclusive jurisdiction to make such determination.

II.

The court concludes that even if this court did have jurisdiction to determine which attorney or counsel has the right to appear in proceedings pending before the United States Court of Claims this court upon the grounds of comity would decline to entertain such proceeding.

III.

The court concludes that that portion of the amended complaint which seeks to have this court declare plaintiff is entitled to receive the fee referred to in the complaint is premature because the cause on appeal has not been determined and it has not yet been decided by the United States Court of Claims or the Indian Claims Commission that any of counsel mentioned in the complaint should receive a fee in said litigation.

IV.

The court concludes that the Kaw or Kansas Tribe of Indians has not been made a party to this action and that it is an indispensable party since the rights of said Tribe of Indians are directly affected by the issue sought to be presented in the complaint.

V.

The court concludes that said motion to dismiss should be in all things sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECIDED  
that the defendants' motion to dismiss the amended complaint of the  
plaintiff be, and the same is hereby sustained and plaintiff's cause of  
action is dismissed at cost of the plaintiff.

by Ryan Savage  
U.S. District Judge

O.K. as to form:

John Whelan  
Attorney for plaintiff

R.D. Hudson  
Attorneys for Defendants

rab/mr

page three

1-17-50

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

MRS. LESLIE POWERS,

Plaintiff

vs

MID-CONTINENT PETROLEUM  
CORPORATION,

Defendant

NO. 3121 CIVIL

O R D E R

Now, on this 19 day of January, 1953, this matter coming on to  
be heard upon the motion of the plaintiff to dismiss the above cause with  
prejudice to a future action, and the court being fully advised in the  
premises and finding that the matter has been fully settled and compromised,

IT IS BY THE COURT ORDERED that the above action be and the same  
is hereby dismissed with prejudice to a future action.

151 Royce H. Savage

Judge.

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

Myrtle Byer,

Plaintiff,

vs.

S. H. Kress and Company,  
a corporation, and  
Harold T. Walton,

Defendants.

No. 3161 Civil.

WALTER H. MOORE  
CLERK OF COURT

ORDER REMANDING CASE TO STATE COURT.

The above entitled case comes regularly on for hearing upon the motion of the plaintiff to remand this case to the State Court, plaintiff appearing by her attorney, Duke Duvall, and defendants appearing by their attorney, Joe Francis. The Court, after reviewing the record and files in the case and hearing argument of counsel, and upon consideration of the same, finds that defendant S. H. Kress and Company, a corporation, undertook to remove this case to this Court from the Superior Court of Creek County, Drumright Division, State of Oklahoma, being Case No. 2924 therein, entitled Myrtle Byer, Plaintiff, vs. S. H. Kress and Company, a corporation, and Harold T. Walton, Defendants, but that such removal was not rightful and this action should be remanded to said State Court.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Court that this case be remanded to the aforesaid State Court, and that a copy of this order and the answer of the defendants herein be sent by the Clerk of this Court to the Clerk of the

aforesaid state Court, forthwith.

Dated this 21st day of January, 1953.

1st Roy H. Savage  
DISTRICT JUDGE.

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

SUZANNE CARROLL,

Plaintiff,

vs.

RALPH O. BROWN,

Defendant.

No. 3034 Civil

JOURNAL ENTRY OF JUDGMENT

WALTER C. HOGUE  
U.S. DISTRICT JUDGE

Now on this 19th day of January, 1953, came the plaintiff in person and by her attorneys, Pat Malloy and N.E. McNeil, Jr., and also came the defendant in person and by his attorney, Paul W. Brightwire, and this cause came on for trial in its regular order before a jury of twelve good men and women, who being duly empannelled and sworn, well and truly to try the issues joined between plaintiff and defendant and a true verdict render according to the evidence; and having heard the evidence, the arguments of counsel and the charges of the court, upon their oaths say that they find the issues for the defendant, Ralph O. Brown.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED By the court that judgment be and the same is hereby rendered in favor of the defendant on the verdict.

IT IS FURTHER ORDERED by the court that the said defendant have and recover from the said plaintiff the costs of this action, ~~taxed at \$\_\_\_\_\_ for which let execution issue.~~

Walter C. Hogue  
Judge of the United States Dist. Court

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

EVELYN MILLER,

Plaintiff,

vs.

DONALD LEE LANE,

Defendant.

No. 3152- Civil

JAN 22 1953

FEB 1953

JOURNAL ENTRY OF JUDGMENT WOLFE G. HOOD  
Clerk U. S. District Court

Now on this 22nd day of January, 1953, this matter came on for hearing before the undersigned United States District Judge. The parties appearing by their respective counsel of record and having announced ready for trial, the court proceeded to impanel a jury to try the issues of fact in said cause. Said jury having been duly impaneled and the respective parties having introduced their evidence, and counsel having argued the case, thereupon said case was continued by the court to the 23rd day of January, 1953; that upon said date the court fully instructed the jury, and that said jury thereupon retired to consider its verdict.

Said jury then in open court returned its verdict in favor of the plaintiff and against the defendant, and fixed the amount of her recovery in the amount of Three Thousand Eight Hundred Dollars (\$3,800.00) and costs, which verdict is by the court approved and the clerk is directed to enter and record the same.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff be and she is hereby awarded, pursuant to the verdict of the jury herein, a judgment against the defendant in the sum of Three Thousand Eight Hundred Dollars (\$3,800.00), and for the costs herein expended.

APPROVED AS TO FORM:

HICKMAN & HICKMAN,  
JIMMIE WHITELEY

(5) *Royce F. Savage*  
United States District Judge

By \_\_\_\_\_  
Attorneys for Plaintiff

RUCKER & TABOR

By \_\_\_\_\_  
Attorneys for Defendant.

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

ORENA CLARK,

Plaintiff,

-vs-

CHARLES H. THOMPSON,

Defendant.

No. 3163 Civil

FILED

JAN 27 1953

FINDINGS OF FACT, CONCLUSIONS OF LAW,  
AND JUDGMENT

NOBLE C. HOOD  
Clerk U. S. District Court

Now on this 23rd day of January, 1953, came on for hearing the above cause on the regular jury assignment; counsel for both plaintiff and defendant agreed to waive a jury and try the cause before the Court on this date. Whereupon, the case was called, both parties announced ready for trial and the case was tried before the court, both sides using numerous witnesses, and the court being fully advised in the premises makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

I.

The accident occurred on June 4, 1952 at or near the intersection of Highway #69 and Highway #75 at which time there were three cars traveling south on Highway #69, the first one stopped, the plaintiff's car stopped, each without giving a signal, and defendant's car failed to stop and ran into the rear of plaintiff's car. Therefore, the accident was the combined negligence of the driver of the front car who stopped suddenly and the defendant in failing to keep his car under control so that he could stop to avoid an accident.

II.

From the testimony of the plaintiff, and the medical testimony, the court finds that the plaintiff is suffering from arthritis of the knee and of the back which was not caused by the accident; that such arthritis was not aggravated because it was almost three months following the accident before the plaintiff developed pains and the trouble about which she complains now.

the face and the back.

III.

Son of plaintiff had authority to employ the firm of Kimmel, Smith & Thyson to represent all parties involved in the accident both for property damage and personal injuries, if any, including the plaintiff. Such law firm was employed, negotiated with the insurance carrier for the defendant for a settlement and settled the case, the plaintiff and her husband signing a release which included both property damage and personal injuries to each of the plaintiff and her husband as well as damage to property, and they accepted a draft made payable to the plaintiff and her husband and to the lawyers; the draft was endorsed by the plaintiff and her husband and by the attorneys and the attorneys gave to the plaintiff and her husband a check of their firm payable to both the plaintiff and her husband which was cashed and the benefits received after the attorney fee was paid and it was therefore a final settlement.

CONCLUSIONS OF LAW

Plaintiff and her husband were represented by attorneys who were authorized to negotiate a settlement, a settlement was negotiated both for personal injuries, if any, and property damage and the plaintiff and her husband each signed a full release releasing all causes of action or rights of action, accepted the draft which was cashed and the benefits received, and by such settlement the plaintiff is barred from further recovery as a matter of law.

JUDGMENT

Judgment is hereby ordered for the defendant and against the plaintiff on this 27<sup>th</sup> day of January, 1953.

(s) George H. Savage  
JUDGE OF THE UNITED STATES DISTRICT  
COURT FOR THE NORTHERN DISTRICT OF  
OKLAHOMA

Approved by:

\_\_\_\_\_  
Attorney for Plaintiff

B. W. Kabor  
\_\_\_\_\_  
Attorney for Defendant



1/6 interest . . . . . Iyna B. Pickett, widow of E. B. Pickett  
 1/6 interest . . . . . Frances G. Jarvis  
 1/6 interest . . . . . H. E. Binkley, deceased  
 1/6 interest . . . . . E. H. Bartlett.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of this court distribute by proper vouchers the \$875.00 now on deposit for said Tract as follows, to-wit:

Tract No. B-103

H. E. Bieber . . . . .	175.00
Grace Bieber . . . . .	58.33
Imogene Malone . . . . .	58.33
Bessie Irene Rogers . . . . .	58.34
Iyna B. Pickett, widow of E. B. Pickett . . . . .	175.00
Frances G. Jarvis . . . . .	175.00
E. H. Bartlett . . . . .	175.00

W. Royall Savage  
 JUDGE

O.K.

UNITED STATES OF AMERICA, Plaintiff

By Lewis S. Harris  
 Trial Attorney, Dept. of Justice

Total amount distributed by this Order \$875.00

IN RE: THE ESTATE OF GUY W. BROWN, DECEASED

United States of America, )  
 )  
 Plaintiff, )

vs. )

No. 2146 Civil

Myron J. Roush, Earl Roush, Felice P. )  
Addington, N. P. Levinson, Bertha Tiblow, )  
if living, and if any be deceased, the )  
unknown heirs, executors, administrators, )  
devisees, trustees and assigns thereof; )  
Silver Gasoline Company, a corporation, )  
and if dissolved, the unknown trustees and )  
assigns, )

FILED

JAN 23 1952

Defendants. )

ROBLE G. DICKER  
Clerk of Court

J U D G M E N T

NOW ON THIS 26th day of January, 1952, the above cause came on for trial, and the plaintiff, United States of America, by Whit Y. Shroy, United States Attorney, and John T. McGune, Assistant United States Attorney for the Northern District of Oklahoma, and the defendant appearing before the court having heard the evidence offered by the plaintiff and from the examination of the files find that all of the allegations set forth in the complaint are true.

THE COURT FINDS that the defendants, Myron J. Roush, Earl Roush, Felice P. Addington, N. P. Levinson, Bertha Tiblow, if living, and if any be deceased, the unknown heirs, executors, administrators, devisees, trustees and assigns thereof; Silver Gasoline Company, a corporation, and if dissolved, the unknown trustees and assigns, were duly and regularly served by a notice of publication in the Bartlesville Enterprise, a newspaper of general circulation in Washington County, Oklahoma, which said publication was first on November 6, 10, 27 and December 4 and 11, notifying said defendants to appear on or before December 18, 1951, and that all said defendants being in default, should be so adjudged. The court further finds that the publisher has filed heretofore proper proof of publication and the plaintiff has filed proper affidavits of publication non-military, and said publication service is in all respects approved.

THE COURT FURTHER finds that the plaintiff has filed herein the proper affidavits of non-military service and the same is hereby approved.

THE COURT IN THIS finds that the defendant, Myron J. Roush, Earl Roush, Felice P. Addington, N. P. Levinson, Bertha Tiblow, if living, and if any be deceased, was served by a notice of publication on September 30, 1946 for a valuable consideration and, executed and

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the court that the plaintiff have judgment in rem against the above described premises for the sum of \$2,055.28 with interest thereon at the rate of 5% per annum from January 21, 1955 and for its costs. That the plaintiff be decreed a lien upon the above described premises superior to all other and all defendants herein. It is further ordered that upon failure of said defendants to satisfy said judgment, interest, and costs, that the United States Marshal shall levy upon the above described real estate and after having same appraised as provided by law, shall proceed to advertise and sell the same according to law and apply proceeds arising from said sale as follows:

- (1) Payment of any taxes due upon said premises.
- (2) Payment of costs of said sale in this action.
- (3) Payment to the plaintiff of said sum of \$2,055.28 and interest.
- (4) That the residue, if any, be paid to the defendants, by a Trust and final account.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that from and after said sale of said land, unless and by virtue of this decree, that all defendants herein and all persons claiming under them since the commencement of this action be and are forever barred and foreclosed of and from all lien upon, right, title, interest, estate or equity, of, in or to said lands or any part thereof.

Royce H. Savage  
DISTRICT JUDGE

delivered to the plaintiff their certain promissory note in writing in the principal sum of \$2,015.00 with interest at the rate of 5% per annum; that on December 3, 1951 for the purpose of securing the payment of the aforesaid written promissory note, the defendants, Byron F. Dough and Buel Dough, his wife, gave, executed and delivered to the plaintiff a certain written mortgage covering the following described real estate located in Washington County, Oklahoma, to-wit:

Part of Section Twenty-four (24), Township Twenty-three (23) North, Range Thirteen (13) East, to-wit:

Beginning at the Northeast corner of the Northeast quarter of the Southwest quarter of said section, thence South along the East boundary line of said sub-division, 660 feet; thence west parallel with the North boundary line of said section, about 125.5 feet to the West line of the right-of-way of the station, Topock & Santa Fe R. R.; thence in a Northerly direction along the West line of said right-of-way about 652 feet to the intersection of the North boundary line of said sub-division; thence East about 277.5 feet to the place of beginning, containing 2.83 acres, more or less. AFB Beginning at the center of said Section Twenty-four (24) North, Range Thirteen (13) East; thence West to the Santa Fe right-of-way; thence along said right-of-way in a southeasterly direction to the South line of said quarter section; thence East to the point of beginning, containing 10 acres more or less.

That said mortgage was duly recorded December 10, 1951 in Book 250, Page 98, Washington County, State of Oklahoma after the required mortgage tax was paid.

THE COURT FURTHER FINDS that said defendants made default in payments of said note in that they failed to pay the same according to its terms and that there is now due to the plaintiff the sum of \$2,250.00, with interest ~~xxxxxx~~ at the rate of 5% per annum on \$1,777.57 ~~xxxxxxxxxxxx~~ from July 1, 1950, or a total of \$2,554.48.

THE COURT FURTHER FINDS that the plaintiff has a lien upon the above described premises for the said sum and that the defendants, Buel Dough, Tolson W. Addington and W. W. Garrison, Jr. being, and if they be not, their devisees, trustees and assigns, are claiming same under and through certain parties who have heretofore been parties to the said mortgage. Plaintiff by virtue of law has the original claim of said property and said mortgage, and Oliver Douglas Company, a corporation, as its assignee, the assignee thereof and assigns, is claiming same interest by virtue of the said mortgage and that all said interests have been conclusively extinguished by the statutes of limitation of the State of Oklahoma and are inferior to the lien of the plaintiff.

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

CHARLES GRANT SPURLOCK, Administrator )  
of the Estate of CIBEL SPURLOCK, )  
Deceased, )  
Plaintiff, )  
vs. )  
EVELLE NEELAND BAILY, )  
Defendant. )

PER ORDER  
ROSE C. HOOD  
Clerk U. S. District  
No. 3143 - Civil

O R D E R

On application of the plaintiff, the above cause is hereby dismissed with prejudice to any future action, with costs to be assessed against the defendant.

The Court further finds, after hearing evidence thereon and examining the files of the court, that there was no conscious pain and suffering on the part of the decedent, and that the recovery herein should be disbursed for the use and benefit of the heirs at law and the next of kin.

/s/ W. R. Wallace  
JUDGE OF THE DISTRICT COURT OF THE  
UNITED STATES

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

W. K. OATS, Plaintiff,  
vs.  
HENRY J. KRATT, Defendant.

No. 3 1 5 9  
c i v i l

2144

FE. 4 1953

ORDER REMANDING TO STATE COURT

NOBLE C. HOOD  
Clerk U. S. District Court

Now on the 16th day of January, 1953, the Court on its own Motion to Remand said cause to the District Court of Tulsa County, State of Oklahoma, came on for decision and the Court finding that this Court has no jurisdiction.

It is now ordered that said cause to the District Court of Tulsa County, State of Oklahoma be and the same is hereby remanded to said Court as not properly removable to this Court.

It is further ordered that the defendant pay the costs of the removal of said cause and the remanding thereof to the State Court.

*Boyer H. Swartz*  
U. S. District Judge

Dated this 17th day of January, 1953.

F.C.S.

1/29/53

UNITED STATES DISTRICT COURT  
 THE FEDERAL DISTRICT OF OKLAHOMA

UNIT 2, TRACT NO. 5, et al.,	)	
	)	
Plaintiff	)	CIVIL ACTION NO. 3153
	)	
-vs-	)	
	)	
2.60 Acres of land, more or	)	JUDICIAL CONFIRMING
less, situated in Tulsa County,	)	REPORT OF THE COMMISSION
Oklahoma, and Norman V. Kirk-	)	REASONS
huff, et al., and Unknown	)	
Owners,	)	FEB 4 1953
	)	
Defendants	)	

NOBLE C. HOFF  
 Clerk U. S. C.

