

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

THE STANDARD LIFE INSURANCE COMPANY OF AMERICA,  
a Corporation,  
Plaintiff,  
vs.  
OSAGE TRIVE APRA., INC., a Corporation,  
Defendant.

No. 30 - Civil

FILED

MAR 24 1953

ORDER APPROVING SALE

NOBLE C. HOOD  
Clerk U. S. District Court

Now, on this 20 day of May, 1953, this matter comes on to be heard upon the motion of the plaintiff in the above-entitled cause for confirmation of the sale of real estate and personal property made by the United States Marshal for the Northern District of Oklahoma to The Prudential Insurance Company of America, on the 17th day of April, 1953, under a judgment entered in the above cause on March 11, 1953, said sale being of the following described real estate situate in Osage County, State of Oklahoma, to-wit:

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

and the following described personal property located thereon:

Hot Point Ranges, Serial Numbers 14-982-49 (RB 29); 14-982-44 (RB 27); 14-982-46 (RB 29); 14-982-38 (RB 29); 15-377-73 (RB 27); 14-982-47 (RB 29); 14-982-37 (RB 29); 14-982-36 (RB 29); 14-982-43 (RB 29); 14-982-35 (RB 29); 15-311-31 (RB 29); 15-301-35 (RB 29); 15-000-95 (RB 29).

Hot Point Refrigerators, Serial Numbers 83-306-190; 83-306-703; 83-307-166; 83-306-633; 83-307-970; 81-374-352; 81-374-790; 81-374-751; 82-080-898; 81-374-770; 83-306-770; 83-316-444; 83-306-721.

Garbage Disposals, Serial Numbers 48-504-594; 48-505-093; 48-505-026; 48-506-605; 47-026-337; 48-504-661; 47-506-946; 48-504-422; 48-505-027; 48-504-947; 48-504-045; ~~48-504-537~~; 48-504-060; 48-504-657; 48-504-681; 48-505-862; 48-505-860; 48-504-427; 48-505-866; 48-504-823; 48-504-321; 48-505-861; 48-504-335; 48-504-431; 48-504-424; 48-504-681; 48-504-434.

Washers, Serial Number 21251.

Refrigerator, Serial Number 3247-4012.

Also, all easily removable real-estate items, such as, all plumbing equipment of every kind and nature, hot water heater and water heating equipment, wall heaters of every kind and nature, chimneys or fireplaces, ventilating fans, radiological fixtures, floor furnaces, porches, apartment signs, laundry signs, neon signs, window blinds, and all other operating equipment, and all hand and tools used in the operation of the building premises.

and the court having regard to the provisions thereof and the construction of  
said Statute and the several clauses thereof and the judgment therein that the  
said Statute is validly enacted and does not violate any of the provisions of the  
said Constitution and that the said Statute is validly enacted and that and  
the same is a valid and legal statute of the State and people of said.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED that the court  
is satisfied with the legality of said Statute.

IT IS FURTHER HEREBY ORDERED, DECREED AND ADJUDGED by the court  
that the said Statute and all of the provisions thereof be and the same hereby  
are in all respects approved and confirmed and that the said Statute shall  
have effect from and after the date of the date of the said Statute and  
said Statute and provisions.

*George H. Savage*  
United States District Judge

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT  
OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Bill M. Weston and Beata May Weston,  
Oakhurst, Oklahoma,

Defendants.

No. 3050 Civil

FILED

JUN 17 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL

NOW ON this 17th day of June, 1953, there being presented to the court application of the plaintiff to dismiss with prejudice the second cause of action and it appearing to the court that the defendants have paid in full the note sued upon, the second cause of action, and have paid the court costs;

It is therefore ordered by the court that the plaintiff's second cause of action be and the same is hereby dismissed with prejudice to further action.

*(Signed)*

*Rayce H. Savage*  
DISTRICT JUDGE

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

OLLIE B. EVANS,

Plaintiff,

vs.

COMMERCE ACCEPTANCE COMPANY,  
a corporation

Defendant.

No. 3255 CIVIL

FILED

JUN 17 1953

ROBERT O. HCON  
Clerk U. S. District Court

FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND JUDGMENT

FINDINGS OF FACT

From the evidence adduced at the trial in the above entitled cause, the Court finds the following facts:

1. Plaintiff is a citizen and resident of Oklahoma and lives in the City of Tulsa, Tulsa County thereof. Defendant is a Kansas corporation duly authorized to do business in Oklahoma with an office in the City of Tulsa, Tulsa County, Oklahoma.

2. The causes of action asserted by Plaintiff are wholly between citizens of different states in which the amount in controversy exceeds \$3,000.00 exclusive of interest and costs.

3. On March 17, 1953, at Tulsa, Oklahoma, Defendant took Plaintiff's automobile and certain personal belongings therein by mistake. Defendant returned Plaintiff's said automobile and all of her said personal belongings on March 24, 1953 and she accepted them on that date.

4. The fair market value of Plaintiff's said automobile and said personal belongings on March 24, 1953 was equal to or in excess of their fair market value on March 17, 1953.

5. Defendant deprived Plaintiff of use of her said automobile for a period of one week and the useable value thereof for said period was \$61.71.

6. Defendant was a volunteer with respect to the moneys expended by it in cleaning and repairing Plaintiff's said automobile.

#### CONCLUSIONS OF LAW

Upon the foregoing Findings of Fact, the Court concludes as a matter of law:

1. The Court has jurisdiction of the parties and of the subject matter of the claims of the Plaintiff and the counterclaim of the Defendant.

2. Plaintiff should take nothing under her First, Second, Fourth and Fifth Causes of Action and Defendant, accordingly, should have judgment of the issues joined thereon.

3. Plaintiff should have judgment upon her Third Cause of Action for the loss of the useable value of her automobile in the amount of \$61.71.

4. Defendant should take nothing upon its counterclaim for \$102.27 expended by it in cleaning and repairing Plaintiff's automobile.

#### JUDGMENT

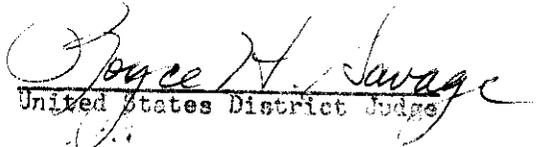
The clerk is directed to enter the following judgment in the above entitled cause:

1. Plaintiff shall take nothing against Defendant upon her First, Second, Fourth and Fifth Causes of Action.

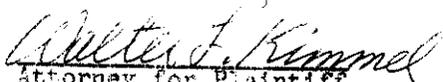
2. Plaintiff shall have judgment against Defendant on her Third Cause of Action in the sum of \$61.71.

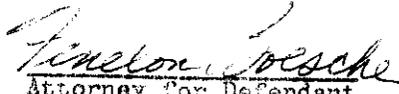
3. Defendant shall take nothing against Plaintiff on its counterclaim.

The above Findings of Fact, Conclusions of Law and  
Judgment are directed to be entered this 16<sup>th</sup> day of June, 1953.

  
Bruce H. Savage  
United States District Judge

APPROVED:

  
Walter F. Kimmel  
Attorney for Plaintiff

  
Lincoln Pesche  
Attorney for Defendant

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

VIVIAN AVIS CLARE, )

Plaintiff, )

vs. )

THE ATCHISON, TOPEKA AND SANTA  
FE RAILWAY COMPANY, a Corporation, )

Defendant. )

No. 3258 Civil

34182

JUN 28 1953

ORDER TRANSFERRING CAUSE

NOBLE C. HOOD  
Clerk U. S. District Court

Now on this 29th day of June, 1953, the above entitled cause comes on for hearing upon the motion of defendant, The Atchison, Topeka and Santa Fe Railway Company, a corporation, to transfer this cause to the United States District Court for the District of New Mexico, and the Court, after consideration of said motion and the argument of counsel, finds that this cause should be removed to the United States District Court for the District of Colorado, and that such transfer is for the convenience of the parties and witnesses, will minimize the trial expense and is in the interest of justice, as provided by Section 1404 (a) U. S. C. A., approved June 25, 1948, and effective September 1, 1948.

IT IS THEREFORE ORDERED that this cause be and the same is hereby transferred to the United States District Court for the District of Colorado, at Denver, Colorado, ~~at Denver, Colorado,~~

Royce H. Savage  
JUDGE

O.K.

Rainey, Flynn & Green  
Tulman  
Attorneys for Defendant

FILED

JUN 26 1961

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

ROBERT C. HOOD  
Chief U. S. District Court

UNITED STATES OF AMERICA,

Plaintiff

-vs-

0.18 Acre of land, more or  
less, situate in Mayes County,  
Oklahoma, and Mrs. Anita King  
Nuckels, et al., and Unknown  
Owners,

Defendants

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

JUDGMENT ON DECLARATION OF  
TAKING

This day comes the plaintiff, the United States of America, by Curtis A. 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, complete, perpetual and permanent right, power and privilege to inundate, submerge, and overflow, periodically or intermittently, as may be necessary, together with the right of ingress and egress, including the right and privilege to enter upon said land from time to time for any necessary purpose in connection with the construction, operation and maintenance of the Fort Gibson Dam and Reservoir, including the right to remove therefrom any debris or unstable structures which might float or be carried into the water of the reservoir and become a derelict or endanger or become a hazard to the outlet or intake gates of the water pool; and together with the further right to restrict the maintenance or erection of any buildings, structures or other improvements suitable for human habitation or occasional occupancy on that portion of land, the first floor elevation of which buildings, structures or other improvements is or will be lower than 582.0 feet above sea level elevation, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipe lines, reserving, however, to the owners, their successors and assigns, all right, title, estate, privileges and right of occupancy and use, in said land, fixtures and appurtenances, not herein specifically above set out, including the right to construct, replace and maintain structures

located thereon, and said land may be used for any purpose so long as the use thereof does not interfere with or abridge the flowage easements and rights of the United States, in and to the property hereinafter described and described in Declaration of Taking and in the Complaint filed herein.

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

(1) Each and all of the allegations in said Complaint in condemnation and Declaration of Taking are true, and the 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 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 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 and Complaint in condemnation; and a statement of the estate or interest in said lands taken for said public use is set out therein;

(5) A statement is contained in said Declaration of Taking of the sum of money estimated by the acquiring authority to be just compensation for the estate taken in said lands, in the amount of THREE THOUSAND AND NO/100 (\$3,000.00) DOLLARS, and said sum of money was deposited in the registry of this Court for the use of the persons entitled thereto upon and at the time of the filing of said Declaration of Taking;

(6) A statement is contained in said Declaration of Taking that the esti-

rated 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, 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. 701b, et seq), July 11, 1952 (Public Law 504-82nd Congress, 2nd Session), and such other Acts of Congress which are declaratory or amendatory thereto, is of the opinion that the United States of America has and is entitled to take said property and have the title thereto vested in it.

IT IS, THEREFORE, CONSIDERED BY THE COURT, AND IT IS THE ORDER, DECREE AND ADVICE of the court that the full, complete, perpetual and permanent right, power and privilege to inundate, submerge, and overflow, periodically or intermittently, as may be necessary, together with the right of ingress and egress, including the right and privilege to enter upon said land from time to time for any necessary purpose in connection with the construction, operation and maintenance of the Fort Gibson Dam and Reservoir, including the right to remove therefrom any debris or unstable structures which might float or be carried into the water of the reservoir and become a derelict or endanger or become a hazard to the outlet or intake gates of the water pool; and together with the further right to restrict the maintenance or erection of any buildings, structures or other improvements suitable for human habitation or occasional occupancy on that portion of land, the first floor elevation of which buildings, structures or other improvements is or will be lower than 582.0 feet mean sea level elevation, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipe lines, reserving, however, to the owners, their successors and assigns, all right, title, estate, privileges and right of occupancy and use, in said land, fixtures and appurtenances, not herein specifically above set out, including the right to construct, replace and maintain

structures located thereon, and said land may be used for any purpose so long as the use thereof does not interfere with or abridge the flowage easements and rights of the United States, in and to the land hereinafter described, was vested in the United States of America upon the filing of the declaration of taking and the depositing in the Registry of this Court of the sum THREE THOUSAND DOLLARS (\$3,000.00) 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.

Said lands aggregate 0.18 acre, more or less, and are described as follows, to-wit:

Tract No. 1515

That part of the following described lands lying below elevation 507.6' m.s.l. Lots 66 and 67, Block "B", Cedar Crest Lakes subdivision, according to the recorded plat thereof, in Section 24, Township 19 North, Range 19 East of the Indian Base and Meridian, situate in Mayes County, Oklahoma, and containing 0.18 acre, 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 therein 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 11 day of June, 1953.

George H. Savage  
JUDGE

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

NUEL GRAY,

Plaintiff,

-vs-

No. 3265

SOUTHWEST GREASE & OIL COMPANY, INC.,  
a Corporation; ST. PAUL FIRE & MARINE  
INSURANCE COMPANY, a Corporation; and  
THE FIDELITY AND CASUALTY COMPANY OF  
NEW YORK, a Corporation,

Defendants.

RECEIVED

JUN 19 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER REMANDING SUIT

The Motion of plaintiff to remand this suit to the District Court of Osage County, Oklahoma, coming on for hearing this 19th day of June, 1953, pursuant to regular setting and notice to parties, 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 cause to the District Court of Osage County, Oklahoma, be and the same is hereby granted, and this cause be and the same is hereby remanded to the District Court of Osage County, Oklahoma, for further proceedings.

*W. Royce H. ...*  
\_\_\_\_\_  
JUDGE OF THE UNITED STATES DISTRICT COURT WITHIN  
AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

APPROVED:

SANDERS & McELROY

By: *S. L. ...*  
Attorneys for Defendants, SOUTHWEST  
GREASE & OIL COMPANY, INC., a  
Corporation, and THE FIDELITY AND  
CASUALTY COMPANY OF NEW YORK, a  
Corporation.

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

Thomas Morrison, III )  
 )  
 ) Plaintiff, )  
 vs. ) No. 2395 Civil )  
 ) )  
 James Ray, the same person )  
 as Jim Ray. )  
 )  
 ) Defendant. )

FILED

JUL 2 1953

NOBLE C. HOOD  
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

Now on this the 30th day of March, 1953, this matter comes on for trial upon its merits. The parties appeared in person and by their respective counsel of record. And the court having heard all of the evidence caused findings of fact and conclusions of law to be prepared, signed and filed in this cause.

NOW, THEREFORE, pursuant to said findings of fact and conclusions of law,

IT IS ORDERED, ADJUDGED AND DECREED that the plaintiff take nothing and that the defendant have judgment for his costs herein expended.

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

O.K. as to Form:

/s/ Garrett Logan  
Attorney for Plaintiff

34  
7/1/53

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

LEWIS R. BARNES, JR.,  
Plaintiff.

vs.

CIVIL NO. 3197.

ATLANTIC OIL CORPORATION, a  
corporation, et al.,  
Defendants.

SEALS

1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER

On May 20, 1953, this case was heard on the merits and continued to June 9, 1953, on which date there was a further hearing. William J. Walker and John T. Nicholson, Jr., although not parties of record, appeared and participated in the proceedings.

Thereupon, all parties and persons appearing agreed that as an alternative to the relief sought by plaintiff that William J. Walker, John T. Nicholson, Jr., Frank Barnes, Arthur M. Widdows, and A. D. Kennedy would successively resign as directors of Atlantic Oil Corporation, and that Ray S. Fellows, Eli Wilkinson, Philip H. Lande and Garrett Logan would be elected as directors of the corporation, the last four to elect the fifth member of the board, and further that A. D. Kennedy would resign as President and Frank Barnes as Vice-President of the corporation, their successors as such officers to be elected by the new Board of Directors, and that none of the new directors so elected should be a candidate for election as a director at the next annual meeting of shareholders of the corporation, all of which was and is approved by the Court as affording adequate relief to plaintiff, and as being for the best interests of the corporation and its shareholders, and IT IS SO ORDERED.

On this 14<sup>th</sup> day of July, 1953, the case came on for further hearing, including a hearing on Plaintiff's Application For Payment of Costs, Expenses and Attorney's Fee, and the Court being fully advised IT IS ORDERED that plaintiff have and recover of and from the Atlantic Oil Corporation, a corporation, the sum of \$734.00 as necessary costs and expenses in the prosecution of this action, and the further sum of \$ ~~500~~<sup>00</sup> as a <sup>temporary</sup> fee for ~~his~~ attorney, and that said sums be paid to plaintiff's attorney, Garrett Logan.

And it appearing to the Court that the former directors of Atlantic Oil Corporation have resigned and that Ray B. Fellows, Eli Wilkinson, Philip M. Landa and Garrett Logan have been elected as directors of Atlantic Oil Corporation,

IT IS ORDERED that this case be and hereby is dismissed with prejudice as to the defendants Arthur M. Widdows, Frank Barnes and Paul C. McCready, but nevertheless without prejudice to any rights or causes of action pertaining to or arising out of any disbursements of funds of Atlantic Oil Corporation authorized or made by any of said defendants.

The Court retains jurisdiction of this case as to Atlantic Oil Corporation for all purposes.

Royce H. Savage  
DISTRICT JUDGE.

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

GLADYS MARLE MEADOWS DAVIS,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

No. 3268 Civil.

FILED

JUL 3 1953

NOBLE C. HOOD  
Clerk U. S. District Court

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

This matter coming on for hearing this 2nd day of July, 1953, upon agreement of counsel and due assignment, and the plaintiff appearing in person and by her counsel William K. Powers, and the defendant appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and neither party having filed demand for jury trial, the said matter proceeded to trial; at the conclusion of which the court makes this its findings of fact and conclusions of law:

1.

That the plaintiff herein is the owner in fee simple to, and is in possession of, the following described real property located in Tulsa County, Oklahoma, to-wit:

That part of Lot Eight (8), Barrett & Evans Subdivision of the East Half (E½) of the Southwest Quarter (SW¼) of Section Seventeen (17) Township Twenty (20) North, Range Thirteen (13) East of the Indian Base and Meridian, beginning on the West line of said Lot 8, 217 feet North of the Southwest corner; thence East 217 feet; thence North 100 feet; thence West 317 feet; thence South 100 feet to the point of beginning, all in Tulsa County, Oklahoma, according to the U.S. Survey thereof.

That said plaintiff acquired such title May 26, 1950, by Warranty Deed executed by Guy B. Gordon and Sadie L. Gordon, husband and wife; said deed being recorded in Book 2095, page 217, of the records of Tulsa County, Oklahoma, the grantee being

R. M. Meadows and Myrtle M. Meadows, husband and wife.

2.

That though the above named R. M. Meadows and Myrtle M. Meadows were the legal title holders of such real estate, that the same was held in trust for the plaintiff herein, and that said plaintiff was the equitable and beneficial owner thereof.

3.

That said plaintiff made all payments on said property and that the same is presently being occupied by plaintiff and her present husband, Alva Davis.

4.

That the plaintiff does not contest nor dispute the validity of the tax liens assessed and filed as against Russell M. Meadows and Myrtle Meadows, such tax lien being number 33240, and recorded in the office of the County Clerk of Tulsa County, Oklahoma, on October 30, 1952.

#### CONCLUSIONS OF LAW.

That the plaintiff herein is the record owner of, and the beneficial owner of, the following described real estate, to-wit:

That part of Lot Eight (8), Barrett & Evans Subdivision of the East Half (E½) of the Southwest Quarter (SW¼) of Section Seventeen (17), Township Twenty (20) North, Range Thirteen (13) East of the Indian Base and Meridian, beginning on the West line of said Lot 8, 217 ft. North of the Southwest corner; thence East 317 ft.; thence North 100 ft.; thence West 317 ft.; thence South 100 ft., to the point of beginning, all in Tulsa, County, Oklahoma, according to the U.S. Survey thereof.

2.

That the defendant has filed a tax lien bearing number 33240, in the office of the County Clerk of Tulsa County, Oklahoma, dated October 30, 1952, in the amount of Two Thousand Eight Hundred Eighteen and 55/100 (\$2,818.55) Dollars, against the taxpayers Russell M. Meadows and Myrtle M. Meadows.

That such tax lien constitutes no lien, claim, or other encumbrance as against the property above described for the reason that said property was at all times pertinent herein owned by the plaintiff, Gladys Mable Meadows Davis.

JOURNAL ENTRY OF JUDGMENT.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that plaintiff herein is the owner and in possession of the following described real estate, to-wit:

That part of Lot Eight (8), Barrett & Evans Subdivision of the East Half (E½) of the Southwest Quarter (SW¼) of Section Seventeen (17), Township Twenty (20) North, Range Thirteen (13) East of the Indian Base and Meridian, beginning on the West line of said Lot 8, 217 ft. North of the Southwest corner; thence East 317 ft.; thence North 100 ft.; thence West 317 ft.; thence South 100 ft. to the point of beginning, all in Tulsa County, Oklahoma, according to the U.S. Survey thereof.

IT IS FURTHER ORDERED that tax Lien number 30240, in the amount of Two Thousand Eight Hundred Eighteen and 55/100 (\$2,818.55) Dollars, filed in the office of the County Clerk of Tulsa County, Oklahoma, on October 30, 1952, constitutes no lien as against the above described real estate.

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

*OK. as to found.  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

THE FIRST NATIONAL BANK AND  
TRUST COMPANY OF TULSA, a  
national banking association,

PLAINTIFF,

vs.

W. H. INGERTON, JR., et al.,

DEFENDANTS.

CIVIL NO. 2390

FILED

JUL 3 1953

JUDGMENT AND DECREE OF FORECLOSURE

NOBLE C. HOOD  
Clerk U. S. District Court

On the 26th day of March, 1953, this cause came on for trial pursuant to assignment. The plaintiff appeared by its attorneys, Conner, Winters, Haddock & Bellairs and Peas Crossland. The defendant, E. E. Shannon, appeared by its attorneys, Gray & Palmer; and the intervenor, K. I. du Pont de Nemours & Co., appeared by its attorneys, Dyer & Powers; and the court having heard the statements of counsel and the evidence and being fully advised:

IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. On Plaintiff's motion in open court this action is dismissed without prejudice as to the defendant, Estelle Garner Ingerton.