For on this 5th day of February, 1953, 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 29th day of December, 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 subdivision (c) of Rule 53, and in such proceedings be governed by the provisions of paragraphs 1 and 2 of subdivision (d) of Rule 53.

Pursuant to the order issued by this Court on the 29th day of December, 1952, and after proper notice, the commission conducted a hearing in the Federal District Court Room at Tulsa, Oklahoma, on the 2nd day of January, 1953, wherein plaintiff was represented by its attorney, Curtis L. Harris, special assistant to the United States Attorney, and defendants interested in Tract No. 5 were represented by their attorneys, Cooper,inters, and J. W. Williams. All parties presented testimony of witnesses and introduced evidence. The commission has filed its report and the same should be approved.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the award set forth in the report of Commission 2 to the land involved in this proceeding be, and the same is hereby, confirmed and approved in every respect by this Court, and in the following amount, to-wit:

Tract No. 8

Commission's award . . . . .	1,321.00
deposited . . . . .	<u>700.00</u>
deficiency . . . . .	550.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said amount is final in all respects as to the fair, cash, market value of this tract 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 AND DECREED that the United States of America, plaintiff, deposit the sum of \$550.00 into the registry of this Court to cover the deficiency as hereinabove set out.

IT IS FURTHER ORDERED AND DECREED that said sum of \$550.00 bear interest at the rate of six per cent from the 6th day of November, 1952, until paid.

(s) W. R. Wallace  
JUDGE

U.S.

UNITED STATES OF AMERICA, Plaintiff

By (s) Curtis P. Harris  
Special Assistant to the United States Attorney, Dept. of Justice

FEDERAL DISTRICT COURT OF OKLAHOMA

OKLAHOMA DISTRICT COURT

Debit Trustees of Okla. ...

Plaintiff,

v.

No. 1927 Civil

R. H. ... and Stella ...  
Defendants

Defendants

WALTER C. BOGGS  
Clerk of District Court

OFFICE CONFIDENTIAL

On the 12th day of February, 1967, there was heard and heard the motion of the plaintiff to require the defendants to produce and file the ...  
John ... of United States Attorney, for the Northern District of Oklahoma, and ... in objection thereto, and the court having examined the proceedings and heard proof, finds that on December 11, 1966, an alias execution was issued by the clerk of this court to the United States Marshal for the Northern District of Oklahoma and that said marshal, not finding any goods or chattels of the defendants, did on the 12th day of December, 1966, levy said execution upon the following bank of the debtors, R. H. ...  
Under and Stella ...

That ... of Block 28, Original Town of ... Creek County, Oklahoma, ... follows: Beginning at ... point ... east of the southeast corner of Section 17, ... north of north east corner of fractional Block 15, ... of Section ... thence ... north line of ... to the east line of the ... of ... north ... 80 feet ... to the east line of ... there ... to point of beginning.

In pursuance of the judgment of this court to ... 1967, directing and authorizing the United States Marshal to levy execution upon the above described business.

THE COURT further finds from an examination of the proceedings ... that the proceedings have been verified in all respects in conformity to law, that the writ and levy ... of said writ was given by publication for ... (3) days in the ... of Oklahoma, as stated by the proof of publication on file hereto ...

the day fixed therein, to-wit, the 2nd day of February, 1958, said property was sold to Thomas H. Wallace, he being the highest and best bidder therefor and said property having sold for more than two-thirds (2/3) of the appraised value thereof, as determined by three housekeepers appointed by said marshal and said sale being legal in all respects.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that said sale and proceedings be and the same are hereby approved and confirmed and

IT IS FURTHER ORDERED that Virgil B. Stanley, as United States Marshal for the Northern District of Oklahoma, make and execute to the said Thomas H. Wallace a good and sufficient deed for the said premises so sold.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the Clerk of this Court, out of the monies deposited with him by the United States Marshal from said sale, pay all costs of the sale, court costs, pay E. J. Stephenson, County Treasurer of Creek County, the sum of \$164.07, delinquent taxes on above described property, pay John E. McCune the sum of \$2.50, said by him to the Clerk of District Court of Creek County for docketing a certified copy of judgment therein, pay to the plaintiff the sum of \$265.47 as principal and the sum of \$24.69 as interest upon this judgment and upon such payment that said judgment be released and the residue be paid to the defendant, Stella Lowe Sartzlander.

19 W. R. Wallace  
UNITED STATES DISTRICT JUDGE

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

HENRY SEARAN, BENNY SEARAN as next friend of FRANK LEE SEARAN, a minor,

Plaintiff,

-vs-

FRANK LEE SEARAN,

Defendant.

No. 3904 Civil

FILED

APR 20 1953

C P D 211  
DISMISSING CAUSE WITH PREJUDICE

NOBLE C. HOOD  
Clerk U. S. District Court

This matter came on to be heard before me, the undersigned Judge of the United States District Court for the Northern District of Oklahoma, on the 20th day of April, 1953. The Court, after the parties had argued and a fair and equitable settlement was further found that this cause should be dismissed with prejudice to the bringing of another lawsuit.

WHEREFORE, it is so ordered, advised and decreed that this cause do, and the same do, hereby dismissed with prejudice to the bringing of another lawsuit.

W. B. Wallace

Judge of the United States District Court

ROBEY BROTHERS CORPORATION,  
a Corporation, )  
Plaintiff, )  
vs. )  
R. T. ROBEY, JR. )  
d/b/a ROBEY CORPORATION )  
CORPORATE TRUST COMPANY, )  
a Corporation )  
Defendant. )

No. 3130-C

FILED

1953 JAN 27

NOBLE C. HOOD  
Clerk U. S. District Court

JUDGMENT AND DECREE

Now on this 27<sup>th</sup> day of July, 1953, the above entitled cause having come on to be heard before this Court on the pleadings and proof, and the said cause having been fully argued by the attorneys for the respective parties, upon all prior proceedings and evidence herein, and upon the findings of fact and conclusions of law filed in this cause on the 27<sup>th</sup> day of July, 1953, and pursuant to the oral opinion of this Court announced on the 12th day of January 1953, IT IS

ORDERED, ADJUDGED AND DECREED as follows:

1. That Plaintiff has complied with all the terms and conditions of the option to purchase the property hereinafter described, granted to the Plaintiff by the defendants by letter dated October 10, 1951, a copy of which is attached to the complaint herein and the Plaintiff is hereby declared and adjudged to be the owner of the following described property referred to in said letter, to-wit:

- 1 - Caterpillar D7 Tractor, Serial No. 4TH4532, equipped with Caterpillar 7A Angledozer, Caterpillar 12 1/2 front power control unit, Hyster D7 1/2 inch, crankcase guard, pull hook and electric starting. (Tractor equipped with straight blade, also angleblade.
- 1 - 1949 International Pickup 1 Ton, Serial No. 5677.
- 1 - 1950 Chevrolet two ton truck, equipped with Braden winch, headache rack, Leland oilfield bed, with gin poles, rolling tail board, snatch blocks, and 1950 Leland Pole trailer with electric brakes. Serial No. STAF-5667, Trailer serial no. 48-332.
- 1 - 1950 Chevrolet, 2 ton truck, equipped with Braden winch, headache rack, Leland oilfield beds, with gin poles, rolling tail board, snatch block, and 1950 Leland Pole trailer with electric brakes. Serial No. 15-410 3902 Trailer Serial No. 48-334.

- 1 - 1949 Chevrolet 1/2 Ton Pickup, Serial No. 10-496.
- 1 - Caterpillar D2 Tractor, Serial No. 5J8054, 50" gauge, with Fyster 52 inch.
- 1 - D6 Caterpillar Tractor, Serial No. 905615, equipped with Trackson Model MD6 Pipelayer.
- 1 - D6 Caterpillar Tractor, Serial No. 905263, equipped with Trackson Model MD6 Pipelayer.
- 1 - D6 Caterpillar Tractor, serial No. 905531, equipped with Trackson Model MD6 pipelayer.
- 1 - D7 Caterpillar Tractor, Serial No. 3T13529, equipped with Model MD7 Trackson Pipelayer.
- 1 - D7 Caterpillar Tractor, serial no. 3T13263, equipped with Trackson Model MD7 Pipelayer.
- 1 - D7 Caterpillar Tractor, Serial No. 3T13136, equipped with Model MD7 pipelayer, with counterweights.
- 1 - D7 Caterpillar Tractor, equipped with Caterpillar 7A Angledozer, Caterpillar #24 front power control unit, Fyster 57 1/2 inch, crankcase guard, pull hook, electric starting, tractor Serial No. 3T12933.
- 1 - 1950 Chevrolet two ton truck, equipped with Braden Winch, headache rack, Leland oilfield bed with pin holes, rolling tail board, snatch blocks, and 1950 Leland Pole Trailer with electric brakes. Serial No. 5TMD-5660, Trailer Serial No. TS-333.
- 1 - 1946 Dodge Dump truck. Serial No. TE-143317.
- 1 - 1950 Chevrolet, two ton truck with platform body, Serial No. 14TRG-4254.
- 1 - D7 Caterpillar Tractor, Serial No. 3T14675, equipped with Trackson Model MD7 Pipelayer with 3500 lbs. counterweights.
- 1 - 1950 Chevrolet 1 1/2 Ton Stake Truck, Motor No. 314503, Serial No. 14-TD-F-2323.
- 1 - 1946 two ton Chevrolet Dump truck. Serial No. 14-02-06-6581.
- 1 - 1950 Chevrolet two ton truck, with platform body, Serial no. 14-TIP-3757.
- 1 - Caterpillar D7 Tractor, Serial No. 3T14671, equipped with Trackson Model MD7 Pipelayer and counterweights.

2. That the Clerk of this court shall, upon this judgment becoming final, deliver to the Defendants herein the cashier's check drawn by the Second National Bank of Houston Texas in the amount of \$15,530.00 payable to the Defendant, Holland Construction Company,

which check has heretofore been deposited with the Clerk by the Plaintiff herein.

3. That the Defendants recover nothing from the Plaintiff on the counterclaim filed herein and that the costs be assessed against the Defendant, Holland Construction Company, a corporation.

W. C. [Signature]  
United States District Judge

Approved as to form

\_\_\_\_\_  
Attorney for Plaintiff

\_\_\_\_\_  
Attorney for Defendant



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

E. R. BREWER, Administrator of the Estate of GEORGE BREWER, Deceased,

Plaintiff,

-vs-

No. 3193

MID-CONTINENT PETROLEUM CORPORATION,

Defendant.

MAR 10 1953  
FEDERAL CLERK  
U.S. DISTRICT COURT

ORDER OF DISMISSAL WITH PREJUDICE

Whereas, the plaintiff has filed his Dismissal with Prejudice in this cause pursuant to the authorization and direction of the County Court having jurisdiction over the Estate of GEORGE BREWER, deceased, and whereas the causes of action herein sued on have been extinguished by judgment rendered in the District Court of Delaware County, State of Oklahoma, and satisfied therein, and the causes of action herein sued on are now extinct and barred. And that this action should be dismissed with prejudice as of record.

NOW, THEREFORE, BE IT ORDERED, ADJUDGED, AND DECREED by the Court that this action be and the same is hereby dismissed in toto with prejudice at the cost of the plaintiff.

Witness my hand and seal of this Court this 6 day of March, 1953.

*D. W. K. [Signature]*  
JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

APPROVED:

*Riley Q. Hunt*  
RILEY Q. HUNT, Attorney for the Plaintiff.

SANDERS & McELROY

By *[Signature]*  
Attorneys for the Defendant

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

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

WATIE TURTLE,

Plaintiff,

- vs -

MID-CONTINENT PETROLEUM CORPORATION,

Defendant.

No. 2951

MAR 6 1955

MOORE & HOOKER  
U.S. DISTRICT COURT

ORDER OF DISMISSAL WITH PREJUDICE AT THE COST OF THE PLAINTIFF

Whereas, the plaintiff has filed his Application to Dismiss this Action with Prejudice, reciting that he has heretofore compromised and settled his claims against the Defendant herein.

NOW, THEREFORE, BE IT ORDERED, ADJUDGED AND DECREED by the Court that this action be and the same is hereby dismissed with prejudice at the cost of the plaintiff.

Witness my hand and the Seal of this Court this 6 day of March, 1955.

W. R. Wallace  
JUDGE OF THE UNITED STATES DISTRICT  
COURT FOR THE NORTHERN DISTRICT OF  
OKLAHOMA.

APPROVED:

Keith Smith  
KEITH SMITH, Attorney for  
Plaintiff.

SANDERS & MOELROY

by: Charles E. Sanders  
Attorneys for Defendant

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

Filed \_\_\_\_\_

PLAINTIFF,

vs

No. 3150

1943

DEFENDANT,

Defendant.

NOBLE C. MOORE  
Clerk U. S. District Court

C E R T I F I C A T E

This matter comes on for hearing this <sup>4th</sup> day of ~~October~~ <sup>September</sup>, 1943, on application of the parties herein.

The court was duly advised in the premises that:

That the case should be dismissed with prejudice at the cost of the plaintiff.

That, THEREFORE, the court has decreed and ordered that the above entitled cause be dismissed with prejudice.

(s) Bruce H. Swartz

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

CONTINENTAL CASUALTY COMPANY,

Plaintiff,

-vs-

HENRY H. HOBBS, ET AL,

Defendant.

NO. 3129

FILED

MAR 10 1953

ORDER OF DISMISSAL

NOBLE C. HOOD  
Clerk U. S. District Court

It is hereby ordered this 9th day  
of March, 1953, that the above entitled cause be dismissed for a  
good cause shown.

(s) George H. Savage

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Independent School District No. 29,  
Osage County, Oklahoma,

Plaintiff,

vs.

No. 2186 Civil

7.58 Acres of land in the Southeast  
Quarter of the Northwest Quarter of  
Section 18, Township 24 North, Range  
11 East, Osage County, Oklahoma, and  
Paul Pitts, allotted as Warren Pitts,  
Osage Allottee No. 763, Owner, and  
United States of America, and Oscar L.  
Chapman, Secretary of the Interior,

Defendants.

NOBLE C. HOOD  
Clerk U. S. District Court

O R D E R

This matter coming on for hearing this 10th day of March, 1953,

upon the motion to dismiss this action insofar as it pertains to Oscar L. Chapman, Secretary of the Interior and the court finds that said Secretary of the Interior is not an indispensable party to this action and venue does not exist in this district.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that this action be dismissed insofar as it pertains to Oscar L. Chapman, Secretary of the Interior.

AND IT IS SO ORDERED.

Ray H. Savage  
JUDGE

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

KAMO Electric Cooperative, (Incorporated, )  
a corporation, )  
Plaintiff )  
vs )  
Virginia Coard, et al., )  
Defendants )

Case No. 3163 - Civil

JUDGMENT CONFIRMING  
REPORT OF COMMISSION

Now on this 16th day of March, 1953, 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 16th day of January, 1953, 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 16th day of January, 1953, and after proper notice, the commission conducted a hearing in Room Number 1, at the Pawnee Indian Agency, Pawnee, Oklahoma, on the 18 day of February, 1953, wherein plaintiff was represented by his attorney, Jack L. Korschach, and defendants appeared by counsel, Whit Y. Mauzy, 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:

	<u>Tract No. 1</u>	
Commission's Award Deposited		\$ 150.00 <u>150.00</u>
	<u>Tract No. 2</u>	
Commission's Award Deposited		\$ 150.00 <u>150.00</u>
	<u>Tract no. 3</u>	
Commission's Award Deposited		\$ 200.00 <u>200.00</u>

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 Judgement 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 \$500.00 for all of the interests in the land involved in this proceeding.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Court Clerk of this Court is hereby directed and authorized to pay, <sup>to the Treasurer of the United States and forward</sup> to the deputy disbursing agent at Pawnee, Oklahoma, the sum of \$350.00, being \$150.00 due as the award for Tract No. 1 herein, and <sup>to the Treasurer of the United States and forward</sup> \$200.00 for the award for Tract No. 3 herein; and to pay, to the disbursing agent at Pawhuska, Oklahoma, the sum of \$150.00 as the award made herein for Tract No. 2.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that as to Tract No. 2 herein the following named persons are adjudged to be the owners of the interests therein, as set opposite each of their names as follows, to-wit:

Pearl B. McCagnan	1/2 interest
Mary Osage Green	1/4 interest
Ellen Revard	1/16 interest
Joanne Allen Waller	1/16 interest
Amos Allen	1/16 interest
Billie George Waters	1/16 interest

By Royce H. Savage  
Judge

O.K.