2. That plaintiff have and recover judgment against the defendant, W. H. Ingerton, Jr., on his default heretofore entered by the clerk, the sum of One Hundred Ninety-one Thousand Five Hundred Ninety-six Dollars and Sixty Cents (\$191,456.60) principal, Thirty-three Thousand Six Hundred Twenty-eight Dollars and Seventy-eight Cents (\$33,628.78) interest from June 24, 1951, to this date, or a total of Two Hundred Twenty-five Thousand Two Hundred Eighty-five Dollars and Thirty-eight Cents (\$225,085.38), Nineteen Thousand one hundred Sixty-five Dollars (\$19,165.00) attorneys' fee and the costs of this action.

3. That plaintiff's mortgage described in the complaint and covering the property hereinafter described as the Mortgaged Property is a valid first lien to secure the payment of said judgment and the same is hereby foreclosed with appraisement as hereinafter ordered.

4. That the attachments heretofore had and made at the instance of the plaintiff of and on the property of one defendant, A. H. Ingerton, Jr., hereinafter described as the Attached Property, be sustained and by reason thereof plaintiff has a further valid first lien on such Attached Property to further secure the payment of said judgment.

5. That the defendant, E. E. Shannon, has a valid lien, subject only to plaintiff's said lien, upon that part of the Mortgaged Property described as all mining leases covering the Southeast Quarter (SE $\frac{1}{4}$ ) and the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Eighteen (18), Township Twenty-seven (27) North, Range Eleven (11) East, Osage County, Oklahoma, to secure the payment of Two Thousand Two Hundred Thirty-nine Dollars and Thirty Cents (\$2,239.30), with interest thereon from March 26, 1953, and Three Hundred Nine Dollars and Six Cents (\$309.06) as attorneys' fee.

6. That the intervenor, E. I. Du Pont de Nemours & Co., has a valid lien, subject only to plaintiff's said lien, upon that part of the Mortgaged Property described as an oil mining lease covering the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Eighteen (18), Township Twenty-seven (27) North, Range Eleven (11) East in Osage County, Oklahoma, to secure the payment of Two Hundred Twenty-nine Dollars and Twenty-five Cents (\$229.25) principal, Twenty-five Dollars and Thirty Cents (\$25.30) interest, or a total of Two Hundred Fifty-four Dollars and Fifty-five Cents (\$254.55), and One Hundred Dollars (\$100.00) as attorney's fee.

7. That the defendant, A. H. Ingerton, Jr., is entitled to require plaintiff to show against the Mortgaged

Property before resorting to the Attached Property for the satisfaction of its judgment and that the defendant, J. E. Shannon, and Intervenor, W. I. de Font de Menours & Co., are each entitled to require plaintiff to first exhaust the property on which they have no lien before resorting to the property covered by their second liens for the satisfaction of its said judgment and that their rights in this respect are superior to the rights of the defendant Ingerton.

3. That Edwin K. Kirkpatrick, the receiver heretofore appointed for the property involved in this action, be and he is hereby designated and appointed as Special Master to appraise, advertise and sell said property as hereinafter ordered and directed and to make his return to this court.

4. That said Special Master shall proceed to call an inquest of three disinterested householders to be selected by him who shall be resident within this district, and administer to them an oath to impartially appraise all of said property, in units as hereinafter specified and also as a whole, upon actual view and each householder shall forthwith return to said Special Master under their hands an estimate of the real value of said property. Upon receiving said return, said Special Master shall forthwith deposit a copy thereof with the Clerk of this court.

5. Thereupon said Special Master shall proceed to advertise said property for sale by notice published once a week for at least four weeks prior to the day of sale, which shall be at least thirty (30) days after the first publication of said notice, in at least one newspaper regularly issued and of general circulation in Osage County, Oklahoma, to the effect that he will on a day and at an hour to be specified by him in said notice offer for sale and sell at public sale to the highest bidder for cash, subject to confirmation by the court,

at the front door of the County Court House in Pawhuska, Osage County, Oklahoma, the property hereinafter described, first in separate units in the order designated below and then as a whole, to-wit:

MORTGAGED PROPERTY

Mortgaged Unit No. 1

The undivided one-half (1/2) interest of the defendant, V. H. Ingerton, Jr., in and to the oil mining leases and appurtenances and personal property and equipment located thereon, known as the Rocking Chair Unit, covering:

Southeast Quarter (SE $\frac{1}{4}$ ) and Southwest Quarter (SW $\frac{1}{4}$ ) of Section Twenty-five (25) and Northeast Quarter (NE $\frac{1}{4}$ ) and Northwest Quarter (NW $\frac{1}{4}$ ) of Section Thirty-six (36), all in Township Twenty-eight (28) North, Range One (10) East, Osage County, Oklahoma.

The oil mining leases and appurtenances and personal property and equipment located thereon covering the following described tracts of land in Osage County, Oklahoma, to-wit:

Mortgaged Unit No. 2

West half (W $\frac{1}{2}$ ) of Southwest Quarter (SW $\frac{1}{4}$ ) of Section Sixteen (16), Township Twenty-seven (27) North, Range Eleven (11) East.

Mortgaged Unit No. 3

Southeast Quarter (SE $\frac{1}{4}$ ) of Section Seventeen (17), Township Twenty-seven (27) North, Range Eleven (11) East.

Mortgaged Unit No. 4

Southwest Quarter (SW $\frac{1}{4}$ ) of Section Seventeen (17), Township Twenty-seven (27) North, Range Eleven (11) East.

Mortgaged Unit No. 5

Northeast Quarter (NE $\frac{1}{4}$ ) of Section Twenty (20), Township Twenty-seven (27) North, Range Eleven (11) East.

Mortgaged Unit No. 6

Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twenty (20), Township Twenty-seven (27) North, Range Eleven (11) East.

Mortgage Unit No. 7

Southwest Quarter (SW $\frac{1}{4}$ ) of Section Twenty  
(20), Township Twenty-seven (27) North,  
Range Eleven (11) East.

Mortgage Unit No. 8

Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twenty-one  
(21), Township Twenty-seven (27) North,  
Range Eleven (11) East.

ATTACHED PROPERTY

Attached Unit No. 1

The oil mining leases and appurtenances and personal  
property and equipment located thereon, known as the  
Section 10 East, covering

Northwest Quarter (NW $\frac{1}{4}$ ) and Northwest  
Quarter (NW $\frac{1}{4}$ ) of Section Ten (10), all in  
Township Twenty-seven (27) North, Range  
Eleven (11) East, Osage County, Oklahoma.

The oil mining leases and appurtenances and personal  
property and equipment located thereon covering the following  
described tracts of land in Osage County, Oklahoma, to-wit:

Attached Unit No. 2

East half of Southwest Quarter (E $\frac{1}{2}$  of SW $\frac{1}{4}$ ) of  
Section Sixteen (16), Township Twenty-seven  
(27) North, Range Eleven (11) East.

Attached Unit No. 3

Northwest Quarter (NW $\frac{1}{4}$ ) of Section Sixteen  
(16), Township Twenty-seven (27) North,  
Range Eleven (11) East.

Attached Unit No. 4

Southeast Quarter (SE $\frac{1}{4}$ ) of Section Twenty  
(20), Township Twenty-seven (27) North,  
Range Eleven (11) East.

Attached Unit No. 5

Southwest Quarter (SW $\frac{1}{4}$ ) of Section Ten (10),  
Township Twenty-six (26) North, Range Eight  
(8) East.

Attached Unit No. 6

Northwest Quarter (NW $\frac{1}{4}$ ) of Section Fourteen  
(14), Township Twenty-six (26) North, Range  
Eight (8) East.

Attached Unit No. 7

Northwest Quarter of Section Fourteen (14),  
Township Twenty-six (26) North, Range Eight  
(8) East.

MORTGAGED PROPERTY

Mortgaged Unit No. 9

The oil mining leases and appurtenances and personal  
property and equipment located thereon, known as the  
Friend Producing Unit covering

Northwest Quarter (NW $\frac{1}{4}$ ) of Section Seventeen  
(17), and Southeast Quarter (SE $\frac{1}{4}$ ) and South-  
west Quarter (SW $\frac{1}{4}$ ) of Section Eighteen (18)  
and Northwest Quarter (NW $\frac{1}{4}$ ) of Section Nineteen  
(19), all in Township Twenty-seven (27) North,  
Range Eleven (11) East.

11. It is further ordered, adjudged and decreed that  
the plaintiff, The First National Bank and Trust Company of Tulsa,  
may bid at such sale and become the purchaser of said property  
or any part thereof.

12. In making such sale said Special Master may in his  
discretion fix the date upon which such sale of said property or  
any part or parcel thereof shall become effective for the purpose  
of accounting for production or the proceeds thereof in the hands  
of the pipe line company.

13. If at such sale the highest bid received for any  
unit of said property does not equal two-thirds of the appraised  
value thereof as fixed by the appraisers, such bid shall not be  
accepted; and if, when said property is offered as a whole, the  
highest bid received therefor does not equal two-thirds of the  
aggregate appraised value of all of said properties, such bid  
shall not be accepted.

APPROVED:

/s/ Royce H. Savage  
District Judge

/s/ Conner Winters Randolph & Ballaine  
Conner, Winters, Randolph & Ballaine

/s/ Hess Crossland  
Hess Crossland  
ATTORNEYS FOR PLAINTIFF

/s/ Gray & Palmer  
ATTORNEYS FOR DEFENDANT, E. E. SHANNON

/s/ Wm. K. Powers  
ATTORNEYS FOR INTERVENTOR, W. E. DE PAUL  
de Respondeo & C.



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

\* \* \* \* \*

FIRST FIDELITY and CASUALTY INSURANCE COMPANY, a Corporation,

Plaintiff,

-vs-

WINNIE L. GILLASPIE, MR. CURTIS GILLASPIE, RICHARD C. CREWS, RICHARD WINCHEL R. LARRINOR FALD, FRANK J. SEPP, YONEDAN, CARL W. BARR, CAROLINE PA, d/b/a DEALERS' DRIVE-AWAY SERVICE, WOOD HUTCHINGS and SAN R. BRANDO VALLEY CO., INC., a Corporation,

Defendants.

No. 3261

FILED

JUL 9 1953

NOBLE C. HOOD  
Clerk U. S. District Court

JUDGMENT DISMISSING CAUSE OF ACTION

This cause on June 22nd, 1953 having come on for hearing on the Separate Motion of Defendants Winnie Lee Gillaspie and Curtis Gillaspie to Dismiss the Complaint in this action, both parties appearing by Counsel of Record, and the Court having examined the files herein finds that Plaintiff has not effected service of Summons upon Defendant Richard C. Crews who is a necessary and indispensable party to the action, and said motion should be sustained and the cause be dismissed, with all costs of this proceeding to be taxed to Plaintiff, unless on or before July 1st, 1953, Plaintiff shall obtain and effect proper service upon said party, and now on this 1st day of July, 1953, the determination of said matter having by the Court been passed to this date, it appearing to the Court that Plaintiff has not obtained and is unable to obtain service of Summons upon said Defendant, the Court finds that said Motion should be sustained and the cause dismissed, with costs to Plaintiff.