UNITED STATES OF AMERICA, Defendant

By Whit G. Murray  
U. S. District Attorney

Jack E. Korschach  
Attorney for Plaintiff

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

KAMO Electric Cooperative, Incorporated, )  
a corporation, )

Plaintiff )

vs )

Virginia Court, et al., )

Defendants )

Case No. 3163 - CIVIL

JUDGMENT ON DECLARATION  
OF TAKING

This day comes the plaintiff, the KAMO Electric Cooperative, Incorporated, a corporation, by Jack L. Horschach, Chief Counsel for KAMO Electric Cooperative, Incorporated, a corporation, and moves the Court to enter a judgment vesting in KAMO Electric Cooperative, Incorporated, 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 \$ 500.00, said amount being just compensation awarded the owners of the real estate involved in this proceeding by reason of such appropriation by KAMO Electric Cooperative, Incorporated, 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 KAMO Electric Cooperative, Incorporated, 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 Rex F. Lovey, Manager of KAMO Electric Cooperative, Incorporated, a corporation, the person only 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;



Tract No. 2

A strip of land 100 feet in width in the SE $\frac{1}{4}$  of Section 11,  
Township 23 North, Range 5 East of the Indian Base and Meridian  
in Pawnee County, Oklahoma, the center line of which is described  
as follows, to-wit:

Beginning at a point in the West boundary of said SE $\frac{1}{4}$ ,  
917.4 feet North of the Southwest corner thereof; thence in a  
Northeasterly direction to a point in the North boundary of  
said SE $\frac{1}{4}$ , 628.7 feet East of the Northwest corner thereof.  
3 Structures.

Tract No. 3

A strip of land 100 feet in width in the E $\frac{1}{2}$  NW $\frac{1}{4}$  of Section 29,  
Township 22 North, Range 5 East of the Indian Base and Meridian in  
Pawnee County, Oklahoma, the center line of which is described as  
follows, to-wit:

Beginning at a point in the South boundary of said E $\frac{1}{2}$  NW $\frac{1}{4}$ ,  
247.0 feet East of the Southwest corner thereof; thence in a  
Northeasterly direction to a point in the North boundary of  
said E $\frac{1}{2}$  NW $\frac{1}{4}$ , 92.0 feet West of the Northeast corner thereof.  
4 Structures.

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 KAMO Electric Coopera-  
tive, Incorporated, a corporation.

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

Entered this 10 day of March, 1953.

Ray A. Savage  
Judge

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

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA,  
A Corporation,

Plaintiff,

vs.

OSAGE DRIVE APTS., INC., A Corporation,

Defendant.

No. 3189 - Civil

**FILED**

MAR 11 1953

JUDGMENT

NOBLE C. HOOD  
Clerk U. S. District Court

On this 11<sup>th</sup> day of March, 1953, this cause coming on for trial upon the complaint of the plaintiff and the answer and stipulation of the defendant, and, after hearing the testimony of witnesses, the court finds that the plaintiff is entitled to judgment as prayed for.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the court that the plaintiff, The Prudential Insurance Company of America, have and recover of and from the defendant, Osage Drive Apts., Inc., a corporation, the sum of \$189,035.92, with interest thereon from June 1, 1952, at the rate of 4% per annum, attorneys' fees in the sum of \$10,300.00, and the costs of this suit.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that, by virtue of the mortgages set out in plaintiff's complaint, the plaintiff is hereby adjudged to have a first and valid lien upon the following described real estate, to-wit:

Lot One (1), Block Six (6), Osage Hills, an Addition to the City of Tulsa, Osage County, State of Oklahoma, according to the recorded plat thereof.

and upon the following-described personal property, now located upon the above-described real property, to-wit:

Hot Point Ranges, Serial Numbers 14-922-49 (RB 29); 12-304-44 (RB 27); 14-982-46 (RB 29); 14-982-38 (RB 29); 15-077-73 (RB 27); 14-982-47 (RB 29); 14-982-37 (RB 29); 14-982-36 (RB 29); 14-982-48 (RB 29); 14-982-35 (RB 29); 15-011-31 (RB 29); 15-001-35 (RB 29); 15-000-98 (RB 29).

Hot Point Refrigerators, Serial Numbers 83-306-190; 83-306-703;  
83-307-166; 83-306-633; 83-307-960; 81-074-851;  
81-074-799; 81-074-761; 82-080-898; 81-074-788;  
83-064-729; 83-316-444; 83-064-721.

Garbage Disposals, Serial Numbers 48-504-594; 48-505-033; 48-505-026;  
48-500-695; 47-806-937; 48-504-661; 47-806-946;  
48-604-428; 48-505-027; 48-604-947; 48-604-945;  
48-504-680; 48-504-657; 48-504-683; 48-605-862;  
48-605-880; 48-604-427; 48-605-866; 48-604-920;  
48-604-921; 48-605-881; 48-604-935; 48-604-431;  
48-604-466; 48-504-681; 48-504-434.

Launderal, Serial Number 21550.

Bendix, Serial Number 3247-S-642.

Also, all easily removable real estate items, namely, all plumbing equipment of every kind and nature, hot water heaters and water heating equipment, wall heaters of every kind and nature, chimes or doorbells, ventilating fans, electrical fixtures, floor furnaces, garbage disposal cans, laundry trays, screens, venetian blinds, and all other operating equipment of every kind and nature used in the operation of the housing project.

to secure the payment of the amount of the judgment above set forth, prior and superior to the rights, title, and interest of the defendant herein and all persons claiming under it since the filing of the complaint in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, in the event the judgment hereinabove rendered for the plaintiff, with interest, attorneys' fees, and costs, be not satisfied in full, immediately, the above-described lands, premises, and property be sold in one parcel by the United States Marshal for the Northern District of Oklahoma, at public auction to the highest bidder for cash; that at such sale, plaintiff may bid and become a purchaser, and the amount of the purchase price applied to the judgment of the said plaintiff; that after making such sale, the said Marshal shall make return to this court of his proceedings under this judgment, and that upon confirmation thereof, the said Marshal shall give to the purchaser a bill of sale to the personal property and a deed to the real estate sold under this judgment, and that said purchaser be let into possession of such premises and personal property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by the court that said property shall be sold at public sale at the premises hereinabove described.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Marshal, before making said sale, shall publish notice once a week for at

least four weeks prior to the sale in the Pawhuska Journal-Capital, a newspaper regularly issued and of general circulation in Osage County, Oklahoma, wherein the realty is located.

121 Royce H. Savage  
United States District Judge

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

Lee Roy Goins,

Plaintiff,

vs.

Thomas W. Geran,

Defendant.

No. 3177 Civil

**FILED**

MAR 11 1953

NOBLE C. HOOD  
Clerk U. S. District Court

DISMISSAL WITH PREJUDICE

Comes now the plaintiff, Lee Roy Goins, and asks the court to dismiss the above styled and numbered action pending in this court, with prejudice to the bringing of a future action.

Dated this 23rd day of February, 1953.

*Lee Roy Goins*  
\_\_\_\_\_  
Plaintiff

*Edward Lee*  
\_\_\_\_\_  
Attorney for Plaintiff

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

Dated this 11 day of Mar, 1953.

*Royce N. Savage*  
\_\_\_\_\_  
U. S. District Judge

rdh/mr

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Johnnie Beard and Beaise B. Beard, )  
 )  
 Defendants. )

No. 3109 Civil  
**FILED**

MAR 13 1953

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

J U D G M E N T

NOW on this 13th day of March, 1953, the above entitled cause coming on for trial and the plaintiff, the United States of America, appearing by Whit Y. Mauzy, United States Attorney and John W. McCune, Assistant United States Attorney, for the Northern District of Oklahoma and the defendants appearing not, the court proceeded to hear the evidence offered on behalf of the plaintiff and finds that the allegations set forth in the plaintiff's complaint are true, that the defendants were served a summons more than twenty days prior to this date and failing to answer or appear, should be adjudged to be in default.

THE COURT further finds that the plaintiff has filed herein the proper affidavit of non-military service which is found to be true.

THE COURT further finds the defendants are indebted to the plaintiff in the sum of \$96.74 with interest thereon at the rate of 6% per annum from November 5, 1951, upon a certain written promissory note, executed by them under the provisions of the Federal Housing Administration Act and assigned to the plaintiff.

IT IS THEREFORE ordered, adjudged and decreed by the court that the plaintiff have judgment against the defendants, Johnnie Beard and Beaise B. Beard in the sum of \$96.74 with interest thereon at the rate of 6% per annum from November 5, 1951 and for its costs, for all of which let execution issue.

*Royce H. Savage*  
DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

W. T. Churchill and Bertha Churchill,

Defendants.

No. 2916 Civil  
**FILED**

MAR 13 1953

ORDER CONFIRMING SALE

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

NOW ON THIS 13th day of March, 1953, and being presented to the court the return of Joe Madison, receiver, and said receiver appearing in person and the plaintiff appearing by Whit Y. Mausy, United States Attorney, and John W. McCune, Assistant United States Attorney for the Northern District of Oklahoma, and the court having heard the report of the receiver, advises that heretofore on March 2, 1953, an order was entered by this court directing the receiver to offer Lot 12, Block 7, Business Men's Addition to the City of Sapulpa, Creek County, Oklahoma for sale to the highest bidder and that bids were directed to be submitted to said receiver prior to March 12, 1953 and that said receiver did advertise said property for sale in the Sapulpa Legal News according to the directions of said offer and that the highest bid submitted to said receiver was by Joseph Nash and Gladys Nash in the sum of \$630.00, and that noone has offered to bid a larger sum.

THE COURT FURTHER finds that said sum bid is a larger sum than said property could have been sold for at the Marshal's sale held on February 3, 1953 when noone offered to bid the sum of \$600.00 for which said property could have been sold. The court further finds that said bid of \$630.00 is not disproportionate to the value of said property, and will pay the judgment of the plaintiff in full; and that said bid should be accepted, said sale confirmed and the receiver directed to execute a deed to said parties.

IT IS THEREFORE ordered, adjudged and decreed by the court that receiver report be approved, that said sale be confirmed for the sum of \$630.00 to Joseph Nash and Gladys Nash, and that the receiver execute the proper receiver's deed to said purchasers and that after such execution of said deed, that Joe Madison, receiver, be discharged and said receivership be terminated.

IT IS FURTHER ordered by the court that the receiver pay into the office of the court clerk the said sum of \$630.00 and that out of the said sum, the clerk pay the Sapulpa Legal News \$3.00, publication fee; \$93.20 - Court Costs; the principal of said judgment in the sum of \$411.86 and interest thereon in the amount of \$121.94.

*Royce H. Savage*  
DISTRICT JUDGE



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

The Home Insurance Company,  
a corporation,  
Plaintiff,

-vs-

Frances Ashley; I. W. Ashley; and  
The First National Bank, Cleveland,  
Oklahoma, a corporation,  
Defendants.

No. 3202 - Civil

FILED

MAR 13 1953

NOBLE C. HOOD  
Clerk U. S. District Court

DECREE

Now on this 6th day of March, 1953, this cause comes on for hearing, and it appearing to the Court that process has been issued according to previous order of this Court, and served upon the defendants, and each of them, according to law, and it further appearing that the plaintiff, as a stakeholder, has heretofore deposited with the registry of this Court the sum of \$4,500.00, the same being the entire proceeds of its Standard Fire and Lightning Policy No. 2725, issued to one Ed Ashley, and to Frances Ashley, and it further appearing that the defendant Frances Ashley has filed an answer establishing her rights to the proceeds of said policy, and it further appearing that the defendant I. W. Ashley is in default, and it further appearing that the defendant The First National Bank, Cleveland, Oklahoma, a corporation, has filed a disclaimer to the proceeds of said policy;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendants, and each of them, be, and are hereby, perpetually enjoined, and restrained from instituting or prosecuting any suit or proceeding against this plaintiff in any state or Federal court on account of said policy of insurance.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant Frances Ashley have judgment against the defendants I. W. Ashley and The First National Bank, Cleveland, Oklahoma, a corporation, for the balance of the proceeds of the said policy, after the payment from

said proceeds to the plaintiff of the costs of this action and its attorney fees.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of this Court shall forthwith pay out of the fund heretofore deposited by plaintiff the sum of \$48.30 to The Home Insurance Company for its costs in this cause, and the sum of \$300.00 to Batterfield, Franklin & Harmon, attorneys for the plaintiff herein, as their fee for their services in the prosecution of this suit, and the sum of \$4,154.70 to the defendant Frances Ashley as her judgment against the other defendants.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendants I. W. Ashley, and The First National Bank, Cleveland, Oklahoma, a corporation, and each of them, be, and are hereby perpetually enjoined and restrained from instituting or prosecuting any suit or proceeding against the defendant Frances Ashley in any state or Federal court on account of said policy of insurance and from otherwise laying claim to the proceeds thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff, The Home Insurance Company, a corporation, be discharged from all liability under its said policy of insurance.

*W. B. Wallace*  
\_\_\_\_\_  
U. S. DISTRICT JUDGE

O.K.  
BATTERFIELD, FRANKLIN & HARMON

By *Ben Franklin*  
\_\_\_\_\_  
Attorneys for Plaintiff

O.K.  
*A. Langley Coffey*  
\_\_\_\_\_  
A. LANGLEY COFFEY, Attorney  
for Defendant Frances Ashley

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

COMMERCIAL STANDARD INSURANCE  
COMPANY, an insurance corporation,

Plaintiff

vs.

VERVA BAUMGART, RUDOLPH D. FLOWMAN  
and the CITY OF TULSA,

Defendants

No. 3060 Civil

FILED

MAR 17 1953

NOBLE C. HOOD  
Clerk U. S. District C

ORDER OF DISMISSAL

On the 13th day of March, 1953, the motion to dismiss, filed by defendant Rudolph D. Flowman and defendant City of Tulsa, duly and regularly came on for hearing. Defendant Rudolph D. Flowman appeared by his attorney of record, Max G. Cohen, defendant City of Tulsa appeared by A. H. Widdows, City Attorney, and Edmund Lashley, Assistant City Attorney. Plaintiff Commercial Standard Insurance Company appeared by its attorneys of record, Hudson, Hudson and Wheaton. The Court, having heard statements of counsel and being fully advised in the matter, finds that said motion should be sustained and the above cause dismissed for failure of service of process or summons upon Verva Baumgart, herein named defendant, and who is <sup>an</sup> indispensable party to this cause. IT IS THEREFORE ORDERED that the motion to dismiss shall be and is hereby sustained and the above cause of action is hereby dismissed.

151 Royce H. Savage  
Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Bruce Bigby,

Defendant.

No. 4199 Civil

FILED

MAR 17 1953

NOBLE C. HOOD  
Clerk U. S. District

*Dismissed*  
~~ORDER OF RECONSTITUTION~~

NOW ON this 16th day of March, 1953, the above entitled matter coming on for hearing and the 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 in person and by his attorney, Q. M. Dickison, and the court having heard the evidence finds that the defendant has heretofore removed from the said premises and vacated. That Jack Walker, Indian owner stated in open court that he was now in possession of said land as the defendant had vacated and that he had refunded to the defendant, his 1953 rent paid to him.

THE COURT further finds that the plaintiff's request for judgment against the defendant for rent on said premises from January 1, 1953, to date should be denied for the reason that said defendant has placed improvements on said premises in excess of the value of said use of said premises during said time.

THE COURT finding that there are no issues to be determined, that said action should be *dismissed* ~~discontinued~~ at the cost of the defendant.

*W. Royce Savage*  
DISTRICT JUDGE.

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

Independent School District No. 29,  
Osage County, Oklahoma,

Plaintiff,

vs.

7.56 Acres of land in the Southeast  
Quarter of the Northwest Quarter of  
Section 18, Township 24 North, Range  
11 East, Osage County, Oklahoma, and  
Paul Pitts, allotted as Warren Pitts,  
Osage Allottee No. 763, Owner, and  
United States of America,

Defendants.

Civil File  
No. 3180

FILED

MAR 23 1953

NOBLE C. HOOD  
Clerk U. S. District

D. S. V. E. L.

This cause came before the court for trial on March 16,  
1953. The plaintiff appeared by W. B. Hamilton, its attorney.  
The defendants appeared by Whit V. Mausey, United States Attorney,  
their attorney.

After opening statement of counsel the plaintiff introduces  
its evidence and rests. The defendants introduce no evidence.  
They rest.

The court finds that it has jurisdiction of the subject  
matter and of the parties; that plaintiff has the right to acquire  
fee simple title of real property by condemnation proceedings under  
the power of eminent domain; that to provide the necessary athletic  
training and recreational facilities the plaintiff is in need of  
acquiring the real property described in its complaint and herein  
described, to wit:

a tract of land lying in the Southeast Quarter of  
the Northwest Quarter of Section 18, Township 24  
North, Range 11 East and described as follows:

Beginning at a point on north boundary and S88°55'11"  
for a distance of 495.0 feet from the northeast corner  
of said Southeast Quarter of Northwest Quarter of  
Section 18, Township 24 North, Range 11 East; thence  
S00°09'11" for a distance of 660.0 feet; thence S88°55'11"  
for a distance of 500.0 feet; thence N00°09'11" for a  
distance of 660.0 feet; thence N88°55'11" for a dis-

tance of 500.0 feet to the point of beginning and containing 7.58 acres, more or less;

that plaintiff has been unable to acquire title to said property by purchase.