IT IS, THEREFORE BY THE COURT ORDERED, ADJUDGED and DECREED, that Defendant's Motion to Dismiss Complaint be and the same is hereby sustained, and that the above entitled cause be and it is hereby dismissed; costs to be taxed to the Plaintiff.

Entered July 1st, 1956

By the Court:

② Boyce H. Savage  
U. S. District Judge

Approved as to form:

Ed Chapman

James F. Angerman  
Attorneys for Plaintiff

Thomas W. Palmer

Attorneys for Defendants  
Minnie Lee and Curtis  
Gillespie

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

HAZEL MAE WALKER,

Plaintiff,

-vs-

No. 3229 Civil

BISON TRANSPORTS, INCORPORATED,  
and J. L. BOWMAN,

Defendants.

FILED

10 35

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL WITH PREJUDICE  
AT THE COST OF THE PLAINTIFF

WHEREAS, the plaintiff has filed her Application to dismiss this action with prejudice, reciting that she has heretofore compromised and settled her claim against the defendants 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 Seal of this Court on the 10<sup>th</sup> day of June, 1953.

George A. Savage  
JUDGE OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

APPROVED:

Jack B. Sellers  
JACK B. SELLERS  
Attorneys for Plaintiff

SANDERS & McELROY

By: Earl M. McElroy  
Attorneys for Defendants

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

JOSEPH SKROCKI,

Plaintiff,

- vs -

No. 3028 Civil

BISON TRANSPORTS, INCORPORATED,  
and J. L. BOWMAN,

Defendants.

FILED

10 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL WITH PREJUDICE  
AT THE COST OF THE PLAINTIFF

WHEREAS, the plaintiff has filed his Application to disaiss this action with prejudice, reciting that he has heretofore compromised and settled his claim against the defendants 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 Seal of this Court on the 10<sup>th</sup> day of June, 1953.

Sam H. Swayx  
JUDGE OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

APPROVED:

Jack B. Sellers  
JACK B. SELLERS  
Attorney for Plaintiff

SANDERS & McELROY

By: Best M. McElroy  
Attorneys for Defendants

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

BON WALKER,

Plaintiff,

-vs-

BISON TRANSPORTS, INCORPORATED,  
and J. L. BOWMAN,

Defendants.

No. 3227 Civil

FILED

JUL 10 1953

NOBLE C. HOOD  
Clerk 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 claim 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 Seal of this Court on the 10th day of June 1953.

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

APPROVED:

Jack B. Sellers  
JACK B. SELLERS  
Attorney for Plaintiff

SANDERS & McELROY

By: Bert M. Elroy  
Attorneys for Defendants

UNITED STATES DISTRICT COURT FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Mitchell V. Adwon, an individual  
doing business as Yellow Cab  
Dynamic Gasoline Co.,

Defendant.

No. 3099 Civil

FILED

JUL 10 1953

NOBLE C. HOOD  
Clerk U. S. District Court

O R D E R

This matter coming on for hearing this 10th day of July, 1953  
upon the application of the United States and the court being advised that  
the United States desires to discontinue the prosecution of this matter,

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

*Wayne H. Mage*  
JUDGE

UNITED STATES DISTRICT COURT FOR THE NORTHEEN  
DISTRICT OF OKLAHOMA

United States of America,  
Plaintiff,

vs.

Hugh J. Byers, an individual  
doing business as Kenby Oil  
Company,

Defendant.

No. 3092 Civil

FILED

JUL 10 1953

NOBLE C. HOOD  
Clerk U. S. District Court

O R D E R

This matter coming on for hearing this 10th day of July, 1953  
upon the application of the United States and the court being advised that  
the United States Desires to discontinue the prosecution of this matter,

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

Byers H. Savage  
JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
Plaintiff, )  
 )  
vs. ) No. 3250 Civil  
 )  
J. B. Rickerson and Eunice Rickerson, )  
 )  
Defendants. )

J U D G M E N T

RONALD L. HOOD  
Chief U. S. District Court

NOW, on this 14<sup>th</sup> day of July, 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 April 5, 1947, execute a written promissory note in the sum of \$1149.80 to the Commercial Credit Corporation; and that said defendants having defaulted in the payments on said note in accordance with the provisions of said act, that said note was thereafter assigned to the plaintiff and there is now due and owing upon said note, the sum of \$730.98 with interest thereon at the rate of 6% per annum from April 5, 1948.

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 on the premises located on the South Half of the South Half (S/2 S/2) Section 23 and the North Half of the North Half ( N/2 N/2) of Section 26, all in Township 6 South, Range 16 East, Choctaw County, Oklahoma; and that by reason thereof, the plaintiff is entitled to a lien on the above described premises and to levy execution

upon said premises for the collection of the Judgment.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff have judgment against the defendants, J. B. Rickerson and Eunice Rickerson, for the sum of \$730.98, with interest thereon at the rate of 6% per annum from April 5, 1948, and for its costs; that the plaintiff having a lien upon the above described premises for said sum, the United States Marshal be and he is hereby authorized to levy execution upon the aforesaid premises.

---

DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 Plaintiff, )  
 )  
 vs. ) No. 3044 Civil  
 )  
 K. L. McBroom and Mrs. K. L. McBroom, )  
 NW corner of Yale & Virgin, Tulsa )  
 )  
 Defendants. )

J U D G M E N T

MCBROOM & BLOOD  
Bank of Oklahoma Court

NOW, on this 12th day of July, 1953, the above entitled action coming on for hearing, the plaintiff, United States of America, appearing by Whit Y. Maury, United States Attorney, and John W. McCuna, 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 November 19, 1947, execute a written promissory note in the sum of \$402.43 to the Skelly Oil Company, and that said defendants having defaulted in the payments on the note in accordance with the provisions of said act, the note was thereafter assigned to the plaintiff and there is now due and owing upon said note the sum of \$279.19 with interest thereon at the rate of 6% per annum from March 22, 1953.

THE COURT further finds that the plaintiff has filed here 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 the West 330 feet of Lot 13, Block 1, SR Lewis Addition to the City of Dawson, Tulsa County, Oklahoma and 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, K. L. McBroom and Mrs. K. L. McBroom, for the sum of \$279.19, with interest thereon at the rate of 6% per annum from March 22, 1953, 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.

W. J. [Signature]  
DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 Plaintiff, )  
 )  
 vs. ) No. 3239 Civil  
 )  
 )  
 Clerk J. Anderson, )  
 ) FILED  
 Defendant. ) JUL 14 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL

Now, on this 14th day of July, 1953, it being represented to the court that the defendant has paid the amount sued for, to the Attorney General of the United States, and the court costs to the Clerk of this Court, upon motion of plaintiff,

It is ORDERED that said case be dismissed at the cost of defendant.

L. S. Royce, Jr.  
JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

John Henry Lewis,

Defendant.

No. 3079 Civil

FILED

JUL 20 1953

DISMISSAL

NOBLE C. HOOD  
Clerk U. S. District Court

NOW on this 20th day of July, 1953, upon motion by the plaintiff for dismissal without prejudice, and the court being advised that it is impossible for the plaintiff to obtain service of summons on the defendant, it is therefore ordered by the court that said action be dismissed without prejudice to future action.

  
DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Nellie May Tennehill,

Defendant.

No. 3240 Civil

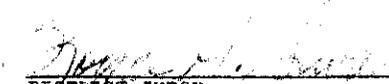
JUL 20 1953

JUL 20 1953

DISMISSAL

NOBLE C. HOOD  
Clerk U. S. District Court

NOW on the 20th day of July, 1953, upon motion by the plaintiff for dismissal without prejudice, and the court being advised that it is impossible for the plaintiff to obtain service of summons on the defendant, it is therefore ordered by the court that said action be dismissed without prejudice

  
DISTRICT JUDGE

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

NATIONAL L-P GAS INSTITUTE, INC.,  
Plaintiff,  
-vs-  
EARLE A. CLIFFORD and MOORE  
PUBLISHING COMPANY, INC.,  
48 West 38th Street,  
New York 18, New York.,  
Defendants.

No. 3075.

FILED

JUL 21 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL.

Now, on this 21st day of July, 1953, this matter coming on to be heard on the motion of the plaintiff herein, National L-P Gas Institute, Inc., for the dismissal of this cause and for an order dissolving the injunction heretofore secured by the plaintiff, and the plaintiff having shown by its stipulation of agreement with the defendant herein that all of the controversies heretofore existing between the parties hereto have been settled and compromised, and the court being fully advised in the premises,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this case be and the same is hereby dismissed with prejudice, the costs of the case to be paid by the individual defendant, Earle A. Clifford, and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the injunction heretofore issued on or about September 10th, 1952 be and the same is hereby dissolved.

151 Royce H. Lamm  
United States District Judge.

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Winnie Nobles, )  
 )  
 Defendant. )

No. 3214 Civil

FILED

JUL 23 1953

NOBLE C. HOOD  
Clerk U. S. District Court

J U D G M E N T

NOW, on this 23rd day of July, 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 defendant 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.

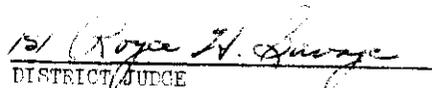
THE COURT finds that all the allegations of the plaintiff's complaint are true and that the defendant did for a valuable consideration and in accordance with the provisions of the Federal Housing Administration Act on August 16, 1949, execute a written promissory note in the sum of \$301.14 to the National Termite and Floor Bracing Company and did on May 19, 1947 execute a written promissory note in the sum of \$264.45 to the Oklahoma Rusco Company; and that said defendant having defaulted in the payments on said notes in accordance with the provisions of said act, that said notes were thereafter assigned to the plaintiff and there is now due and owing upon said notes, the sum of \$251.43 with interest thereon at the rate of 6% per annum from November 26, 1949 and the sum of \$29.01 with interest thereon at the rate of 6% per annum from March 3, 1953.

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 notes were given for the purpose of paying for permanent improvements upon Lot 16, Block 2, Lincoln Heights Addition to the City of Tulsa, Tulsa County, Oklahoma; and that by reason

thereof, the plaintiff is entitled to a lien on the above described premises and to levy execution upon said premises for the collection of the judgment.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff have judgment against the defendant, Winnie Nobles, for the sum of \$251.43, with interest thereon at the rate of 6% per annum from November 26, 1949, and for the further sum of \$29.01 with interest thereon at the rate of 6% from March 2, 1953, and for its costs; that the plaintiff having a lien upon the above described premises for said sums, the United States Marshal be, and he is hereby authorized to levy execution upon the aforesaid premises.

  
DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 Plaintiff, )  
 )  
 vs. ) No. 3237 Civil  
 )  
 W. E. Morrow and Mary V. Morrow, )  
 )  
 Defendants. )

FILED

JUL 24 1953

J U D G M E N T

NOBLE C. HOOD  
Clerk U. S. District Court

NOW, on this 24th day of July, 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 November 17, 1947, execute a written promissory note in the sum of \$459.91 to the Oklahoma Material & Wrecking Company and did on February 22, 1947 execute a written promissory note in the sum of \$862.35 to the Oklahoma Material and Wrecking Company; and that said defendant having defaulted in the payments on said notes in accordance with the provisions of said act, that said notes were thereafter assigned to the plaintiff and there is now due and owing upon said notes, the sum of \$168.44 with interest thereon at the rate of 6% per annum from November 1, 1949 and the sum of \$252.52 with interest thereon at the rate of 6% per annum from November 23, 1949.

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

THE COURT further finds that said notes were given for the purpose of paying for permanent improvements upon property located at 6240 West 10th

City of Tulsa, Tulsa County, Oklahoma; and that by reason thereof, the plaintiff is entitled to a lien upon the above described premises and to levy execution upon said premises for the collection of the judgment.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff have judgment against the defendants, W. E. Morrow and Mary V. Morrow, for the sum of \$168.44, with interest thereon at the rate of 6% per annum from November 1, 1949, and for the further sum of \$252.52 with interest thereon at the rate of 6% from November 23, 1949, and for its costs; that the plaintiff having a lien upon the above described premises for said sums, the United States Marshal be, and he is hereby authorized to levy execution upon the aforesaid premises.

W. E. Morrow  
DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 Plaintiff, )  
 vs. ) No. 3248 Civil  
 F. G. Walker and Willie M. Walker, )  
 )  
 Defendant. )

FILED

JUL 24 1953

NOBLE C. HOOD  
Clerk U. S. District Court

J U D G M E N T

NOW, on this 24th day of July, 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 defendant 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 January 3, 1948, execute a written promissory note in the sum of \$343.79 to the Makreuer & Company and did on the 28th day of August, 1947, execute a written promissory note in the sum of \$366.79 to the National Building Material Company; and that said defendants having defaulted in the payments on said notes in accordance with the provisions of said act, that said notes were thereafter assigned to the plaintiff and there is now due and owing upon said notes, the sum of \$153.00 with interest thereon at the rate of 6% per annum from September 3, 1949 and the sum of \$160.44 with interest thereon at the rate of 6% per annum from May 15, 1949.

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 notes were given for the purpose of paying for permanent improvements upon the property located at 217 North Owalls in the City of Claremore, Rogers County, Oklahoma; and that by reason



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Geo. A. Mueller & Company,

Applicant,

vs.

Virgil B. Stanley, United States  
Marshal for the Northern District  
of Oklahoma,

Respondent.

No. 3282 Civil

FILED

JUL 24 1953

NOBLE C. HOOD  
Clerk U. S. District Court

O R D E R

This matter coming on for hearing this 23rd day of July, 1953 and the court, after the introduction of evidence and after being fully advised in the premises, finds:

That immediately prior to January, 1950, a truck load of whiskey was highjacked in Illinois, same being an interstate shipment by truck from Lawrenceburg, Indiana to Cairo, Illinois and that the liquor so highjacked in interstate commerce was the property of Geo. A. Mueller & Company, of Springfield, Illinois.

That during January, 1950, Agents of the Federal Bureau of Investigation engaged in the investigation of said highjacking, located certain liquor which was a part of said shipment above described, which was highjacked. That Paul D. Rucker, of Tulsa, and Robert Burk, of Tulsa, turned over to said Special Agent of the Federal Bureau of Investigation certain liquor which has been identified as a part of said highjacked truck load of whiskey, for use in prosecution and for return to its rightful owner. That the liquor which was received by the Special Agents of the Federal Bureau of Investigation was immediately turned over to Virgil B. Stanley, United States Marshal for the Northern District of Oklahoma, for safe keeping. That a portion of said liquor so turned over was withdrawn by the United States Marshal for the Northern District of Oklahoma, pursuant to a subpoena duces tecum issued out of the United States District Court for the Western District of Tennessee.

That the liquor described in Exhibit "A" to the response filed in this cause by the United States Marshal for the Northern District of Oklahoma is all of the liquor turned over to said United States Marshal by said Special

Agents of the Federal Bureau of Investigation, except that liquor which was transported to Memphis, Tennessee, pursuant to the subpoena duces tecum above mentioned.

That said liquor was the property of Geo. A. Mueller & Company, of Springfield, Illinois; that neither Paul D. Tucker nor Robert Burk have any interest or title in or to said liquor; that no one except Geo. A. Mueller & Company has made any claim or demand for said liquor; that said liquor is no longer needed for prosecution and should be turned over to its legal owner, Geo. A. Mueller & Company of Springfield, Illinois.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the liquor more particularly described in Exhibit "A" attached to the response of the United States Marshal for the Northern District of Oklahoma filed in this cause is the property of Geo. A. Mueller & Company of Springfield, Illinois, and said company is entitled to the possession thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Virgil B. Stanley, United States Marshal for the Northern District of Oklahoma, is hereby directed and ordered to forthwith turn over and deliver to Geo. A. Mueller & Company of Springfield, Illinois, the liquor described in Exhibit "A" attached to the response of the United States Marshal for the Northern District of Oklahoma filed herein, said United States Marshal to make his due return to the Clerk of this court.

AND IT IS SO ORDERED.

12 Wm. A. [unclear]  
JUDGE

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

Public Service Company of Oklahoma,  
an Oklahoma Corporation, Plaintiff,

vs

A 100 foot wide easement or right-  
of-way for electric power transmission  
purposes to be located upon, over and  
across certain tracts of land in  
Washington County, Oklahoma, and

A 56 foot x 162 foot easement for an  
electric power substation to be located  
upon a certain tract of land in Washington  
County, Oklahoma, and

The United States of America, as a matter  
affecting the title to certain Cherokee  
Indian Lands previously allotted in fee  
with certain restraints on alienation, and

James Parks, Josephine Parker and Polly  
Springwater, now Daugherty, et al,  
Defendants.

Civil No. 3274

FILED

*In Open Court*  
JUL 24 1953

NOBLE C. HOOD  
Clerk U. S. District Court

---

FINAL DECREE

CONFIRMING TAKING IN CONDEMNATION

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NOW, on this 24<sup>th</sup> day of July, 1953,  
this cause comes on for hearing pursuant to Order of this  
Court entered June 9th, 1953 and, on July 13th, 1953, set  
over to this date, Plaintiff appearing by its Attorney, T. M.  
Markley, Defendant, The United States of America appearing by  
Hon. Whit E. Mauzy, United States Attorney for the Northern  
District of Oklahoma, and no other party Defendant appearing.

All parties having announced ready for hearing,  
the Plaintiff moves the Court to dismiss its Complaint against  
Tract No. 3 therein and against Defendant Polly Springwater  
Daugherty, owner thereof and E. H. Tyler, agricultural tenant  
thereof, and the Court Orders said Complaint dismissed  
without prejudice, with respect to said Tract and said Parties.

Whereupon the Court's attention is drawn to each  
and every one of the following pleadings heretofore filed in  
this Proceeding, to-wit: The Complaint, verified under oath;

Application for Order Directing Manner of Service; Order of the Court of June 9th, 1953 directing service; Notice by the Clerk of the Court to Area Director, Muskogee Area Office, Bureau of Indian Affairs, Department of the Interior, Muskogee, Oklahoma, also to James Parks, George Coddling, W. J. Jeffers and return of service thereof, under oath, by agents of Plaintiff, and to Josephine Parker, Ogden, Utah and return of service thereof by the United States Marshall, Salt Lake City, Utah; Notice by Attorney for Plaintiff to the Attorney General of the United States, Washington, D. C., and proof of mailing thereof and to Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma and return thereof.

Plaintiff introduces the testimony of sundry witnesses relative to the damages suffered by the parties in interest in and to the lands set out in Plaintiff's Complaint and resulting from the appropriation, by Plaintiff, of perpetual easements and rights-of-way for electric substation and electric power transmission lines as set out in Plaintiff's said Complaint; whereupon,

Plaintiff, by and through its Attorney, and the United States of America, by and through its Attorney, and the other Defendants, and each and every one of them by default, in open court waive their right to file in this Proceeding a written demand for a Jury Trial, and being thus fully advised in the premises,

THE COURT FINDS: That the matters and things set out in the verified Complaint herein filed by Plaintiff are true and correct and said Plaintiff should be granted the relief prayed in its said Complaint; that this Court properly has jurisdiction of this proceeding under law; that notice of this proceeding has been served, according to law, upon all parties in interest with respect to said Tracts of Land Nos. 1 and 2, including The United States of America which is an interested party by reason of the fact that this matter affects the title to certain Cherokee Indian lands previously allotted

in fee with certain restraints on alienation which are still in effect; that all Defendants herein, except The United States of America, are in Default; that all parties hereto are now properly before this Court for final disposition of this Proceeding; that all parties hereto have waived their right to file a written demand for a jury trial and have joined with Plaintiff in praying that final disposition be made of this Proceeding and that the Court make its finding with respect to damages.

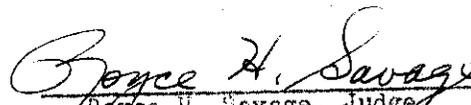
THE COURT FURTHER FINDS that total damage accruing to Tract No. 1 is two hundred eighty dollars (\$280.00); that total damage accruing to Tract No. 2 is five hundred dollars (\$500.00); that there should be offset against these damages the sum of sixty dollars (\$60.00) previously paid by Plaintiff to Defendant James Parks, owner of Tract No. 1, and the sum of five hundred dollars (\$500.00) previously paid by Plaintiff to Defendant Josephine Parker, owner of Tract No. 2; that the Plaintiff herein has previously paid into the depository of this Court the sum of two hundred twenty dollars (\$220.00), same being the difference between the total amount of the damages found by the Court and the amounts previously paid by Plaintiff to the two said Defendant owners.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the taking of the perpetual easements and rights-of-way on, over and across said Tracts Nos. 1 and 2 by Plaintiff, for the construction, operation, maintenance and alteration of its electric power substation and electric power transmission lines, all as prayed in its said Complaint, is hereby confirmed in all things, and said Plaintiff, Public Service Company of Oklahoma, is hereby vested with the said perpetual easements and rights-of-way, together with the perpetual right of ingress and egress and the exclusive right of use and occupancy of the said substation area, free and clear of any and all claims of the Defendants herein, who are hereby enjoined and barred from hereafter claiming adversely

to the Plaintiff's said rights granted herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Clerk of this Court make payable to the Treasurer of The United States and transmit to the Area Director, Muskogee Area Office, Bureau of Indian Affairs, Department of the Interior, the sum of two hundred twenty dollars (\$220.00) to be there distributed to or for the use of James Parks, Defendant herein, the owner of said Tract No. 1, according to law. Also that the Clerk of this Court return to Plaintiff herein, when requested by Plaintiff's Attorney, the three original cancelled checks filed originally with Plaintiff's Complaint and identified as Exhibits "C", "H" and "I" therewith.