The court further finds that the fair cash market value of said real property is the sum of \$1,179.00.

IT IS THEREFORE ORDERED AND DECREED that on payment by the plaintiff of the said sum in the manner herein directed, the fee simple title of the real property above described, subject to the reservation of oil, gas, coal and other minerals to the Osage tribe of Indians, as provided in the Act of Congress of June 28, 1906 (34 Stat. L. 539) and the right to complete possession thereof, be vested in the plaintiff, free and clear of all ownership and right of possession of the defendant, Paul Pitts, Osage Allottee No. 763, and all persons claiming by, through or under him.

The plaintiff is directed to pay the said sum to the United States District Court at Tulsa, Oklahoma. On receipt of said payment the clerk of this court is directed to disburse the same by sending to the Osage Agency at Pawhuska, Oklahoma, voucher therefor payable to the Treasurer of the United States of America for Paul Pitts, Osage Allottee No. 763. And on receipt of said payment the clerk is directed to furnish to the plaintiff certified copy of this decree, which certificate is to contain statement that payment has been made.

Boyer H. Savage  
Judge

O. K.

Wm. H. Hamilton  
(Wm. H. Hamilton)  
Attorney for Plaintiff

Wm. H. Hamilton  
(Wm. H. Hamilton)  
United States Attorney,  
Attorney for Defendants

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Myron W. Rough, et al, )  
 )  
 Defendants. )

No. 3146 Civil FILED

MAR 26 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER CONFIRMING MARSHAL'S SALE

NOW, on this 26th day of March, 1953, there coming on for hearing the motion of the plaintiff to confirm marshal's sale of real estate and the plaintiff appearing by Whit Y. Mauzy, United States Attorney, and John W. McCune, Assistant United States Attorney, for the Northern District of Oklahoma, and no one appearing in objection thereto, and the court having examined the proceedings and heard proof, finds that on January 29, 1953, an execution and order of sale was issued by the clerk of this court to the United States Marshal for the Northern District of Oklahoma directing said marshal to levy on and sell the following described lands of the debtors, Myron W. Rough, et al, located in Washington County, State of Oklahoma, to-wit:

Part of Section Twenty-five (25), Township Twenty-three (23) North, Range Thirteen (13) East, to-wit: Beginning at the Northeast corner of the Northeast quarter of the Southwest Quarter of said Section; Thence South along the East boundary line of said sub-division, 660 feet; thence west parallel with the North boundary line of same, about 105.5 feet to the East line of the right-of-way of the Atchison, Topeka & Santa Fe R.R.; thence in a Northerly direction along the East line of said right-of-way about 682 feet to the intersection of the North boundary line of said sub-division; thence East about 267.5 feet to the place of beginning, containing 2.83 acres, more or less. AND Beginning at the center of said Section, thence North one-fourth ( $\frac{1}{4}$ ) mile; thence West to the Santa Fe Right-of-way; thence along said right-of-way in a southeasterly direction to the South line of said quarter section; thence East to the point of beginning, containing 10 acres, more or less,

and that said Marshal did on February 9, 1953, levy on the above described land and did appraise same.

THE COURT further finds from an examination of the proceedings of said marshal that the same have been performed in all respects in conformity to law, that due and legal notice of said sale was given by publication for thirty-two (32) days in the Bartlesville Enterprise, a newspaper printed in Washington County, State of Oklahoma, as shown by the proof of publication on file herein and that on

the day fixed therein, to-wit, the 23rd day of March, 1953, said property was sold to Robert M. Smith, he being the highest and best bidder therefor and said property having sold for more than two-thirds (2/3) of the appraised value thereof, as determined by three householders appointed by said marshal and said sale being legal in all respects.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that said sale and proceedings be and the same are hereby approved and confirmed and

IT IS FURTHER ORDERED that Virgil B. Stanley, as United States Marshal for the Northern District of Oklahoma, make and execute to the said Robert M. Smith a good and sufficient deed for the said premises so sold.

  
JOYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

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

THE UNITED STATES OF AMERICA,

Plaintiff

v.

SOUTHWESTERN OVERSEAS LINES, INC.,  
MISSOURI, MARINE AND OCEANIC  
COAST LINES, and TRANSCONTINENTAL  
BUS SERVICES, INC.,

Defendants.

CIVIL ACTION NO. 2893

FILED

MAR 27 1953

NOBLE C. HOOD  
Clerk U. S. District Court

FINAL JUDGMENT

Plaintiff, United States of America, having filed its complaint herein on June 26, 1951, and having filed its amendment to the complaint on January 23, 1953; the defendants having appeared herein and filed their respective answers to said complaint on January 18, 1952; and this cause having come on for trial November 13, 1952, and said trial having been completed November 13, 1952; and the court having filed its opinion herein January 23, 1953, and having filed its findings of fact and conclusions of law on March 27, 1953, finding and adjudging the defendants, and each of them, to have violated Sections 1 and 2 of the Sherman Act;

NOW THEREFORE, it is hereby **ORDERED, ADJUDGED and DECREED** as follows:

I

The court has jurisdiction of the subject matter hereof and of all the parties hereto. The amended complaint states a cause of action against the defendants and each of them under Sections 1 and 2 of the Act of Congress of July 2, 1890, entitled "An Act to Protect Trade and Commerce against Unlawful Restraints and Monopolies," as amended.

## II.

As used in this Final Judgment:

(A) "Terminal facilities" means the Union Bus Terminal at 319 South Cincinnati Street, Tulsa, Oklahoma now leased by defendants and operated by them as a bus terminal for joint and common use by defendants, other motor carrier tenants and their respective passengers and patrons;

(B) "Terminal agreement" means any contract, agreement or understanding to which the defendants or any of them, may be a party, relating to the control, management or operation of terminal facilities, and governing the use of such terminal facilities by motor carriers and their passengers;

(C) "Motor carrier" means a common carrier by motor vehicle of passengers and their effects;

(D) "Union Transportation Company" means Union Transportation Company, a partnership organized under the laws of the State of Oklahoma, and any successor thereto.

## III.

The defendants, and each of them, have violated and are now violating Section 1 of the Act of Congress of July 2, 1890, (26 Stat. 209, 15 U.S.C. Sec. 1) entitled "An Act to Protect Trade and Commerce against Unlawful Restraints and Monopolies," as amended, commonly known as the Sherman Act, by engaging in a combination and conspiracy to eliminate competition in the interstate transportation of passengers by motor vehicles.

## IV.

The defendants, and each of them, have violated and are now violating Section 2 of said Sherman Act by engaging in an attempt to monopolize a part of trade and commerce among the several States of the United States in the transportation of passengers by motor vehicles.

V

The provisions of this Final Judgment applicable to any defendant shall apply to each such defendant and to each of its officers, directors, agents, employees, subsidiaries, successors and assigns, and to all other persons acting under, through or for such defendant.

VI

Defendants are jointly and severally enjoined and restrained from entering into, adhering to, maintaining or furthering any contract, agreement, arrangement, understanding or combination to restrict, limit or prevent the Union Transportation Company from enjoying the privileges and benefits of the terminal facilities on a basis of equality with any defendant.

VII

Defendants are jointly and severally ordered and directed, forthwith to:

(A) Reinstated the Union Transportation Company in the terminal facilities and allow the Union Transportation Company to use the said terminal facilities upon such reasonable and non-discriminatory terms and conditions as will, with respect to the use, character and cost of service, place the said Union Transportation Company on a basis of equality with any defendant.

(B) Take such steps as may be reasonable and necessary to insure the full and complete use by the Union Transportation Company of the terminal facilities as heretofore provided in subsection (A) of this Section.

VIII

Defendants are jointly and severally enjoined and restrained from, directly or indirectly, through terminal agreements or otherwise, discriminating against Union Transportation Company in its use and enjoyment of said terminal facilities in any manner, including, specifically, but not limited to, the following:

- (A) The sale and issuance of tickets at said terminal facilities;
- (B) The routing of passengers pursuant to tickets sold and issued at said terminal facilities;
- (C) The dissemination of travel information to the public, including information with respect to motor carrier schedules and times of arrival and departure of motor vehicles using said terminal facilities;
- (D) The terms and conditions upon which motor carriers are permitted to use terminal facilities.

**IX**

Each defendant is hereby enjoined and restrained from urging, causing or inducing, or attempting to urge, cause or induce, in any manner, the Union Transportation Company to:

- (A) Restrict, limit, abandon or terminate any service heretofore or hereafter provided by it;
- (B) Limit, restrict or cause competition with any defendant or any other motor carrier.

**X**

The defendants are jointly and severally enjoined and restrained from, directly or indirectly, excluding Union Transportation Company, or otherwise denying to Union Transportation Company the privileges and benefits of such terminal facilities except upon application to, and approval by, this Court.

**XI**

The defendants are ordered and directed forthwith to give to each employee or agent connected with the management or operation of the terminal facilities, and to each motor carrier using such terminal facilities jointly with the defendants, notice of the provisions of this Final Judgment.

### XII

For the purpose of securing compliance with this Final Judgment and for no other purpose, duly authorized representatives of the Department of Justice shall, upon written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, and upon reasonable notice to any defendant herein made to the principal office of such defendant, be permitted, subject to any legally recognized privilege, (A) access, during the office hours of said defendant, to all books, ledgers, accounts, correspondence, memoranda and other records and documents in the possession or under the control of said defendant relating to any of the matters contained in this Final Judgment, and (B) subject to the reasonable convenience of said defendant and without restraint or interference from it, to interview officers and employees of such defendant, who may have counsel present, regarding such matters. Upon written request of the Attorney General, or the Assistant Attorney General in charge of the Antitrust Division, on reasonable notice to any defendant herein made to its principal office such defendant shall submit such written reports as may from time to time be reasonably necessary to the enforcement of this Final Judgment. No information obtained by the means provided in this Section XII shall be divulged by the Department of Justice to any person other than a duly authorized representative of the Department of Justice except in the course of legal proceedings to which the United States is a party for the purpose of securing compliance with this Final Judgment or as otherwise required by law.

### XIII

Jurisdiction is retained by this court for the purpose of enabling any of the parties to this Final Judgment to apply to the court at any

time for such further orders and directions as may be necessary or appropriate for the construction or carrying out of this Final Judgment, for the amendment, modification or termination of any of the provisions hereof, for the enforcement of compliance therewith and for the punishment of violations thereof.

XIV

Judgment is entered against the defendants for all costs to be taxed in this proceeding.

Dated:

United States District Judge

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

RUDOLPH O. HANS, )  
 )  
Plaintiff )  
 )  
vs. )  
 )  
FARNSWORTH & CHAMBERS CO., )  
a Corporation, )  
Defendant )

No. 3061

FILED

APR 1 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL

Now on this 31st day of March 1953 the above cause comes on regularly for trial and the defendant announced ready for trial and the Plaintiff moved the court for an order of dismissal without prejudice and after hearing statements of counsel,

IT IS ordered, adjudged and decreed by the court as follows:

1. That said cause be dismissed without prejudice to future action upon the payment of the sum of \$250.00 by the Plaintiff to the clerk of this court. Within thirty days from and after the date hereof for the use and benefit of the Defendant to reimburse the said Defendant for attorney's fees and expenses incurred in the defense of said cause.

2. That said cause be dismissed with prejudice to future action if the Plaintiff shall fail to comply with paragraph No. 1 of this order by paying the sum of \$250.00 to the clerk of this court within the time above specified, for the use and purpose above set out.

(Signed)

Royce H. Savage  
United States District Judge

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

\* \* \* \* \*

KENT EQUIPMENT COMPANY,  
A Corporation,

Plaintiff,

No. 3217

-vs-

REX MADERIA CANNING COMPANY, INC.,  
A Corporation,

Defendant.

FILED

APR 2 1953

NOBLE C. HOOD  
Clerk U. S. District Court

J U D G M E N T

The motion of the Plaintiff, Kent Equip-  
ment Company, a corporation, for judgment by default pursuant to  
rule 55 (b) (2), of the Federal Rules of Civil Procedure, having  
been duly presented to the Court and it appearing to the Court  
that the verified complaint of the Plaintiff in the above cause  
was filed in this Court on the 12th day of March, 1953; that on  
said date, the Defendant, ~~Rex~~ Maderia Canning Company, Inc., a  
corporation, duly entered in this cause its general appearance and  
waived the issuance and service of process and summons upon it and  
was duly served with a full true and exact copy of the complaint  
filed herein; and that no pleading, answer or other defense has  
been filed or made by the said Defendant; that default was entered  
on the 2nd day of April, 1953, in the office of the Clerk of  
this Court, and that no proceedings have been taken by the Defend-  
and since default was entered; that proper motion for default  
judgment was filed herein, and notice thereof duly served upon  
Defendant, and its attorney of record, and that Plaintiff is en-  
titled to the judgment and relief as prayed for in its complaint;

IT IS BY THE COURT HEREBY ORDERED,  
ADJUDGED AND DECREED, that Plaintiff have, and it is hereby  
granted judgment against the Defendant, Rex Maderia Canning Company,  
Inc., a corporation for the sum of \$4,112.48 together with interest  
thereon at the rate of 6 per cent per annum from the date hereof,  
together with its cost.

IT IS FURTHER ORDERED, that the Receiver  
herein do hold and preserve the assets of the Defendant corporation,  
and that said assets be liquidated in accordance with the further  
orders of this Court.

Dated at Tulsa, Oklahoma this 2 day  
of April, 1953.

  
United States District Judge

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

FEDERAL DEPOSIT INSURANCE CORPORATION, )  
Plaintiff, ) CIVIL NO. 2746  
vs. )  
PETE STAMPER, )  
Defendant, ) FILED  
N. W. GREEN, )  
Intervener. ) APR 7 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL

Now on this 7th day of April, 1953, the above matter came on to be heard upon motion of the plaintiff to dismiss the above entitled cause of action with prejudice; the plaintiff appearing by its attorneys, T. Austin Gavin, and Allen E. Barrow, the defendant, and intervener appearing by their attorney, Creekmore Wallace, and the court being fully advised in the premises, and on consideration thereof, finds that the motion for dismissal with prejudice should be sustained.

It is therefore ordered, adjudged, and decreed by the Court, that said cause of action, and all proceedings, therein, be dismissed with prejudice at the cost of plaintiff.

*(Signed)*  
Royce H. Savage  
UNITED STATES DISTRICT JUDGE.

Approved

T. Austin Gavin  
T. AUSTIN GAVIN,

Allen E. Barrow  
ALLEN E. BARROW,  
ATTORNEYS FOR PLAINTIFF.

Creekmore Wallace  
CREEKMORE WALLACE, ATTORNEY  
FOR DEFENDANT AND INTERVENER.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

RECEIVED

APR 8 1953

NOBLE C. HOOD  
Clerk U. S. District Court

UNITED STATES OF AMERICA,

Plaintiff

-vs-

118.44 Acres of Land, more or  
less, situate in Kayes County,  
State of Oklahoma, and Raymond  
G. Berry, et al., and Unknown  
Owners,

Defendants

3244

CIVIL ACTION NO. \_\_\_\_\_

JUDGMENT ON DECLARATION  
OF TAKING NO. 1

This day comes the plaintiff, the United States of America, by Curtis P. Harris, Special Assistant, United States 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, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipe lines in and to the property hereinafter described, and described in the Declaration of Taking No. 1 and in the Complaint filed herein.

Thereupon the Court proceeded to hear and pass upon said motion, the Complaint in condemnation and the Declaration of Taking No. 1 and finds that:

(1) Each and all of the allegations in said Complaint in condemnation and Declaration of Taking No. 1 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 Declaration of Taking No. 1 a statement of the authority under which, and the public use for which said lands and estate therein were taken is set forth;

(3) The Complaint in condemnation and Declaration of Taking No. 1 were filed at the request of Robert T. Stevens, Secretary of the Army of the United States, 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 No. 1 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 No. 1 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-NINE THOUSAND EIGHT HUNDRED TWENTY-FIVE AND NO/100 (\$59,825.00) 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 No. 1;

(6) A statement is contained in said Declaration of Taking No. 1 that the estimated amount of compensation for the taking of said property in the opinion of Robert T. Stevens, Secretary of the Army 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 No. 1, and the Acts of Congress approved February 26, 1931 (46 Stat. 1421, 40 U.S.C. 258a); April 24, 1888 (25 Stat. 94, 33 U.S.C. 591); August 1, 1888 (25 Stat. 357); March 1, 1917 (39 Stat. 948, 33 U.S.C. 701); June 28, 1938 (52 Stat. 1215); August 18, 1941 (33 U.S.C.A. 701b, et seq.); October 24, 1951 (Public Law 203 - 82d Congress); 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, CONSIDERED BY THE COURT, AND IT IS THE ORDER, JUDGMENT AND DECREE of the Court that the full fee simple title, 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 Declaration of Taking No. 1 and the depositing in the Registry of this Court of the sum FIFTY-NINE THOUSAND EIGHT HUNDRED TWENTY-FIVE AND NO/100 (\$59,825.00) 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 448.24 acres, more or less, and are described as follows,  
to-wit:

DECLARATION OF TAKING NO. 1

Tract No. 3014

That part of the SE 10.00 acres of Lot 7, lying West of the K O & G Railroad right-of-way, all in Section 2, Township 20 North, Range 20 East of the Indian Base and Meridian, situate in Mayes County, Oklahoma, and containing 1.02 acres, more or less.

Tract No. 3022

Lot 3, and that part of the West 23.08 acres of Lot 2, Lot 6, and NW/4 SW/4 NE/4 lying West of the KO&G RR right-of-way, all in Section 2, Township 20 North, Range 20 East of the Indian Base and Meridian, situate in Mayes County, Oklahoma, and containing 81.78 acres, more or less.

Tract No. 3043

N/2 N/2 SW/4 SE/4, that part of the S/2 SW/4 lying West of the KO&G RR right-of-way and that part of the N/2 N/2 SE/4 SW/4 lying East of the KO&G RR right of way, all in Section 26; and

Lot 4, E/2 SE/4 SE/4, SW/4 SE/4 SE/4, SE/4 NW/4 SE/4, in Section 27; and

Lots 1, 2 and 6, in Section 34; and

W/2 NW/4 and that part of the NE/4 NW/4 lying West of the KO&G RR right of way, in Section 35;

all in Township 21 North, Range 20 East of the Indian Base and Meridian, situate in Mayes County, Oklahoma, and containing 329.94 acres, more or less.

Tract No. 3044

All that part of NW/4 SE/4 lying South and West of Road, all in Section 26, Township 21 North, Range 20 East of the Indian Base and Meridian, situate in Mayes County, Oklahoma, and containing 35.50 acres, more or less.

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

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

Entered this \_\_\_\_\_ day of \_\_\_\_\_, 1953.

---

JUNE

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

(RECEIVED)

APR 8 1953

NOBLE C. HOOD  
Clark U. S. District Court

UNITED STATES OF AMERICA,

Plaintiff

-vs-

468.44 acres of land, more or  
less, situate in Mayes County,  
State of Oklahoma, and Raymond  
C. Barry, et al., and Unknown  
Owners,

Defendants

CIVIL ACTION NO.

**3244**

JUDGMENT ON DECLARATION OF  
TAKING NO. 2

This day comes the plaintiff, the United States of America, by Curtis P. Harris, Special Assistant, United States Attorney for the Department of Justice, and moves the Court to enter a judgment vesting in the United States of America, a perpetual and assignable right-of-way and easement for the construction, operation, maintenance and patrol of a road or highway, and drainage ditches in connection therewith, in and to the property hereinafter described and described in Declaration of Taking No. 2 and in the Complaint filed herein.

Thereupon the Court proceeded to hear and pass upon said motion, the Complaint in condemnation and Declaration of Taking No. 2, and finds that:

- (1) Each and all of the allegations in said Complaint in condemnation and Declaration of Taking No. 2 are true, and the United States of America is entitled to acquire the property by eminent domain for the purposes set forth in said Complaint;
- (2) In said Complaint in condemnation and Declaration of Taking No. 2 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 No. 2 were filed at the request of Robert T. Stevens, Secretary of the Army of the United States, the person duly authorized by law to acquire the lands and estate therein taken as described in said documents for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceedings;
- (4) A proper description of the lands sought to be taken, sufficient for

the identification thereof, is set out in said Declaration of Taking No. 2 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 No. 2 of the sum of money estimated by the acquiring authority to be just compensation for the estate taken in said lands, in the amount of TWENTY-FIVE AND NO/100 (\$25.00) 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 No. 2;

(6) A statement is contained in said Declaration of Taking No. 2 that the estimated amount of compensation for the taking of said property in the opinion of Robert T. Stevens, Secretary of the Army 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 No. 2, and the Acts of Congress approved February 26, 1911 (46 Stat. 1421, 40 U.S.C. 258a), April 24, 1886 (25 Stat. 94, 33 U.S.C. 591), August 1, 1888 (25 Stat. 357), March 1, 1917 (39 Stat. 948, 33 U.S.C. 701), June 28, 1938 (52 Stat. 1215), August 18, 1941 (33 U.S.C.A. 701b, et seq.), October 24, 1951 (Public Law 203 - 82d Congress), 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, 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, operation, maintenance and patrol of a road or highway, and drainage ditches in connection therewith, in and to the land hereinafter described, was vested in the United States of America upon the filing of the Declaration of Taking No. 2 and the depositing in the Registry of this Court of the sum TWENTY-FIVE AND NO/100 (\$25.00) 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 0.20 acre, more or less, and is described as follows, to-wit:

DECLARATION OF TAKING NO. 2

Tract No. MR-2-1

A right-of-way described by metes and bounds as follows:  
Beginning at the Northeast corner of the W/2 E/2 NW/4 NE/4  
NE/4 of Section 17; thence South 200 feet to a point; thence  
in a northwesterly direction along the arc of a curve to the  
left, the radius of which is 169.68 feet, to a point which is  
South 35 feet and West 167.69 feet from said point of begin-  
ning; thence North 35 feet to a point on the North line of said  
Section 17; thence East 167.69 feet along said North line to  
the point of beginning, except therefrom the right-of-way for  
an existing county road along said North line of Section 17;  
all in Section 17, Township 19 North, Range 19 East of the  
Indian Base and Meridian, situate in Mayes County, Oklahoma,  
and containing 0.20 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 \_\_\_\_\_ day of \_\_\_\_\_, 1953.

---

JUDGE

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

THE CONGREGATION OF BENEDICTINE  
SISTERS OF THE SACRED HEART, and  
MONTE CASSINO SCHOOL FOR GIRLS,  
TULSA, OKLAHOMA,

Plaintiffs,

-vs-

STANDARD ACCIDENT INSURANCE COMPANY,  
A CORPORATION,

Defendant.

No. 3219 Civil

**FILED**  
In Open Court

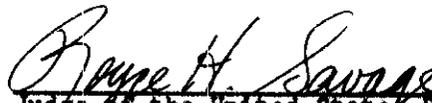
APR 8 1953

NOBLE C. HOOD  
Clark U. S. District Court

ORDER OF DISMISSAL

Now on this 8<sup>th</sup> day of April, 1953, pursuant to the  
regular assignment, there came on for hearing plaintiffs'  
Motion to Dismiss the above cause without prejudice. The  
Court finds that the questions and issues involved in said cause  
are <sup>not</sup> ~~not~~ ~~more~~ and that there is no justiceable controversy at this  
time.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the  
above captioned matter be dismissed without prejudice.

  
Judge of the United States District  
Court in and for the Northern  
District of Oklahoma.

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

LILLY PATRICK,

Plaintiff,

-vs-

JAMES DONALD DUNCAN,

Defendant.

No. 3178-Civil

FILED

APR 10 1953

J U D G M E N T

NOBLE C. HOOD

Clerk, U. S. District Court

This action came on regularly for trial

on the 21st day of January, 1953, Hughey Baker appearing as counsel for the plaintiff, and B. W. Tabor and Joseph M. Best appearing as counsel for the defendant. A jury of twelve persons was regularly empaneled and sworn to try said action, and witnesses on the part of the plaintiff and defendant were duly sworn and examined. After hearing the evidence, the arguments of counsel and the instructions of the court, the jury retired to consider their verdict and subsequently returned to court with the verdict signed by the foreman, and being called, answered to their names and say:

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

LILLY PATRICK,

Plaintiff,

-vs-

JAMES DONALD DUNCAN,

Defendant.

No. 3178-Civil

We, the jury in the above entitled case, duly empaneled and sworn, upon our oath find for the defendant and assess none damages at none dollars.

/s/ Paul M. Jones

Paul M. Jones, Foreman

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED, the defendant have judgment against the plaintiff, and the plaintiff have judgment against the defendant on his cross-petition.

Judgment entered January 21, 1953.

UNITED STATES DISTRICT JUDGE

By the Court:

Clerk

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff

-vs-

117.25 Acres of Land, more  
or less, situate in Mayes  
County, Oklahoma, and Estate  
of Earl G. Compton, et al.,  
and unknown owners,

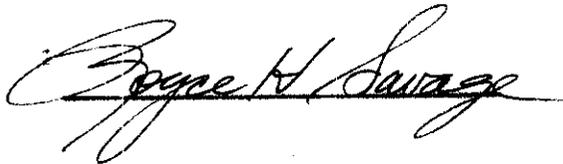
Defendants

CIVIL ACTION NO. 3098

ORDER FOR PAYMENT TO  
ATTORNEY APPOINTED TO  
REPRESENT CERTAIN  
DEFENDANT

Now on this 13<sup>th</sup> day of April, 1953, this cause comes on for  
consideration of the Court, and the Court, having been fully advised  
in the premises, finds that R. P. Colley, of Tulsa, Oklahoma, a member  
of the bar of the State of Oklahoma and of this Court, has performed  
valuable services in this cause as attorney for defendant, Herbert  
Compton, who is in the armed services of the United States.

IT IS, THEREFORE, ORDERED that the plaintiff, the United States  
of America, pay the said R. P. Colley the sum of \$ 25<sup>00</sup>  
in payment for his services rendered in this cause.



FILED

APR 15 1953

NOBLE C. HOOD  
Clark U. S. District Court

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

Robert C. Davis, and Davis  
Investment Company, a Corp.,

Plaintiffs,

-vs-

The Heirs, Executors, Administrators,  
Devisees, Trustees and Assigns, Im-  
mediate and Remote of James Goward,  
Creek Freedman, Roll No. F-787,  
Deceased, et al.,

Defendants.

No. 3206-Civil

FILED

APR 14 1953

NOBLE C. HOOD  
Clerk U. S. District Court

DECREE

Now on this 14 day of April 1953, there came on for trial the above styled and numbered cause. The plaintiff Robert C. Davis appeared in person, the plaintiff Davis Investment Company appeared by its officers and agents and both plaintiffs appeared by their attorneys, Gilliland, Withington, Shirk & Clifford, and the defendants, T. J. Stephenson, County Treasurer of Creek County, and the Board of County Commissioners of Creek County appeared by Clyde Patrick, County Attorney, and the other defendants appeared not, neither in person nor by attorney.

The Court thereupon examined the files herein, and being duly advised finds that heretofore and on the 16th day of February 1953 this Court entered its order pursuant to Section 1635, Title 28, U.S.C.A., requiring the absent defendants herein to appear or plead by a day certain; that said order was duly published in the Sapulpa Legal News for six weeks with the first publication thereof on the 10th day of February 1953; that copies of the said order were duly mailed to the absent defendants whose names could be ascertained; that it was not necessary that copies of the said order be served upon any person in possession for the reason that certain mineral interests only be involved herein; that this Court has full and complete jurisdiction over the absent defendants; that the said service upon all of the defendants herein is in full conformity with law and is hereby specifically approved.

The Oklahoma Tax Commission, having filed herein its disclaimer, is discharged without cost.

The Court finds that more than \$3,000.00, exclusive of interest and costs, is involved herein; that this controversy is one between citizens of different states; that there is a full and complete diversity of citizen- 251

ship between the plaintiffs and the defendants; and that this Court has full and complete jurisdiction to hear this cause.

The Court thereupon examined the Affidavit of Non Military Service as file herein, and being duly advised, finds that none of the substantial rights of the defendants would be prejudiced by a trial at this time and that the appointment of an attorney or the giving of a bond as provided by the Soldiers and Sailors Civil Relief Act of 1940, as amended, is not required.

Plaintiffs thereupon offered their evidence, oral and in writing; and after being duly advised and hearing arguments of counsel, the Court finds:

1. That the plaintiffs are the legal and equitable owners and are in possession by virtue of their production at this time therefrom of oil and gas of an undivided  $\frac{7}{8}$ ths of all the oil, gas and other minerals, being the  $\frac{7}{8}$ ths working interest, and commonly known as the "working interest", in and to real estate in Creek County, Oklahoma, and within the Northern District, described:

Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) of Section Twenty-one (21), Township Nineteen (19) North, Range Eight (8) East;

by reason of certain oil and gas leases, to-wit:

(a) Oil and gas lease dated 23 May 1931, from R. L. Briggs and Ella Briggs, Lessors, to Rex R. Moore and Kenneth A. Ellison, recorded in Book 625, Page 113, and by means assignments transferred to these plaintiffs.

(b) Oil and gas lease dated 17 October 1932, in favor of these plaintiffs and executed by Isabelle Brown Wilson and Alan Wilson, wife and husband; Sadie Brown Morgan and Oscar Morgan, wife and husband; and Fred Brown and Bessie Brown, husband and wife.

(c) One certain oil and gas lease dated 15 October 1931, executed by Sadie Morgan and O. R. Morgan, Lessors, and M. V. Lee, Lessee, recorded in Book 640, Page 139, and by assignment dated 30 October 1932, assigned to these plaintiffs.

(d) Oil and gas lease dated 14 October 1932, in favor of these plaintiffs and executed by Jimmie Canard, a single man, Lessor.

2. That all of said leases and assignments lease and convey or assign the undivided  $\frac{7}{8}$ ths working interest in and to the above described real estate; that said leases, together, lease or assign to plaintiffs the  $\frac{7}{8}$ ths working interest in and to real estate owned or claimed by all of the unknown heirs, as well as all other parties asserting heirship of one James Canard, Creek Freedman, Roll No. F-787, deceased, he being the original allottee and patentee of the said real estate.

3. That by one certain assignment dated 16 July 1951 and filed for record in the office of the County Clerk of Creek County on 23 July 1951 and recorded in Book 627 at Page 236 an undivided interest in the lease first above described was assigned by plaintiff Robert C. Davis to one E. L. Oliver; that the said assignment contained a warranty of the said title, and a covenant that the same be free and clear of all adverse claims; and that by reason thereof the said plaintiff, being the warrantor thereof, may maintain this action in his own name, both on behalf of himself and his warrantee in title.

4. That the said James Canard, the patentee and allottee of the said real estate died on or about the 13th day of May 1906, a resident of what is now known as Okfuskee County, Oklahoma; that there has been no determination of his heirs at law and next of kin by any Court having full jurisdiction thereof insofar as the interest in said real estate so owned by these plaintiffs be concerned; and that insofar as the interest in said real estate so owned by these plaintiffs, this Court has full and complete jurisdiction to determine the next of kin and heirs at law of James Canard, deceased.

5. That the royalty interest, commonly known as the fee or surface interest, is the subject of one certain action pending in the District Court of Creek County, Oklahoma, Cause 27937, Briggs vs. Canard; that all of the parties in said cause who are claiming an interest in and to the royalty or fee title interest have executed oil and gas leases to these plaintiffs as aforesaid; and that by reason thereof it is not necessary in this action that the rights of the parties in said Cause 27937 as so claimed by them before the District Court of Creek County be heard or determined.

6. That plaintiffs herein recognize that a controversy exists between their respective lessors and so presently pending in the District Court of Creek County; that because plaintiffs have oil and gas leases from all of the various claimants being parties in the said Cause 27937 there has been a full and complete severance of the said 7/8ths working interest and that these plaintiffs own and enjoy a separate estate therein entirely apart and distinct from the royalty interest or fee estate so the subject of the said litigation in the District Court of Creek County; and that these plaintiffs are entitled to proceed herein independently of any disagreement as to the ownership of the fee that may presently exist between the various lessors of the plaintiffs.

7. That one Maggie Brown who is also known as Maggie Canard and who is also known as Agnes Brown, Roll 5441, Census Card 1759, died a resident of Okfuskee County, Oklahoma, during the month of June 1908, and that she left as her next of kin and heirs at law the following, to-wit:

Levy Brown	Son
Sadie Brown, now Morgan	Daughter

and that thereafter and during the year 1930 the said Levy Brown died intestate leaving as his sole next of kin and heirs at law his surviving spouse and his son, Fred Brown; that the said surviving spouse is named Ida Belle Brown and is also known as Isabelle Brown, now Isabel Wilson, who is also known as Isabelle Brown, or Isabelle Wilson, that the said Isabelle Brown Wilson, the said Fred Brown and the said Sadie Brown, now Morgan, claim their common ancestor, to-wit: Maggie Brown or Maggie Canard, claimed some interest in and to the said real estate and premises; and that by reason of said claim, and because these plaintiffs own and hold valid and subsisting oil and gas leases from the said heirs of the said Maggie Brown or Maggie Canard, plaintiffs are entitled to a judgment quieting their title, against the unknown heirs, executors, administrators, devisees, trustees and assigns of Maggie Brown, also known as Maggie Canard, deceased, and the unknown heirs, executors, administrators, devisees, trustees and assigns of Levy Brown, deceased.