IT IS ALSO ORDERED, ADJUDGED AND DECREED by the Court that the agricultural tenant of Tract No. 1, Defendant George Coddling, and the Oil and Gas Lessee of Tract No. 2, Defendant W. J. Jeffers, have each suffered no damage as a result of the appropriation by Plaintiff of said perpetual easements and rights-of-way, and that the cost of this Proceeding be taxed against the Plaintiff herein, and that the case be closed.

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

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

MARIE PRESTON,  
Plaintiff,  
vs.  
T. G. & Y. STORES, CO.,  
a corporation,  
Defendant.

NO. 3128 CIVIL

JUL 27 1953  
NOBLE C. HOOD  
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

This action came on regularly for trial on the 26th day of April, 1953, plaintiff appearing in person and by Elmore Page, Esq., her attorney, and the defendant, T. G. & Y. Stores Co., a corporation, appearing by its counsel, Harlan S. Trower, Esq., and Jack J. Ferguson, Esq.; a jury of twelve persons was regularly empaneled and sworn to try this action, and witnesses on the part of the plaintiff and the defendant were duly sworn and examined in open court, and both parties rested, and the court adjourned to the following day.

And now, on this 27th day of April, 1953, the court and jury being regularly in session, the parties being present as before, after hearing argument of counsel and instructions of the court, the jury retired to consider their verdict and subsequently returned into court with the verdict signed by the foreman, and being called, answered their names and say:

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

F. C. Settle

Foreman."

WHEREFORE IT IS ORDERED, ADJUDGED AND DECREED by the Court, the Honorable William R. Wallace, District Judge, that the plaintiff, Marie Preston, take nothing by reason of her complaint, and that the defendant, T. G. & Y. Stores Co., a corporation, have judgment on the verdict against the plaintiff, Marie Preston, for the costs of this action.

W. R. Wallace  
District Judge

O.K. AS TO FORM:

Elmore Page  
Attorney for Plaintiff

Jack J. Ferguson  
Attorney for Defendant

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

PAUL F. DRAVIS and D.W. JENKINS,

Plaintiffs, )

vs-

PHILLIPS PETROLEUM COMPANY, a  
Corporation,

Defendants. )

No. 3742 Civil

FILED

JUL 27 1953

ORDER DISMISSING COMPLAINT

NOBLE C. HOOD  
Chief U. S. District Court

Upon consideration of defendant's Motion to Dismiss the Complaint in the above entitled cause, and the briefs filed in support thereof, the Court concludes the allegations of the Complaint are insufficient to show the diversity of citizenship requisite to Federal jurisdiction, and further that the facts alleged in the Complaint are insufficient to show that these plaintiffs have the right or capacity to maintain the action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Complaint be dismissed without prejudice to further action.

Dated this 27th day of July, 1953.

*15/ Noble C. Hood*  
UNITED STATES DISTRICT JUDGE

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

MAX T. MORGAN,

Plaintiff,

-vs-

RESOLUTE INSURANCE COMPANY,  
a corporation,

Defendant.

No. 2973-Civil

FILED

JUL 30 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER DISMISSING WITH PREJUDICE

Now on this 30th day of July, 1953 comes on to be heard the motion of the plaintiff and of the defendant for an order dismissing plaintiff's complaint and defendant's counterclaim with prejudice, and it appearing to the Court that Max T. Morgan has agreed to dismiss his complaint for and in consideration of the dismissal of the defendant's counterclaim, and other good and valuable consideration, and it appearing to the Court that defendant has forgiven Max T. Morgan for all matters contained in its counterclaim,

IT IS THEREFORE ORDERED that plaintiff's complaint and defendant's counterclaim be dismissed with prejudice.

/s/ ROYCE H. SAVAGE  
Judge

O.K.  
John A. Cochran  
Philip M. Landa  
Attys. for Plaintiff

O.K.  
R. S. Trippett  
Atty. for Defendant

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Libellant,

v.

One 1952 Tudor Ford, Motor No.  
B2-DL-113853; Charlzle E. Brinegar,  
Virgil T. Brinegar; Carl Campbell  
and Emerson Price, a/b/a Campbell-  
& Price, and First National Bank,  
Vinita, Oklahoma,

Claimants.

No. 316 Civil

JUL 10 1953

WORLD S. HOOD  
Clerk U.S. District Court

J U D G M E N T

NOW, on the 16th day of June, 1953, this cause of action having come on for trial and the court having entered herein its findings of fact and conclusions of law pursuant thereto, finds judgment as follows:

Pursuant to the findings of fact and conclusions of law,

IT IS ORDERED, ADJUDGED AND DECREED that the 1952 Tudor Ford, Motor No. B2-DL-113853, be and the same is hereby ordered forfeited and the automobile is ordered delivered over to the District Commissioner of the Internal Revenue Service, Treasury Department, Dallas, Texas, under its application filed herein, pursuant to Title III, Section 304 of the Liquor Law Enforcement and Enforcement Act, 49 Stat. 889 (U.S.C. Title 40, Sec. 3041).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the claim of Charlzle E. Brinegar, Virgil T. Brinegar, Carl Campbell and Emerson Price, a/b/a Campbell & Price, be and the same is hereby denied.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the claim for remission and mitigation of forfeiture be and the same is hereby denied.

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

O.K.

By Roy A. Searcy  
JUDGE

W. Williams  
W. Williams  
W. Williams

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

Farmers Insurance Exchange,  
by and through Farmers Under-  
writers Association, Attorney-in-  
fact, organized under the  
laws of Nevada,

Plaintiff,

vs.

Earl Miller Miller, a minor,  
by Earl Wesley Miller, his next  
friend, and James H. Allen,

Defendant.

No. 3233-C

FILED

JUL 30 1953

J. U. F. G. H. T.

NOBLE C. HOOD  
Clark U. S. District Court

On this 30th day of July, 1953, the above entitled cause comes regularly on for pre-trial conference, with the plaintiff, Farmers Insurance Exchange, and the defendant, James H. Allen appearing by their attorneys of record and the defendant Earl Miller Miller, a minor, by Earl Wesley Miller, his next friend, appearing neither in person nor by his attorney.

At this pre-trial conference, plaintiff, by its attorneys of record, moves that the Court enter judgment by default against said defendant, Earl Miller Miller, a minor, by Earl Wesley Miller, his next friend, on the grounds stated in the formal motion for judgment by default filed by said plaintiff herein, and said plaintiff further moves the Court to render a judgment in its favor against the defendant, James H. Allen, for the reasons and upon the grounds that said defendant, by and through his attorney, confesses the allegations set forth in the complaint filed herein by the plaintiff, Farmers Insurance Exchange. said plaintiff having so moved for judgment against

both of said defendants, thereupon the Court, upon full consideration, pronounced that it was of the opinion that the motion for judgment against each of these defendants was well taken and that judgment should be entered in favor of the plaintiff and against the defendants, Earl William Miller, a minor, by Earl Wesley Miller, his next friend, and James H. Allen, for the relief herein sought.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that the insurance policy issued by the plaintiff, Farmers Insurance Exchange, to the defendant, James H. Allen, does not cover the accident which is the basis of the state court action entitled, "Earl William Miller, a minor, by Earl Wesley Miller, his next friend, plaintiff, vs. James H. Allen, defendant," filed in the District Court in and for Ottawa County, state of Oklahoma, case no. 19015; that the plaintiff herein, Farmers Insurance Exchange, is not obligated under said policy to pay any judgment rendered against the defendant, James H. Allen, in the aforesaid action and is not obligated to participate in the defense of said action on behalf of said defendant, James H. Allen.

*15/ Royce W. Savage*  
JUDGE

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

JESS KEMP

Plaintiff

vs

THE BIOSCOPE MANUFACTURING  
COMPANY, a corporation, and  
D. W. HODGES, T. B. HODGES,  
and J. H. FORD, TRUSTEES OF  
THE BIOSCOPE MANUFACTURING  
COMPANY, a corporation, and  
D. W. HODGES, individually

Defendants

No. 3252 Civil

ORDER OF DISMISSAL

On this 3 day of August, 1963, there is presented to the court the motion of plaintiff and defendants to dismiss plaintiff's petition and defendants' cross-petition, for the reason that the claims and demands of the respective parties hereto against the other have been settled and compromised.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that plaintiff's petition and defendants' cross-petition be and the same are hereby dismissed with prejudice to a new action in the same behalf.

/s/ ROYCE H. SAVAGE  
Judge of the District Court  
of the United States for the  
Northern District of Oklahoma

O.k.

/s/ M. A. Looney  
Attorney for Plaintiff

OWNBY & WARREN  
By /s/ Clarence A. Warren  
Attorneys for Defendants

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

O. K. STOOKESBERRY,

Plaintiff,

vs.

HANNA LUMBER COMPANY, a corporation,  
and H. E. HANNA,

Defendants. )

NO. 3249-Civil

FILED

AUG 4 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL

Upon motion of the Plaintiff and showing that the above styled action has been composed and settled by the parties, it is ordered that the same be and it is hereby dismissed with prejudice to future action upon any right, action or cause of action asserted therein.

Dated at Tulsa, Oklahoma, this 4th day of August, 1953.

12/ Royce W. Johnson  
United States District Judge

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

Irma Willoughby,

Plaintiff,

vs.

Southern Pacific Company,  
a corporation,

Defendant.

No. 3266 Civil

FILED

AUG 5 1953

NOBLE C. HOOD  
Clerk U. S. District Court

O R D E R

NOW on this 3rd day of August, 1953, defendant's motion for change of venue pursuant to 28 U. S. C. A. #1404(a) comes on to be heard. Defendant appears by its attorney, Thomas H. Finney, and plaintiff by her attorneys, C. F. Bliss, Jr., and Kelly Brown. The Court, having heard the argument of counsel and being fully advised, finds that the motion should be sustained.

IT IS THEREFORE ORDERED that said motion be and is hereby sustained, and that this case and the file herein are transferred to the United States Court for the Southern District of Texas.

AS A CONDITION OF THIS ORDER, plaintiff is permitted to amend her complaint to name Texas and New Orleans Railroad Company a party defendant, and Southern Pacific Company and Texas and New Orleans Railroad Company are required in their first pleading to said complaint to enter their general appearance in the Texas District Court.

*Thomas H. Finney*  
District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

No. 3304 Civil

750 Cases, each containing 24 cans article  
labeled in part "Raiders Contents 1 pounds  
Early June Pess - -",

FILED

AUG 7 1953

Defendant.

NOBLE C. HOOD  
Clerk U. S. District Court

DECREE OF CONDEMNATION

This matter coming on for hearing this 7<sup>th</sup> day of August, 1953, the United States of America appearing by Whit Y. Mazy, United States Attorney for the Northern District of Oklahoma, and the court after being fully advised in the premises finds that on the 23rd day of July, 1953, a libel of information against the above described article was filed in this court on behalf of the United States of America. The libel of information alleges that said above described article was shipped in interstate commerce by E. G. Reece Canning Company, Waldron, Indiana, via New York Central Railroad and at the time of the filing of said libel of information was in possession of Griffin Grocery Company, 214 West Cameron, Tulsa, Oklahoma. That said article was misbranded when introduced into and while in interstate commerce within the meaning of 21 U.S.C. 343(b)(1) and was subject to seizure and condemnation pursuant to 21 U.S.C. 384. That pursuant to motion issued by this court the United States Marshal for the Northern District of Oklahoma, on the 23rd day of July, 1953, seized 389 cases of said merchandise. That Griffin Grocery Company of Muskogee, Oklahoma, has filed a claim to said seized merchandise and said claimant consents that a decree be prayed for in the libel of information be entered condemning the article under seizure.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the said 389 cases of cases be and the same hereby are condemned pursuant to the provisions of 21 U.S.C. 384 and that the United States recover its costs herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that inasmuch as claimant has consented that the condemned article be delivered to it for re-processing, pursuant to 21 U.S.C. 384(d), that the United States Marshal for the Northern District of Oklahoma be and he is directed to release said article from his custody and deliver it to Griffin Grocery Company

or its duly authorized representative, and the said Griffin Grocery Company is hereby permitted and authorized to ship said condemned merchandise to its plant at Muskogee, Oklahoma for reprocessing, conditioned that (a) claimant pays in full all court costs, and (b) executes and files with the clerk of this court a good and sufficient bond with sureties, in the sum of \$ 500.00 duly approved by this court, payable to the United States of America and conditioned on the claimant's abiding by and performing all the terms and conditions of this decree and of such other orders and decrees as may be entered in this proceeding.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED:

1. That after the filing of the bond as heretofore provided, claimant shall, at his own expense, cause the articles to be shipped to its plant at Muskogee, Oklahoma, and that proper written notice of said shipment be given to the Kansas City Station, Food and Drug Administration, Department of Health, Education and Welfare, of said shipment.

2. That upon arrival of said article at its Muskogee, Oklahoma plant, claimant shall give written notice to the Kansas City Station, Food and Drug Administration, or to any other station required by the Kansas City Station and shall likewise give written notice that claimant is ready and prepared to reprocess said articles.

3. Claimant shall at all times, until said article has been released by a duly authorized representative of the Food and Drug Administration, retain intact the entire lot of goods comprising the article for examination or inspection by said representative, and shall maintain the records or other proof necessary to establish the identity of said lot to the satisfaction of said representative.

4. Claimant shall not commence reprocessing operations until he has received authority to do so from a duly authorized representative of the Food and Drug Administration and said reprocessing shall at all times be under the supervision and direction of a representative of the Food and Drug Administration.

5. Claimant shall at no time, and under no circumstances whatsoever, ship, sell, offer for sale, or otherwise dispose of any part of said article which is being reprocessed until a duly authorized representative of the Food and Drug Administration shall have been given access thereto in order to take any samples or make any tests or examinations that are deemed necessary, and shall in writing have released such article for shipment, sale, or other disposition.

6. Within 60 days from the date of the filing of the bond in this court, claimant shall complete the reprocessing of said article at its plant in Muskogee, Oklahoma, under the supervision of a duly authorized representative of the Food and Drug Administration.

7. Claimant shall abide by the decisions of said duly authorized representative of the Food and Drug Administration, which decisions shall be final. If claimant breaches any conditions stated in this decree, or in any subsequent decree or order of this court in this proceeding, claimant shall return the article immediately to the United States Marshal for this district at claimant's expense, or shall otherwise dispose of it pursuant to order of this court.

8. Claimant shall not sell or dispose of said article or any part thereof in a manner contrary to the provisions of the Federal Food, Drug and Cosmetic Act, or the laws of any State or Territory (as defined in said act) in which it is sold or disposed of.

9. Claimant shall compensate the United States of America for the cost of supervision at the rate of \$4.00 per hour per representative or each hour actually employed in the supervision of the reprocessing, as salary or wage; where laboratory work is necessary, at the rate of \$5.00 per hour per person for such laboratory work; where subsistence expenses are incurred, at the rate of \$9.00 per day per person for such subsistence expenses. Claimant shall also compensate the United States of America for necessary traveling expenses and for any other necessary expenses which may be incurred in connection with the supervisory responsibilities of said representative.

10. If requested by a duly authorized representative of the Food and Drug Administration, claimant shall furnish to said representative duplicate copies of invoices of sale of the released article, or shall furnish such other evidence of disposition as said representative may request.

11. The United States Attorney for this district, on being advised by a duly authorized representative of the Food and Drug Administration that the conditions of this decree have been performed, shall transmit such information to the Clerk of this Court, whereupon the bond given in this proceeding shall be canceled and discharged; or, if in lieu of such bond, a sum of money has been deposited in the Registry of the Court, then and in that event said sum shall thereupon be forthwith surrendered by refund to the depositor by the clerk; and it is further

ORDERED, ADJUDGED AND DECREED that this court expressly retain jurisdiction to issue such further decrees and orders as may be necessary to the proper disposition of this proceeding, and that should claimant fail to abide by and perform all the terms and conditions of this decree, or such further order or decree as may be entered in this proceeding, or of said bond, then said bond shall on motion of the United States of America in this proceeding, be forfeited and judgment entered thereon.

DATED at Tulsa, Oklahoma, this 3rd day of August, 1963.

/s/ Royal H. Savage  
JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )

Plaintiff, )

vs. )

Fozie Bahal and Najeeba Bahal,  
and Bruce H. Lamarr  
734 North Peoria  
Tulsa, Oklahoma )

Defendants. )

No. 3243 Civil

**FILED**

**AUG 7 1953**

ORDER OF DISMISSAL

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

NOT on the 7th day of August 1953, there being presented to the Court the application of the plaintiff, United States of America, to dismiss the above action by Whit Y. Mauzy, United States Attorney, and John W. McCune, Assistant United States Attorney, for the Northern District of Oklahoma; and it appearing to the Court that the defendant, Bruce H. Lamarr, has heretofore made a compromise by paying to the Federal Housing Administration the sum of \$629.00, and the General Counsel of the Federal Housing Administration has directed that said sum and court costs be accepted and said case be dismissed;

IT IS THEREFORE ordered by the Court that said cause of action be dismissed against all named defendants.

*151 Royce H. Mauzy*  
DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Libellant,

vs.

One 1949 Chrysler New Yorker Sedan,  
Motor No. C46-7430,

Respondent,

Hobart Benson and Mertline Benson,

Claimants.

No. 3216 Civil

FILED

AUG 7 1953

NOBLE C. HOOD  
Clerk U. S. District Court

J U D G M E N T

NOW, on the 13th day of July, 1953, this cause of action having gone to trial and the court having entered herein its findings of fact and conclusions of law pursuant thereto, finds judgment as follows:

Pursuant to the findings of fact and conclusions of law,

IT IS ORDERED, ADJUDGED AND DECREED that the 1949 Chrysler New Yorker Sedan, Motor No. C46-7430, be and the same is hereby ordered forfeited and the automobile is ordered delivered over to the District Commissioner of the Internal Revenue Service, Treasury Department, Dallas, Texas, under his application filed herein, in accordance with Title III, Section 304 of the Liquor Law Repeal and Enforcement Act, 49 Stat. 880 (U.S.C. Title 40, Section 304i, and U.S.C. Title 41, Section 201).

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

*[Signature]*  
JUDGE

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

CONTINENTAL CAN COMPANY, INC.,  
a corporation

Plaintiff

vs.

No. CA 3300

W. D. DIXON

Defendant

FILED

AUG 10 1953

O R D E R

NOBLE C. HOOD  
Clerk U. S. District Court

NOW on this 10th day of August, 1953, the same being one of the regular judicial days of the above entitled court, this matter comes on for hearing on the motion of the plaintiff herein for an order transferring the above entitled cause to the United States District Court for the District of Kansas at Wichita, Kansas; the plaintiff appears by and through its attorneys, Napew, Stanley, Weiland, Hook & Curfman and the defendant appears by and through his attorneys, Jochens, Sargent & Blaas.

The court after having been duly advised in the premises, after having examined the files herein, finds that the defendant has consented and stipulated that the said motion be granted. The court further finds that the stipulation of the defendant should be and the same is hereby approved. The court further finds that the transfer of the above entitled action to the United States District Court for the District of Kansas at Wichita, Kansas is for the convenience of the parties and witnesses and is in the interest of justice and that such transfer would be in accordance and compliance with 28 U.S.C.A. Section 1404(a).

IT IS THEREFORE, BY THE COURT CONSIDERED, ORDERED,  
ADJUDGED AND DECREED That the above entitled cause be and the same

is hereby transferred to the United States District Court for  
the District of Kansas at Wichita, Kansas.

19 Royce Savage JUDGE

APPROVED:

DEWEY STANLEY WELDON HOOK & CURFMAN  
Suite 530 First National Bank Building  
Wichita 2, Kansas

by 19 N. E. Stanley  
Attorneys for Plaintiff

JOCHENS, SARGENT & SLAESS  
Farmers and Bankers Life Building  
Wichita 2, Kansas

by 19 W. D. Jochens  
Attorneys for Defendant

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

GEORGE L. NICHOLSON,  
Plaintiff,

vs.

THE UNITED STATES OF AMERICA,  
Defendant.

Civil No. 2917

FILED

AUG 10 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL WITH PREJUDICE

THIS MATTER coming on for hearing this 10th day of  
Aug., 1953, upon the motion of the plaintiff  
and defendant for dismissal of the above-entitled action, with  
prejudice, and it appearing from said Motion that the issues between  
the parties have been compromised and settled, and that the defendant  
has paid to plaintiff a sum of money in full settlement of said  
cause of action, the Court finds that the said Motion should be  
granted and that the action should be dismissed with prejudice;

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

19 Clayton Savage  
Judge

APPROVED:

CONNER, WINTERS, RANDOLPH & BALLAINE

By Robert L. McLean  
Attorneys for Plaintiff

19 Whit W. Mays  
United States Attorney  
Attorney for Defendant

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

1953

AUG 12 1953

NOBLE C. HOOD  
Clerk U. S. District Court

United States of America,

Plaintiff,

vs.

Foy Long and Mrs. Roy Long,

Defendants.

No. 3055 Civil

O R D E R

NOW, on this 12<sup>th</sup> day of August, 1953, it having been shown to the court that the cause herein filed has been compromised and the court being fully advised in the premises and upon consideration thereof, finds that this action should be dismissed.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED THAT this cause is dismissed without court costs to the defendant.

AND IT IS SO ORDERED.

  
JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,  
  
Plaintiff,  
  
vs.  
  
Cecil Drummond,  
Honey, Oklahoma  
  
Defendant

No. 3297 Civil

FILED

AUG 12 1953

NOBLE C. HOOD  
Clerk U. S. District Court

FINDINGS OF FACT AND JUDGMENT

NOW on this 5th day of August, 1953 the above entitled matter coming on for hearing upon application of plaintiff for a temporary injunction and the plaintiff appearing by Gilt Y. Mouzy, United States Attorney, and John W. McCune, Assistant United States Attorney, for the Northern District of Oklahoma, the defendant, Cecil Drummond, appearing in person and by his attorneys, W. S. Hamilton and Matthew J. Kene; and Robert P. Kelly appearing for the firm of McCoy and Craig on behalf of Jess Blackwell, lessee, and the Court then proceeded to hear the evidence.