8. That heretofore one Morris W. Barnett claimed some interest in and to the said real estate; that the said Morris W. Barnett died intestate on or about the 4th day of May 1932; that he left as his next of kin and heirs at law, to-wit:

Clara Barnett	Wife
Loan Barnett	Son
Iona Barnett	Daughter

and that he did not leave surviving him any child or children, or any child or children of any deceased child or children; and that plaintiffs are entitled to a judgment quieting their title in and to the said 7/8ths working interest against the said heirs of Morris W. Barnett and against his unknown heirs, executors, administrators, assigns, trustees and devisees.

9. That heretofore one Elijah Canard claimed some interest in and to the said real estate and premises; that the said Elijah Canard was also known as Elijah Walker; that he died on or about the 21st day of August 1909 leaving as his next of kin and heirs at law the following, to-wit:

Polly Walker  
Jimmie Casard  
Johannie Casard

Wife  
Son  
Son

and that the said Polly Walker was also known as Polly Barnett; that the said Elijah Walker died leaving a will whereby the said Jimmie Casard and Johannie Casard were made residuary legatees; that his estate was probated in the County Court of Oklahoma County, Oklahoma, Case #1982; that whatever interest the said Elijah Casard had in and to the said real estate and premises passed to the said Jimmie Casard and Johannie Casard; and that the said Polly Walker also known as Polly Barnett took no interest in and to the claim of the said Elijah Casard; and that whatever interest the said Jimmie Casard and the said Johannie Casard so obtained from the said Elijah Casard has by means conveyance or oil and gas lease passed to these plaintiffs, and that the Polly Casard also known as Polly Barnett is now deceased; and that her heirs, executors, administrators, devisees, trustees and assigns are wholly unknown; and that plaintiffs are entitled to a judgment against the unknown heirs, executors, administrators, devisees, trustees and assigns of Elijah Casard, deceased; and against the unknown heirs, executors, administrators, devisees, trustees and assigns of Polly Walker, also known as Polly Barnett, determining and decreeing that they are wholly without any right, title or interest in and to the said 7/8ths working interest so owned by these plaintiffs.

10. That on the 28th day of May 1941 the County Treasurer of Creek County, Oklahoma sold at tax resale the above described premises and executed and delivered to the purchaser one certain tax deed; that the said tax deed was recorded in the office of the County Clerk of said county in Book 469 at Page 215; that the said tax resale was in all respects valid; and that by reason thereof all ad valorem taxes heretofore levied against the said real estate including the working interest owned by these plaintiffs for the first three quarters of 1940 and all prior years were cancelled, discharged and satisfied; and that plaintiffs are entitled to a judgment against T. J. Stephenson, County Treasurer of Creek County, and the Board of County Commissioners of said county, and their successors, determining and decreeing that insofar as the said working interest belonging to these plaintiffs be concerned, that all ad valorem taxes for the aforesaid years are cancelled, discharged and satisfied.

11. That the said James Canard was survived by his father, Elijah Canard, also known as Elijah Walker, and that the said Elijah Canard is the sole next of kin and heir at law of the said James Canard, deceased; and that in connection with this finding of fact the Court hereby specifically limits such finding to the undivided 7/8ths of the oil, gas and other minerals, known as the working interest, owned by these plaintiffs; and that the Court by this finding or by this judgment has in no respects entered, made or attempted to make any finding, determination or adjudication of the rights and interest of these parties claiming any portion of the fee or fee title or royalty interest.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiffs have and take judgment against the defendants and each of them, and all persons claiming by, through, and under them forever quieting their title in and to an undivided 7/8ths of all of the oil, gas and other minerals, and commonly known as the working interest, in and to real estate in Creek County, Oklahoma, described:

Southwest Quarter (SW/4) of the Northwest  
Quarter (NW/4) of Section Twenty-one (21),  
Township Nineteen (19) North, Range Eight  
(8) East;

and that the defendants and each of them be and hereby are wholly determined as without any right, title, demand, claim, interest or estate in and to the said mineral interest and estate owned by these plaintiffs.

It is Further Ordered and Decreed that the plaintiff Robert C. Davis have and take judgment in like tenor both on behalf of himself and his warrantee in title, one H. L. Oliver.

It is Further Ordered and Decreed that the next of kin and heirs at law of James Canard, deceased, be and hereby are determined as:

Elijah Canard                      Father

and that this determination of heirship be and hereby is specifically limited to the 7/8ths working interest in and to the oil, gas, and other minerals so owned by these plaintiffs.

It is Further Ordered and Decreed that the next of kin and heirs at law of Elijah Canard, also known as Elijah Walker be and hereby are determined to be:

Jimmie Canard                      Son  
Johnnie Canard                      Son

and that this determination of heirship be and hereby is specifically limited to the 7/8ths of oil, gas and other minerals owned by these plaintiffs.

It Is Further Ordered and Decreed that plaintiffs have and take judgment against the defendant, T. J. Stephenson, County Treasurer of Creek County, and the Board of County Commissioners of Creek County determining and decreeing that all ad valorem taxes for the first three quarters of 1960 and all prior years be and the same are hereby cancelled, discharged and satisfied.

It Is Further Ordered and Decreed that the defendants and each of them, and all persons claiming by, through and under them be and the same are hereby perpetually enjoined and restrained from ever asserting at law or in equity any demand or interest in and to the said real estate or premises, or forever disturbing plaintiffs, their heirs, successors and assigns from the ownership and enjoyment of the said 7/8ths of all the oil, gas and other minerals so owned as aforesaid by them.

181 Royce H. George  
United States District Judge

O.K.  
GILLILAND, WITHERSON, SHEEK & CLIFORD  
By

181 George H. Shirk  
Attorneys for Plaintiffs

O.K.

181 Clyde Patrick  
County Attorney

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Don E. Thornhill and Clara W. Thornhill, husband and wife, Plaintiffs,  
vs.  
Mid-Continent Petroleum Corporation, a corporation, Defendant.

Civil No. 3207

FILED

APR 14 1953

ORDER OF DISMISSAL

NOBLE C. HOOD  
Clerk U. S. District Court

This matter being before the Court on pre-trial conference, and it appearing to the Court from statements of counsel for both parties that the actions of defendant sought to be enjoined by plaintiffs herein have already been performed, and that the questions involved herein are now moot;

IT IS ORDERED that this action be and hereby is dismissed at plaintiffs' costs.

Dated this 14th day of April, 1953.

*Boyer H. Savage*  
Judge

*John Wheeler, Jr*  
Ok: *Ben Hatcher*  
*Attorney for Defendant*

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

United States of America, for  
the use of the Chapman Valve  
Manufacturing Company, a  
corporation,

Plaintiff,

-vs-

No. 2600-Civil.

Zschach Construction Company,  
a corporation, Pool Construction  
Company, a co-partnership  
composed of Vernon L. Pool and  
Jesse T. Pool, Western Casualty  
& Surety Company, a corporation,  
North American Casualty & Surety  
Reinsurance Corporation, a corpor-  
ation, and Excess Insurance  
Company of America, a corporation,

Defendants,

State of Oklahoma ex rel Oklahoma  
Employment Security Commission,

Intervener,

New Amsterdam Casualty Company,  
a corporation,

Cross-defendant.

FILED

APR 14 1953

NOBLE C. HOOD  
Clerk U. S. District Court

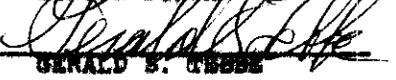
JOURNAL ENTRY OF JUDGMENT

This cause coming on for further hearing this  
14th day of April, 1953, the parties  
appearing by their respective counsel of record, and  
being submitted upon the evidence introduced by the  
parties and the briefs and arguments of counsel, this  
Court, being fully advised in the premises, finds that  
the intervener, State of Oklahoma ex rel Oklahoma Employ-  
ment Security Commission, is not entitled to relief  
as against the defendants or the cross defendant herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED  
that intervener take nothing as against the defendants  
and the cross-defendant.

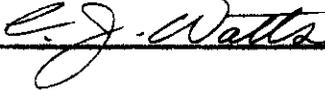
  
JOYCE H. SAVAGE  
JUDGE OF THE DISTRICT COURT  
OF THE UNITED STATES.

The foregoing Journal Entry  
of Judgment is hereby  
approved:

  
BOSTON DUNCANSON  
  
GERALD S. TESSE

ATTORNEYS FOR INTERVENER.

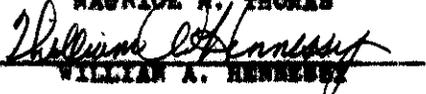
LOONEY, WATTS, ROSS, LOONEY & SMITH

By 

ATTORNEYS FOR DEFENDANTS POOL  
CONSTRUCTION COMPANY, WESTERN  
CASUALTY & SURETY COMPANY,  
NORTH AMERICAN CASUALTY &  
SURETY REINSURANCE COMPANY,  
AND EXCESS INSURANCE COMPANY  
OF AMERICA.

SMITH & ROGERS  
By 

ATTORNEYS FOR DEFENDANT  
ZSCHACH CONSTRUCTION COMPANY.

  
MAURICE M. THOMAS  
  
WILLIAM A. HENNESSY

ATTORNEYS FOR CROSS-DEFENDANT  
NEW AMSTERDAM CASUALTY COMPANY.

UNITED STATES DISTRICT COURT FOR THE NORTHERN

DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Roy E. Silkey and Esther Silkey,

Defendants.

FILED

No. 3224 Civil APR 16 1953

NOBLE C. HOOD  
Clerk U. S. District Court

J U D G M E N T

NOW, on this 15th day of April, 1953, the above entitled action coming on for hearing, the plaintiff, United States of America, appearing by Whit Y. Mauzy, United States Attorney, and John W. McCune, Assistant United States Attorney, for the Northern District of Oklahoma, and the defendants appearing not and the court having heard the evidence of the plaintiff and having examined the file, finds that said defendants were duly served with summons herein more than twenty days prior to this date and having failed to appear or answer is and should be adjudged in default.

The court finds that all the allegations of the plaintiff's complaint are true and that the defendants did for a valuable consideration and in accordance with the provisions of the Federal Housing Administration Act on December 13, 1947, execute a written promissory note in the sum of \$229.96 to the Oklahoma Material and Wrecking Company; and that said defendants did on June 18, 1947 execute to Oklahoma Material and Wrecking Company their written promissory note in the sum of \$632.39; that said defendants did on August 30, 1948 execute to Oklahoma Material and Wrecking Company their written promissory note in the sum of \$517.41; and that said defendants did on December 5, 1947 execute their written promissory note to Oklahoma Material and Wrecking Company in the sum of \$287.45, and that said defendants having defaulted in the payments on said notes, in accordance with the provisions of said act, said notes were thereafter assigned to the plaintiff and there is now due and owing upon said notes the sum of \$603.02 with interest thereon at the rate of 6% per annum from July 7, 1952.

The court further finds that the plaintiff has filed herein an affidavit of non-military service, which is found to be true.

The court further finds that said note was given for the purpose of paying for permanent improvements upon the homestead occupied by the defendants,

being Lots 8 and 9, Block 4, Utica Addition to the city of Tulsa, Tulsa County, Oklahoma, that the plaintiff is entitled to a lien upon the above described premises and by reason thereof the plaintiff is entitled to levy execution upon said premises for the collection of said judgment.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the court that the plaintiff have judgment against the defendants, Roy E. Silkey and Esther Silkey, for the sum of \$603.02, with interest thereon at the rate of 6% per annum from July 7, 1952, and for its costs, that the plaintiff having a lien upon the above described premises for said sum, and that the United States Marshal be and he is hereby authorized to levy execution upon the aforesaid premises.

15/ Royce W. Savage  
JUDGE

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

HOLLAND FURNACE COMPANY            )  
  Complainant    )  
  vs.                                    )    No. 3190 Civil  
MORAL INSURANCE COMPANY            )  
  Defendant        )

FILED

APR 17 1953

NOBLE C. HOOD  
Clerk U. S. District Court

DECREE

In conformity with the findings of fact and conclusions of law filed herein, judgment is hereby entered for the complainant.

IT IS ORDERED, ADJUDGED AND DECLARED that the defendant, Moral Insurance Company, is obliged to indemnify the complainant under the policy of insurance issued Thomas W. Bryson against loss by reason of the claim and suit of J. G. Mix vs. Thomas W. Bryson and Holland Furnace Company, No. 127,461, pending in the District Court of Oklahoma County, Oklahoma, to the extent of Five Thousand Dollars, and to furnish services of counsel to the complainant for its defense in the suit, and that complainant recover its costs herein.

DATED this 17 day of April, 1953.

W. Royce H. Savage  
UNITED STATES DISTRICT JUDGE

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

GEORGE WILLIE JONES,

Plaintiff,

-vs-

CHARLES E. BELVEAL and  
TOM DEATON BELVEAL,

Defendants.

No. 3846 Civil

FILED

APR 24 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER REMANDING CAUSE TO DISTRICT COURT OF CREEK COUNTY, OKLAHOMA

This cause came on for hearing on this 22nd day of April, 1953, on plaintiff's Motion to Remand, at which time plaintiff appeared by his attorneys, Streeter Speakman, Jr., and David E. Sanders, and the defendants appeared by their attorneys, Bryan Tabor and Gurney Cox. The Court, after having considered the affidavits, evidence, and statement of counsel, finds that the defendants have failed to allege and prove any fraudulent misjoinder by the plaintiff and his counsel of the defendant, TOM DEATON BELVEAL, with the defendant, CHARLES E. BELVEAL, for the purpose of avoiding jurisdiction of this Court. The Court further finds that plaintiff's Motion to Remand should be sustained, and that this cause should be remanded to the District Court of Creek County, State of Oklahoma.

NOW, THEREFORE, BE IT ORDERED, ADJUDGED AND DECREED by the Court that Motion of the plaintiff to Remand be and the same is hereby sustained, and this cause be and the same is hereby remanded to the District Court of Creek County, State of Oklahoma.

Done in open Court the day and year above written.

(5) *Boyce H. 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

AMERICAN EXHIBITS, INC.,  
a Corporation,

Plaintiff,

-vs-

JACK COOPER TRANSPORT CO.,  
INC., et al,

Defendants.

No. 3058 Civil

FILED

APR 29 1953

NOBLE C. HOOD  
Clerk U. S. District Court

DISMISSAL WITH PREJUDICE

Comes now the plaintiff, American Exhibits, Inc., and dismisses  
its cause of action against the defendants, and each of them, with prejudice  
to any further and future action.

AMERICAN EXHIBITS, INC. a Corporation

By Robert J. Woolsey  
Attorney for Plaintiff

ORDER OF DISMISSAL

Now on this 29<sup>th</sup> day of April, 1953, leave is hereby granted to  
plaintiff to dismiss plaintiff's cause of action with prejudice.

Royce H. Savage  
Judge

(SEAL)







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

Roy W. Moore, )  
 )  
 Plaintiff, )  
 )  
 vs. ) No. 3176 Civil  
 )  
 Best Motor Lines, a Corporation, )  
 )  
 Defendant. ) FILED

MAY 1 1953

NOBLE C. HOOD  
Clerk U. S. District Court

DISMISSAL WITH PREJUDICE

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

Dated this 26th day of April, 1953.

Roy W. Moore  
Plaintiff  
Lawrence E. ...  
John B. Surfer  
Attorneys for Plaintiffs

IT IS HEREBY ORDERED that the above styled and numbered  
cause be dismissed with prejudice this 1st May day of ~~April~~ 1953.

rdh/mr

(Signed) Royce N. Savage  
U. S. District Judge

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

William Wirt Henry, et al.,            )  
  )  
  ) Plaintiffs.                            )  
  )  
  ) vs.                                    ) NO. 3115 Civil  
  )  
Petroleum Engineers Production        )  
Corporation,                            ) Defendant.                            )

FILED

MAY 4 1953

ORDER OF DISMISSAL

NOBLE C. HOOD  
Clerk U. S. District Court

Plaintiffs having filed herein a dismissal with  
prejudice,

IT IS ORDERED BY THE COURT that this case be and  
hereby is dismissed with prejudice.

This May 4, 1953.

/s/ ROYCE H. SAVAGE  
DISTRICT JUDGE

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

GENEVA K. FRITS,

Plaintiff,

-vs-

KENOSHA AUTO TRANSPORT COMPANY, a  
corporation; LIBERTY MUTUAL INS. CO.,  
a corporation; INTERNATIONAL HARVESTER  
CO., a corporation, KRAFT CHEESE CO.,  
a corporation; and KRAFT FOODS CO.,  
a corporation,

Defendants.

No. 3211-Civil

FILED

MAY 4 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER DISMISSING WITH PREJUDICE

Now on this 30th day of April, 1953, the  
above cause being fully tried before the court and a jury with all  
the plaintiff's testimony, at the conclusion of which on oral  
motion of plaintiff to dismiss this cause against each of the de-  
fendants with prejudice to any other action, and the court being  
fully advised in the premises that a full, final and complete  
settlement of said cause is made to the satisfaction of the parties,  
the court does now order this cause dismissed with prejudice to  
the bringing of any other action.

*15/ Roger H. Savage*  
\_\_\_\_\_  
Judge of the United States District  
Court  
In and For the Northern District of  
Oklahoma

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

LUCILLE MARTIN,

Plaintiff,

-vs-

KENOSHA AUTO TRANSPORT COMPANY, a  
corporation; LIBERTY MUTUAL INS. CO.,  
a corporation; INTERNATIONAL HARVESTER  
CO., a corporation, KRAFT CHEESE CO.,  
a corporation; and KRAFT FOODS CO.,  
a corporation,

Defendants.

No. 3212-Civil1

FILED

MAY 4 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER DISMISSING WITH PREJUDICE

Now on this 30th day of April, 1953, the  
above cause being fully tried before the court and a jury with all  
the plaintiff's testimony, at the conclusion of which on oral  
motion of plaintiff to dismiss this cause against each of the de-  
fendants with prejudice to any other action, and the court being  
fully advised in the premises that a full, final and complete  
settlement of said cause is made to the satisfaction of the parties,  
the court does now order this cause dismissed with prejudice to  
the bringing of any other action.

*Royce H. Savage*  
Judge of the United States District  
Court in and for the Northern District  
of Oklahoma



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA.

United States of America,

Libelant,

vs.

One 1949 Hudson Tudor Sedan, Motor  
No. 491-41316; One 1952 GMC 1/2 ton  
Pickup Truck, Motor No. A228-405350;  
One .38 Caliber Revolver, Serial No.  
297277; One .30 Caliber M-1 Carbine,  
Serial No. 741677, and 102.65 gallons  
of Assorted Taxpaid Whiskey.

Respondents.

George Burton Holland, John J. Lowery,  
General Motors Acceptance Corporation,  
a corporation, and J. W. Moran,

Claimants.

No. 3134 Civil.

FILED

MAY 6 1953

NOBLE C. HOOD  
Clerk U. S. District Court

FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND GENERAL NATURE OF JUDGMENT.

Now on this 27th day of March, 1953, this cause of action having come on before the court pursuant to regular assignment, and the claimant, General Motors Acceptance Corporation, being present by and through its attorney, R. P. Colley, Attorney and Counsellor at Law, of Tulsa, Oklahoma; and the claimants, George Burton Holland, John J. Lowery and J. W. Moran, having failed to answer, appear or otherwise plead are in default; and the court having heard 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.

The court finds that the property seized, a 1949 Hudson Tudor Sedan, Motor No. 491-41316, and the 1952 GMC 1/2 ton Pickup Truck, Motor No. A228-405350, and the .38 Caliber Revolver, Serial No. 297277, and the .30 Caliber M-1 Carbine, Serial No. 741677, were used by the claimant, George Burton Holland, for the purpose of importing taxpaid whiskey from Cahay, Kansas, to Oklahoma in violation of law and in carrying on the business of a wholesale liquor dealer without having paid the special tax.

II.

The court finds that the General Motors Acceptance Corporation had a valid subsisting lien on the 1952 GMC 1/2 ton Pickup Truck, Motor No. A228-405350 by virtue

of a conditional sales contract; that the unpaid balance on the contract is \$1,116.22; that the claimant, General Motors Acceptance Corporation, made no inquiry as to record or reputation of the purchaser of the truck at the time of acquiring the contract; that had such inquiry been made as to the purchaser of enforcement officers, as provided in the statute, the answer given would have established the purchaser to have no record or reputation for liquor law violation.

III.

The Court finds that the appraised value of the 1952 GMC 1/2 ton Pickup Truck to be \$1,250.00, and the balance due on the purchase price of the truck under the contract, together with the costs of seizure, amounts to more than the value of the truck.

CONCLUSIONS OF LAW

I.

The court concludes as a matter of law that the 1949 Hudson Tudor Sedan, Motor No. 491-41316, the 1952 GMC 1/2 ton Pickup Truck, Motor No. A228-405350, the .38 Caliber Revolver, Serial No. 297277, the .30 Caliber M-1 Carbine, Serial No. 741677, and the 102.65 gallons of asserted taxpaid whiskey were used in violation of law and the same should be forfeited; that the General Motors Acceptance Corporation should be allowed mitigation of forfeiture for the amount of its lien of \$1,116.22.

JOURNAL ENTRY OF JUDGMENT

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the 1949 Hudson Tudor Sedan, Motor No. 491-41316, the 1952 GMC 1/2 ton Pickup Truck, Motor No. A228-405350, the .38 Caliber Revolver, Serial No. 297277, the .30 Caliber M-1 Carbine, and the 102.65 gallons of asserted taxpaid whiskey are ordered delivered over to the District Supervisor of the Alcohol and Tobacco Tax Division, Bureau of Internal Revenue, for disposition according to law in such case made and provided.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the claim of the General Motors Acceptance Corporation for remission and mitigation of forfeiture in the amount of \$1,116.22 be and the same is hereby allowed, and upon the payment of the costs of seizure, storage charges and court costs by the General Motors Acceptance Corporation, the 1952 GMC 1/2 ton Pickup Truck, Motor No. A228-405350, is ordered and directed to be delivered over to it in complete and full settlement of its lien; and the application of the Administrator of General Services filed herein for delivery of the seized property, the 1952 GMC 1/2 ton Pickup Truck, Motor No. A228-405350, to the Director, National Industrial Reserve Division, Public Buildings Service, General Services Administration, Washington, D. C., be and the same is hereby denied.

AND IT IS SO ORDERED.

\_\_\_\_\_  
U. S. DISTRICT JUDGE.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA.

United States of America,

Plaintiff.

vs.

No. 3149 Civil

Lillian Elizabeth Amatusci, Adminis-  
tratrix of the Estate of Emil  
Amatusci, and Lillian Elizabeth  
Amatusci Eisen,

Defendants.

FILED

MAY 6 1953

NOBLE C. HOOD  
Clerk U. S. District Court

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

Now on this 26th day of March, 1953, this cause of action having come on before the court pursuant to regular assignment, and the parties being present and testimony having been presented, 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 on January 7, 1949, at Tulsa, Oklahoma, the defendant, Emil Amatusci, executed a promissory note as alleged in the petition; that after allowing all just credits and payments made on the note, there now remains due and owing the sum of \$109.15 principal, together with interest at the rate of 4% per annum from November 15, 1951.

II.

The court further finds that Emil Amatusci died in Tulsa, Oklahoma, on November 10, 1951, and that the surviving spouse, Lillian Elizabeth Amatusci, now Eisen, is the duly appointed administratrix of his estate.

CONCLUSIONS OF LAW

I.

The court concludes as a matter of law that the government failed to sustain the burden of proof that Lillian Elizabeth Amatusci, now Eisen, was a co-signer on the note.

II.

The court further concludes that the balance due on the note in the sum of \$109.15 principal, together with interest at 4% per annum from November 15, 1951.

is a valid claim against the estate of Emil Amatuoci.

JOURNAL ENTRY OF JUDGMENT

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have judgment for a claim against the estate of Emil Amatuoci in the amount of \$109.15 principal, together with interest at 4% per annum from November 15, 1951, together with costs.

AND IT IS SO ORDERED.

19 Roger W. Savage  
U. S. DISTRICT JUDGE.

OK. as to form

13/ Donald Church  
Attorney for defendant

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

CECELIA E. GOODMAN, Plaintiff

vs

FEDERAL INSURANCE COMPANY,  
a corporation, Defendant

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NO. 3172 CIVIL

FILED

MAY 6 1953

NOBLE C. HOOD  
Clerk U. S. District Court

O R D E R

This matter coming on to be heard upon the motion of the plaintiff to dismiss the cause of action with prejudice to a future action, and the court being fully advised that the said cause of action has been fully settled and compromised,

IT IS HEREBY BY THE COURT ORDERED that the plaintiff's cause of action be and the same is hereby dismissed with prejudice to a future action.

Dated this 6<sup>th</sup> day of May, 1953.

Royce H. Savage  
United States District Judge.



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

FEDERAL DEPOSIT INSURANCE CORPORATION,  
Plaintiff

vs.

J. P. BURNS,

Defendant

No. 3183

FILED

MAY 6 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL

This cause coming on for hearing on this the 6th  
day of May, 1953, on othe motion of plaintiff to dismiss  
the within cause, and the court being well and truly advised  
in the premises;

IT IS THEREFORE BY THE COURT ORDERED, ADJUDGED  
AND DECREED that said <sup>cause</sup> ~~motion~~ be and it is hereby dismissed  
at complainant's costs.

  
United States Judge

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

KENNETH C. KNAPP, S. R. KNAPP,  
DONALD WAYNE KNAPP, and KERRY  
LYNN KNAPP, a minor, by his  
guardian, KENNETH C. KNAPP,

Plaintiffs

vs

HERMAN S. BROWN, individually,  
L. M. BROWN, individually,  
W. R. CAREY, individually, and  
HERMAN S. BROWN, L. M. BROWN and  
W. R. CAREY, a co-partnership,  
doing business as BROWN-LYNN COMPANY;  
BROWN LYNN CONSTRUCTORS, INC.,  
a Delaware corporation, A. C. HOLDER,  
individually, and A. C. HOLDER doing  
business as A. C. HOLDER CONSTRUCTION  
COMPANY,

Defendants

No. 3200

FILED

MAY 6 1953

NOBLE C. HOOD  
Clerk U. S. District Court

CONSENT JUDGMENT

Plaintiff, having filed its complaint herein, and  
the defendants, Herman S. Brown and A. C. Holder, having appeared  
and answered, and the plaintiffs and said defendants, by their  
respective attorneys, having consented to the entry of this  
final judgment, NOW, THEREFORE,

IT IS ORDERED, ADJUDGED AND DECREED:

1. That this Court has jurisdiction of the subject  
matter of this suit and of the parties hereto and that the Complaint  
states a cause of action against the said defendants, Herman S.  
Brown and A. C. Holder.
2. That Letters Patent of the United States No. 2,015,605  
and No. 2,386,615 are good and valid in law as to each of the  
claims thereof.
3. That the plaintiffs are the sole and exclusive  
owners of the entire right, title and interest in and to said  
Letters Patent No. 2,105,605, and that plaintiffs, except S. R.  
Knapp, are the sole and exclusive owners of the entire right,  
title and interest in and to said Letters Patent No. 2,386,615.

4. That the defendants, Herman S. Brown and A. C. Helder, within six years prior to the filing of the Complaint, have infringed the claims of said Letters Patent by manufacturing and using pipe line reclaimers embodying the invention claimed therein.

5. That there shall be no taxation of costs.

*Bowen H. Savage*  
United States District Judge.

Entry of the foregoing judgment is consented to:

Kenneth C. Knapp, B. R. Knapp,  
Donald Wayne Knapp, and Kerry  
Lynn Knapp, a minor, by his  
guardian, Kenneth C. Knapp,  
all of the Plaintiffs.

By *Ford Harbaugh*  
& *John Butler*

Herman S. Brown  
A. C. Helder,  
Defendants.

By *John Wheeler, Jr.*  
Attorney

*Dyer + Powers by Wm K. Powers*  
*Atty for A. C. Helder*

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

KENNETH C. KNAPP, S. R. KNAPP,  
RONALD WAYNE KNAPP, and KERRY  
LYNN KNAPP, a minor, by his  
guardian, KENNETH C. KNAPP,

Plaintiffs,

vs

HERMAN S. BROWN, individually,  
L. M. BROWN, individually,  
W. R. CAREY, individually, and  
HERMAN S. BROWN, L. M. BROWN and  
W. R. CAREY, a co-partnership,  
doing business as BROWN-LIFE COMPANY;  
BROWN LIFE CONSTRUCTORS, INC.,  
a Delaware corporation, A. C. HOLDER,  
individually, and A. C. HOLDER doing  
business as A. C. HOLDER CONSTRUCTION  
COMPANY,

Defendants

No. 3200-Civil

FILED

MAY 6 1953

NOBLE C. HOOD  
Clark U. S. District Court

JUDGMENT BY STIPULATION

Plaintiffs, having filed its complaint herein, and the  
defendants, Herman S. Brown and A. C. Helder, having appeared and  
answered, and the plaintiffs and said defendants, by their respective  
attorneys, having consented to the entry of this Stipulation;  
NOW, THEREFORE,

The parties referred to in this preamble agree and stipulate  
as follows:

1. That this Court has jurisdiction of the subject matter  
of this suit and of the parties hereto and that the complaint  
states a cause of action against the said defendants, Herman S.  
Brown and A. C. Helder.
2. That Letters Patent of the United States No. 2,105,605 and  
No. 2,386,615 are good and valid in law as to each of the claims  
thereof.
3. That the plaintiffs are the sole and exclusive owners of the  
entire right, title and interest in and to said Letters Patent No.  
2,105,605, and that plaintiffs, except S. R. Knapp, are the sole

and exclusive owners of the entire right, title and interest in and to said Letters Patent No. 2,386,615.

4. That the defendants, Herman S. Brown and A. C. Helder, within six years prior to the filing of the complaint, have infringed the claims of said Letters Patent by manufacturing and using pipe line reclaimers embodying the invention claimed herein.

5. The defendants, Herman S. Brown and A. C. Helder, have agreed by separate covenants not to individually or in active concert with others, manufacture, sell or use any pipeline reclaimers in infringement of the aforesaid Letters Patent No. 2,105,605 and No. 2,386,615, and to refrain in any and all particulars from infringement upon any of the claims of the said Letters Patent.

It is so ordered.

*George H. Swager*  
Judge, Federal Court, Southern  
District of Oklahoma.

Kenneth C. Knapp, S. R. Knapp,  
Donald Wayne Knapp, and Kerry  
Lynn Knapp, a minor, by his  
guardian, Kenneth C. Knapp,  
Plaintiffs

By *Ford Harbough*  
*and John Butler*  
Attorneys for Plaintiffs

Herman S. Brown  
A. C. Helder,  
Defendants

By *John W. Seeler, Jr.*  
Attorneys for Defendants.

*Dyer & Powers by Wm K. Powers*  
*Atty for A. C. Helder*

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA.

United States of America,

Libelant,

vs.

No. 3201

One 1948 Chevrolet Aerocedan, Motor  
No. FAA 443126,

Respondent.

Wallace R. Brown, Robert T. Benson  
and Charles R. Hawkins,

Claimants.

FILED

MAY 6 1953

NOBLE C. HOOD  
Clerk U. S. District Court

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

Now on this 26th day of March, 1953, this cause of action having come on before the court pursuant to regular assignment, and the claimant, Wallace R. Brown, being present in court, appearing pro se; Robert T. Benson having failed to answer or plead is in default, and the court having heard the evidence and testimony and being fully advised makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

I.

The court finds that Charles R. Hawkins is a fictitious person and not now a necessary party.

II.

The court further finds that the 1948 Chevrolet Aerocedan, Motor No. FAA 443126, was used by Robert T. Benson in carrying on the business of an illegal distillery by carrying on supplies for use in making illicit non-taxpaid whiskey; that Wallace R. Brown, owner of the automobile, permitted such use with the knowledge of the reputation of Robert T. Benson as a liquor law violator.

CONCLUSIONS OF LAW

The court therefore concludes as a matter of law that the forfeiture of the automobile should be ordered.

JOURNAL ENTRY OF JUDGMENT

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the 1948 Chevrolet Aerocedan, Motor No. FAA 443126, be and the same is hereby ordered forfeited, and the automobile is ordered delivered over to the District Supervisor of the Alcohol and Tobacco Tax Division, Bureau of Internal Revenue, upon payment of storage charges and costs of seizure.

AND IT IS SO ORDERED.

UNITED STATES DISTRICT JUDGE.

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Gene Howard Kernaghan,  
1703 East Marshall  
Tulsa, Oklahoma

Defendant.

No. 3236 Civil

FILED

MAY 6 1953

NOBLE C. HOOD  
Clerk U. S. District Court

J U D G M E N T

NOW, on this 6th day of May, 1953 the above entitled action coming on for trial and the plaintiff appearing by Whit Y. Mausy, United States Attorney, and John W. McCune, Assistant United States Attorney for the Northern District of Oklahoma, and the defendant, Gene Howard Kernaghan, appearing not, the court proceeded to hear the evidence on behalf of the plaintiff and finds that the defendant was duly served with summons more than 20 days prior to this date and is in default and that a proper affidavit of Non-military Service has been filed herein.

The court further finds that defendant is indebted to the plaintiff in the sum of \$242.00 because of overpayment of subsistence allowance, with interest thereon at the rate of 6% per annum from August 17, 1946.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the court that the plaintiff have judgment against the defendant, Gene Howard Kernaghan, in the sum of \$242.00 with interest thereon at the rate of 6% per annum from August 17, 1946.

  
DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff, )

vs. )

Oscar Beck,  
Colecord, Oklahoma )

Defendant. )

No. 3220 Civil

FILED

MAY 7 1953

NOBLE C. HOOD  
Clerk U. S. District Court

JUDGMENT

NOW, on this 7th day of May, 1953 the above entitled action coming on for trial and the plaintiff appearing by Whit Y. Mausy, United States Attorney, and John W. McCune, Assistant United States Attorney for the Northern District of Oklahoma, and the defendant, Oscar Beck, appearing not, the court proceeded to hear the evidence on behalf of the plaintiff and finds that the defendant was duly served with summons more than 20 days prior to this date and is in default and that a proper affidavit of Non-Military Service has been filed herein.

The court further finds that the defendant is indebted to the plaintiff upon a written promissory note in the sum of \$50.00 with interest thereon at the rate of 5½% per annum from September 1, 1934, which the defendant has failed to pay.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff have judgment against the defendant for the sum of \$50.00 with interest thereon at the rate of 5½% per annum from September 1, 1934 and its costs.

(s) Renee H. Savage  
DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

United States of America,  
Plaintiff,  
vs.  
Gerhard C. Esau and Bernice M. Esau,  
Defendant.

No. 3242 Civil

FILED

MAY 15 1953

NOBLE C. HOOD  
Clerk U. S. District Court

J U D G M E N T

NOW, on this 15th day of May, 1953, the above entitled action coming on for hearing, the plaintiff, United States of America, appearing by Whit Y. Mausy, United States Attorney and John W. McCune, Assistant United States Attorney, for the Northern District of Oklahoma, and the defendants appearing not and the court having heard the evidence of the plaintiff and having examined the file, finds that said defendants were duly served with summons herein more than twenty days prior to this date and having failed to appear or answer is and should be adjudged in default.

THE COURT finds that all the allegations of the plaintiff's complaint are true and that the defendants did for a valuable consideration and in accordance with the provisions of the Federal Housing Administration Act on October 1, 1947, execute a written promissory note in the sum of \$919.84 to the First National Bank of Beatrice, Nebraska; and that said defendants did on January 22, 1948, execute to the First National Bank of Beatrice, Nebraska their written promissory note in the sum of \$220.24; and that said defendants having defaulted in the payments on said notes, in accordance with the provisions of said act, said notes were thereafter assigned to the plaintiff and there is now due and owing upon said notes the sum of \$781.57 with interest thereon at the rate of 6% per annum from August 1, 1948.

THE COURT further finds that the plaintiff has filed herein an affidavit of non-military service, which is found to be true.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff have judgment against the defendants, Gerhard C. Esau and Bernice M. Esau, for the sum of \$781.~~57~~, with interest thereon at the rate of 6% per annum from August 1, 1948, and for its costs; ~~that the plaintiff having a~~

~~lien upon the above described premises for said sum, that the United States  
Marshal be and he is hereby authorized to levy execution upon the aforesaid  
premises.~~

*Raymond Savage*  
\_\_\_\_\_  
DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. ) No. 3245 Civil  
 )  
 Oscar Charles K. Jordan, )  
 )  
 Defendant. )

**FILED**

MAY 15 1953

ORDER OF DISMISSAL

NOBLE C. HOOD  
Clerk U. S. District Court

NOW on this 15th day of May, 1953, it being shown to the court that the defendant has heretofore paid the sum of \$240.00 to the Treasurer of the United States, being the full amount of said debt herein and having also paid the sum of \$22.00 court costs, being the full amount of the court costs due, upon motion of the plaintiff, the court finds that said case should be dismissed.

IT IS THEREFORD, ORDERED, ADJUDGED AND DECREED by the court that said case be dismissed at the cost of the defendant.

/s/ ROYCE H. SAVAGE  
DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Earl J. Perkins and Bob Lynn,

Defendants.

No. 3245 Civil

FILED

MAY 20 1953

NOBLE C. HOOD  
Clark U. S. District Court

J U D G M E N T

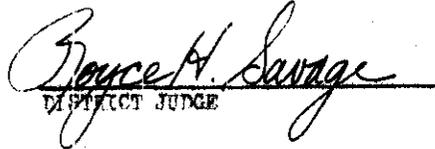
NOW on this 19th day of May, 1953, the above entitled case coming on for hearing and the plaintiff appearing by Whit Y. Maury, United States Attorney and John W. McCune, Assistant United States Attorney for the Northern District of Oklahoma, acting under the direction of the Attorney General and at the instance and request of the Secretary of the Interior of the United States and the defendants appearing by R. M. Cowen, and the court having heard the evidence finds that the allegations set forth in the said complaint are true.

THE COURT FINDS that there was allotted to William G. Bruner, Fullblood Creek Indian No. 5813, the following described land:

North Half of the Southwest Quarter (N/2 SW/4) of Section 4,  
Township 19 North, Range 12 East, being 80 acres in Tulsa County, Okla.

That the said William G. Bruner died testate on April 15, 1952 and left as his sole heirs at law, Joseph George Ellis, son, Billie Lee Tuttle, daughter, Kenneth Johnson, Anna Belle Cates and Harriet Edwards Isley, grandchildren, all, who were more than 1/2 blood Creek Restricted Indians. That by virtue of said land being part of the allotment of said William G. Bruner, Fullblood Creek Indian, and all of the said heirs are restricted Indians, the same is under the supervision and control of the Secretary of the Interior of the United States and his duly authorized agent, the Area Director of the Muskogee Area Office. That the defendants, Earl J. Perkins and Bob Lynn, are occupying said land without any authority of the Secretary of the Interior of the United States or his duly authorized agent, and is unlawfully holding possession of the same and interfering with the supervision and control thereof by said officials and is preventing said officials from performing their official duties in connection therewith. That said defendants have refused to remove from said premises although notified by said officials to remove from said premises and that said defendants are trespassing on said premises without any rights thereon.

IT IS THEREFORE ordered adjudged and decreed by the court that the plaintiff have judgment against the defendants, Earl J. Perkins and Bob Lynn, dispossessing them forthwith of the N/2 SW/4 Section 4, Township 19, North Range 12 East, Tulsa County, Oklahoma. That the United States Marshal be directed to forthwith remove said defendants from said premises and that they be enjoined from interfering in any way with the custody or control of said property and that the plaintiff have judgment for the costs against the defendants.

  
DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA.

United States of America,

Libelant,

vs.

One 1949 Hudson Tudor Sedan, Motor  
No. 491-41316; One 1952 GMC 1/2 ton  
Pickup Truck, Motor No. A228-405350;  
One .38 Caliber Revolver, Serial No.  
297277; One .30 Caliber M-1 Carbine,  
Serial No. 741677, and 102.65 gallons  
of Assorted Taxpaid Whiskey.

Respondents.

George Barton Holland, John J. Lowery,  
General Motors Acceptance Corporation,  
a corporation, and J. W. Moran,

Claimants.

No. 3134 Civil.

FILED

MAY 25 1953

NOBLE C. HOOD  
Clerk U. S. District Court

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

Now on this 27th day of March, 1953, this cause of action having come on before the court pursuant to regular assignment, and the claimant, General Motors Acceptance Corporation, being present by and through its attorney, R. P. Colley, Attorney and Counsellor at Law, of Tulsa, Oklahoma; and the claimants, George Barton Holland, John J. Lowery and J. W. Moran, having failed to answer, appear or otherwise plead are in default; and the court having heard 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.

The court finds that the property seized, a 1949 Hudson Tudor Sedan, Motor No. 491-41316, and the 1952 GMC 1/2 ton Pickup Truck, Motor No. A228-405350, and the .38 Caliber Revolver, Serial No. 297277, and the .30 Caliber M-1 Carbine, Serial No. 741677, were used by the claimant, George Barton Holland, for the purpose of importing taxpaid whiskey from Ganey, Kansas, to Oklahoma in violation of law and in carrying on the business of a wholesale liquor dealer without having paid the special tax.

II.

The court finds that the General Motors Acceptance Corporation had a valid subsisting lien on the 1952 GMC 1/2 ton Pickup Truck, Motor No. A228-405350, by virtue

of a conditional sales contract; that the unpaid balance on the contract is \$1,116.22; that the claimant, General Motors Acceptance Corporation, made no inquiry as to record or reputation of the purchaser of the truck at the time of acquiring the contract; that had such inquiry been made as to the purchaser of enforcement officers, as provided in the statute, the answer given would have established the purchaser to have no record or reputation for liquor law violation.

III.

The court finds that the appraised value of 1952 GMC 1/2 ton Pickup Truck to be \$1,250.00, and the balance due on the purchase price of the truck under the contract, together with the costs of seizure, amounts to more than the value of the truck.

CONCLUSIONS OF LAW

I.

The court concludes as a matter of law that the 1949 Hudson Tudor Sedan, Motor No. 491-41316, the 1952 GMC 1/2 ton Pickup Truck, Motor No. A228-405350, the .38 Caliber Revolver, Serial No. 297277, the .30 Caliber M-1 Carbine, Serial No. 741677, and the 102-65 gallons of assorted taxpaid whiskey were used in violation of law and the same should be forfeited; that the General Motors Acceptance Corporation should be allowed mitigation of forfeiture for the amount of its lien of \$1,116.22.

JOURNAL ENTRY OF JUDGMENT

Now on this 27th day of March, 1953, this matter coming on for decision and judgment pursuant to findings of fact and conclusions of law made by the court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the 1949 Hudson Tudor Sedan, Motor No. 491-41316, the 1952 GMC 1/2 ton Pickup Truck, Motor No. A228-405350, the .38 Caliber Revolver, Serial No. 297277, the .30 Caliber M-1 Carbine, Serial No. 741677, and the 102.65 gallons of assorted taxpaid whiskey be, and the same are hereby ordered forfeited, and the .38 Caliber Revolver and the .30 Caliber M-1 Carbine and the 102.65 gallons of assorted taxpaid whiskey are ordered delivered over to the District Supervisor of the Alcohol and Tobacco Tax Division, Bureau of Internal Revenue, for disposition in the manner provided by law.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States Marshal for the Northern District of Oklahoma proceed to sell at public sale the 1949 Hudson Tudor Sedan, Motor No. 491-41316, and that he disburse the proceeds of said sale

as follows:

- First: In payment of the costs of sale, expenses of seizure and storage charges incident to the seizure of said automobile.
- Second: That the residus, if any, be paid to the Collector of Internal Revenue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the claim of the General Motors Acceptance Corporation for remission and mitigation of forfeiture in the amount of \$1,116.22 be and the same is hereby allowed, and upon the payment of the costs of seizure, storage charges and court costs by the General Motors Acceptance Corporation, the 1952 GMC 1/2 ton Pickup Truck, Motor No. A228-405350, is ordered and directed to be delivered over to it in complete and full settlement of its lien; and the application of the Administrator of General Services filed herein for delivery of the seized property, the 1952 GMC 1/2 ton Pickup Truck, Motor No. A228-405350, to the Director, National Industrial Reserve Division, Public Buildings Service, General Services Administration, Washington, D. C., be and the same is hereby denied.

AND IT IS SO ORDERED.

  
U. S. DISTRICT JUDGE.

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA.

United States of America,

Libelant,

vs.

No. 3201 Civil

One 1948 Chevrolet Aerocedan, Motor  
No. FAA 443126,

Respondent.

Wallace R. Brown, Robert F. Benson  
and Charles R. Hawkins,

Claimants.

FILED

MAY 25 1953

NOBLE C. HOOD  
Clerk U. S. District Court

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

Now on this 26th day of March, 1953, this cause of action having come on before the court pursuant to regular assignment, and the claimant, Wallace R. Brown, being present in court, appearing pro se; Robert F. Benson having failed to answer or plead is in default, and the court having heard the evidence and testimony and being fully advised makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

I.-

The court finds that Charles R. Hawkins is a fictitious person and not now a necessary party.

II.

The court further finds that the 1948 Chevrolet Aerocedan, Motor No. FAA 443126, was used by Robert F. Benson in carrying on the business of an illegal distillery by carrying on supplies for use in making illicit nontaxpaid whiskey; that Wallace R. Brown, owner of the automobile, permitted such use with the knowledge of the reputation of Robert F. Benson as a liquor law violator.

CONCLUSIONS OF LAW

The court therefore concludes as a matter of law that the forfeiture of the automobile should be ordered.

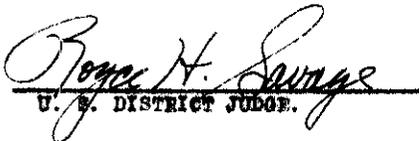
JOURNAL ENTRY OF JUDGMENT.

Now on this 26th day of March, 1953, this matter coming on for decision and judgment pursuant to findings of fact and conclusions of law made by the court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the 1948 Chevrolet Aerocedan, Motor No. EAA 443186, be and the same is hereby ordered forfeited, and the United States Marshal for the Northern District of Oklahoma is ordered to proceed to sell the automobile at public sale, and that the proceeds of the sale be disbursed as follows:

- First: To the Clerk of this court in payment of the court costs.
- Second: In payment of costs of sale, seizure and storage charges.
- Third: The residue, if any, be paid to the Collector of Internal Revenue.

AND IT IS SO ORDERED.

  
U. S. DISTRICT JUDGE.

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

DELIA E. WILSON,

Plaintiff,

--vs--

FRANK LEROY CROCKER and the  
KENOSHA AUTO TRANSPORT  
CORPORATION,

Defendants. )

No. 3080

**FILED**

JUN 9 1953

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

O R D E R

Now on this 9th day of June,  
1953, the motion of the plaintiff to dismiss with prejudice  
came on for hearing, and the court being advised that the  
said cause has been settled between the parties, orders that  
the same be dismissed with prejudice to the plaintiff's right  
to bring a further cause of action.

IT IS THEREFORE ORDERED, adjudged  
and decreed that the above entitled cause be dismissed with  
prejudice to the plaintiff's right to bring a further cause  
of action.

Royce H. Savage  
JUDGE.

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

Norma Maucher,

Plaintiff,

-vs-

Frank Leroy Crocker and  
Kenosha Auto Transportation,  
a corporation,

Defendants.

No. 3101

~~FILED~~

JUN 9 1953

ORDER

NOBLE C. HOOD  
Clerk U. S. District Court

Now on this 9th day of June, 1953,  
the motion of the plaintiff to dismiss with prejudice came on  
for hearing, and the court being advised that the said cause  
has been settled between the parties, orders that the same be  
dismissed with prejudice to the plaintiff's right to bring a  
further cause of action.

IT IS THEREFORE ORDERED, adjudged  
and decreed that the above entitled cause be dismissed with  
prejudice to the plaintiff's right to bring a further cause of  
action.

Royce H. Savage  
JUDGE.

IN THE UNITED STATES DISTRICT FOR THE NORTHERN DISTRICT OF  
OKLAHOMA

LEONARD A. PITTS,

)  
Plaintiff,

-VS-

ANHEUSER-BUSCH, INC., a  
corporation, and J. S. BRYAN  
& SONS, a co-partnership,

Defendants.

NO. 3230 - Civil.

FILED

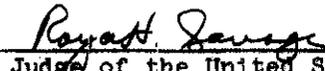
JUN 9 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER REMANDING SUIT TO STATE COURT

The motion of plaintiff to remand this suit to the District Court of Tulsa County, Oklahoma, coming on for hearing this 15th day of May, 1953, pursuant to regular setting and notice, and the court having heard the argument of counsel, and being fully advised, upon consideration finds that the said motion should be sustained.

IT IS, THEREFORE, ORDERED that the motion of the plaintiff to remand this case to the District Court of 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.

  
\_\_\_\_\_  
Judge of the United States District  
Court

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

JOHN W. WEST,

Plaintiff,

-vs-

MISSOURI-KANSAS-TEXAS RAILROAD  
COMPANY, a railroad corporation,  
PENNSYLVANIA RAILROAD COMPANY, a  
railroad corporation, and DEEP ROCK  
OIL CORPORATION, a foreign corporation,

Defendants.

No. 3269 Civil.

FILED

JUN 9 1953

NOBLE C. HOOD  
Clerk U. S. District Court

DISMISSAL WITHOUT PREJUDICE AS TO  
PENNSYLVANIA RAILROAD COMPANY,  
A RAILROAD CORPORATION.

Comes now the plaintiff and with reference to  
PENNSYLVANIA RAILROAD COMPANY, a railroad corporation, only,  
dismisses the above styled and numbered cause without prejudice  
to further action.

Dated this 9 day of June, 1953.

ELDER & FRANCIS

By Joe Francis  
Attorneys for Plaintiff

Approved this 9 day of June, 1953.

Royce H. Savage  
United States District Judge