THE DEFENDANT moved in open court to strike from said complaint that part requesting personal judgment against the defendant in the sum of \$500.00, which motion was sustained by the court.

It was then stipulated among the parties that said case would be tried upon its merits upon the plaintiff's complaint for permanent injunction and the defendant's answer thereto; and the Court having heard the evidence of the plaintiff and the defendant then made its findings of fact.

FINDINGS OF FACT

I.

THE COURT FINDS as a fact that Helen Osage Burnett, full-blood, unallotted Osage, is the owner of the East Half of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter, of Section 23, and the Northwest Quarter of the Northeast Quarter of Section 26, all in Township 23, Range 9, Osage County, Oklahoma; that said owner does not have a certificate of competency; that said lands are under the supervision of the Secretary of the Interior of the United States and his duly authorized Agent, Superintendent, Osage Indian Agency; and that a valid lease has been executed thereon by said Superintendent to Jess Blackwell.

II

THE COURT FURTHER finds that the defendant, Cecil Drummond, has not at any time taken possession of the above described land; that neither he nor anyone acting on his behalf has interfered in any manner with the possession of the plaintiff or its lessee, Jess Blackwell; that neither said defendant nor anyone acting in his behalf has at any time asserted any right or claim to said premises and has not made any threats against the said Jess Blackwell's taking possession of the said land and fencing the same and that said defendant in person and through his attorneys in open court stated that he claimed no interest in said land and he would not in any manner interfere with or prevent Jess Blackwell, lessee, from taking possession of said land and fencing the same.

III

THE COURT FURTHER FINDS as a fact that said defendant has not committed any of the acts alleged and set forth in said complaint.

JUDGMENT

THE COURT THEREFORE concluded as a matter of law that the plaintiff is not entitled to any relief against the defendant and that the defendant should have judgment denying said complaint without any costs to the defendant.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED by the Court that the defendant, Cecil Drummond, have judgment denying the complaint of the plaintiff; that the plaintiff's request for restraining order and injunction be denied and that no costs be taxed against the defendant.

*B. Royal H. Savage*  
DISTRICT JUDGE

U. S. DISTRICT COURT  
SOUTHWEST DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff

-vs-

448.44 acres of land, more  
or less, situate in Mayes  
County, Oklahoma, owned by Raymond C.  
Jerry, et al., and unknown  
owners,

Defendants

CIVIL ACTION NO. 3244

FIRST JUDGE  
CIVIL NO. 3017 PL. 214

AUG 13 1953

NOBLE C. HOOD  
Clerk U. S. District Court

Now on this 22nd day of July, 1953, the plaintiff arose to this application to the Court for judgment.

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

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

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

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

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

<u>Tract No.</u>	<u>Agreement between the U. S. and:</u>	<u>Amount</u>
3014	Fannie Bell Cooper and Jane Cooper	75.00
3044	Mary Lee Constitution Park and Sunday Park, D. C.	2,250.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America has heretofore deposited the amount of \$2,325.00 as to Tracts No. 3014 and 3044, involved in this proceeding, and that there exists no deficiency with reference to the just compensation to be paid for said tracts.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Judgment on Declaration of Taking No. 1 is reaffirmed and the United States of America has, by repositing said sum of \$2,325.00, acquired all rights and estates as set out in said Judgment on Declaration of Taking, and it is DECREED by this Court that said sum is determined to be just compensation for the rights condemned in this proceeding to which the owners are entitled for the taking of the properties involved.


  
 Judge

O.K.

UNITED STATES OF AMERICA, Plaintiff  
 by Arthur H. Harris  
 Special Assistant U. S. Attorney  
 Department of Justice

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Libelant,

vs.

One 1946 Pontiac Two-door Sedan,  
Motor No. K6LA2232; Anderson Leroy  
Jetton; Nancy B. Eason and Green-  
lease-Ledderman Motor Company, a  
corporation,

Claimants.

No. 3296 Civil

FILED

AUG 13 1953

NOBLE C. HOOD  
Clerk U. S. District Court

J U D G M E N T

NOW, on this 13<sup>th</sup> day of August, 1953, this matter having come on for trial and the court being fully advised in the premises and upon consideration thereof, as set out in the findings of fact and conclusions of law filed herein, denies forfeiture of the automobile, and

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that forfeiture of the 1946 Pontiac Two-door Sedan, Motor No. K6LA2232, be and the same is hereby denied and the automobile is ordered returned to claimant, Nancy B. Eason.

IT IS FURTHER ORDERED that the costs of seizure, including storage costs, be and the same are ordered paid by the Alcohol and Tobacco Tax Division of the Bureau of Internal Revenue.

AND IT IS SO ORDERED.

*151 Royce H. Savage*  
JUDGE

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

BILLY JACK BROWN, by and  
Through His Father and  
Next Friend, GERRIE E. BROWN,

Plaintiff

vs.

C. H. ZIMMERMAN and  
CYNTHIA A. ZIMMERMAN,

Defendants.

No. 4001 - Civil

FILED

AUG 20 1953

JUDGMENT ON FINDINGS OF THE COURT

NOBLE C. HOOD  
Clerk U. S. District Court

The above entitled action came on for trial before the Court without a jury, on the 14th day of August, 1953, the plaintiff appeared in person and by his Next Friend and attorney of record, and the defendants appearing by their attorney of record, and testimony having been offered, and the Court having filed its Findings of Fact and Conclusions of Law, and order of Judgment, now, pursuant thereto, it is hereby

ORDERED, ADJUDGED AND DECREED that the plaintiff have judgment against the defendant Cynthia A. Zimmerman in the sum of Twenty-Two Hundred Dollars (\$2200.00), together with the costs of his action, in conformity with the findings of fact and conclusions of law entered herein.

/s/ Royce H. Savage  
Royce H. Savage, Judge of the  
United States District Court

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Helen H. Mining Co., )  
 an Oklahoma Corporation, )  
 South Baxter Springs, Oklahoma, )  
 )  
 Defendant. )

Civil No. 2138

FILED

AUG 24 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER

THIS matter coming on this 24th day of August, 1953 upon the application of the United States of America, appearing by Whit Y. Mazy, United States Attorney for the Northern District of Oklahoma and the court being advised in the premises that the subject matter of this action has been compromised and settled and that the United States is desirous of discontinuing this action.

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

  
\_\_\_\_\_  
JUDGE

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OKLAHOMA

FILED

AUG 24 1953

NOBLE C. HOOD  
Clerk U. S. District Court

CIVIL ACTION NO. 3244

FEDERAL JUDICIAL DISTRICT  
TRACT NO. 78-2-1

United States of America,  
Plaintiff

-vs-

448.44 acres of land, more  
or less, situate in Hayes  
County, Oklahoma, and Raymond C.  
Berry, et al., and unknown  
owners,

Defendants

Now on this 17th day of August, 1953, comes on for trial, pursuant to regular assignment, the matter of confirmation of option contract and the issues as made by the answer of defendants, Raymond C. Berry and Mae Berry; the said defendants appear in person and by counsel, Max C. Cohen; plaintiff appears by counsel, Curtis L. Harris, Special Assistant to the United States Attorney;

The Court hears evidence and finds the issues in favor of the plaintiff; and further finds that said contract is binding upon the plaintiff and the defendants executing same.

The Court further finds that Raymond C. Berry and Mae Berry were the owners of the property involved, being Tract No. 78-2-1, and are entitled to receive the just compensation as fixed in said option contract which amount has heretofore been deposited in this Court.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the agreement and option contract between the United States of America and Raymond C. Berry and Mae Berry, as to the land involved and designated as Tract No. 78-2-1, is hereby confirmed and said parties defendant are decreed to be those entitled to the just compensation deposited in the amount of \$5.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America, having heretofore deposited the said amount of \$5.00 as to

said Trace No. 4-2-1, involved in this proceeding, that there exists no deficiency with reference to the just compensation to be paid for said tract.

It is FURTHER ordered, and ADJUDGED by the court that the judgment on Declaration of Taking No. 2 is reaffirmed and the United States of America has, by depositing the said sum of \$25.00, acquired all rights and estate as a result of said judgment of Declaration of Taking, and it is ORDERED by this court that said sum is determined to be just compensation for the rights condemned in this proceeding to which the owners are entitled for the taking of the estate and real property involved.

In said findings and judgment confirming said option contract in the amount of \$25.00, the defendants except and object.

*(Signed)*  
Raymond H. Savage  
Judge

U.S.

UNITED STATES OF AMERICA, Plaintiff  
By Curtis P. Harris  
Special Assistant U. S. Attorney

May G. Colman  
Attorney for Defendants, Raymond G. Berry and Mae Berry

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

THE FIRST NATIONAL BANK AND  
TRUST COMPANY OF TULSA, a  
national banking association,

Plaintiff,

vs.

W. H. INGERTON, JR., et al.,

Defendants.

Civil No. 2890

FILED  
*In Open Court*  
1953

ORDER CONFIRMING SPECIAL MASTER'S  
REPORT AND SALE

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

This cause came on for hearing on this 27th day of August, 1953, on the motion of the plaintiff to confirm the sale made herein on August 12, 1953 by Edwin B. Kirkpatrick as Special Master pursuant to the decree entered herein on the 26th day of March, 1953, and the report of sale by said Master filed herein on the 21st day of August, 1953, and there being no objections and after hearing counsel,

IT IS ORDERED, ADJUDGED AND DECREED that the report of said Special Master and said sale made by him as therein set forth be, and the same are hereby, approved and confirmed.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED that proper and legal conveyances and assignments of all of the property so sold be executed and delivered forthwith by said Special Master to the purchasers named in said report.

*Wayne H. Simpson*  
\_\_\_\_\_  
District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 Plaintiff, )  
 )  
 -vs- )  
 )  
 Earnest Duncan and Odessa Duncan, )  
 )  
 Defendants, )

No. 2926 Civil

44450

File 7: 1953

J U D G M E N T

NOBLE C. HOOD  
Clerk U. S. District Court

NOW, on this 28th day of August, 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 defendant 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, on May 17, 1946, for a valuable consideration, in accordance with the provisions of the Federal Housing Administration Act, execute to Wright Roofing and Construction Company their written promissory note in the sum of \$164.68 and did on December 23, 1947 execute a written promissory note to Makrauer and Company in the sum of \$417.38, and that said defendants having defaulted in the payments on said notes in accordance with the provisions of said act, and said notes were thereafter assigned to the plaintiff and there is now due and owing upon said notes the sum of \$568.97, with interest thereon at the rate of 6% per annum from June 16, 1953.

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 notes were given for the purpose of paying for permanent improvements upon the homestead occupied by the defendants, being the East 50 feet of Lot 2, Block 12, of the Original Town of Saulepa, Creek County, Oklahoma and by reason thereof the plaintiff is entitled to a

to a lien on the above described property and 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, Earnest Duncan and Odessa Duncan, for the sum of \$358.97 with interest thereon at the rate of 6% per annum from June 16, 1953, and for its costs, that plaintiff have a lien upon said premises for said sum and that the United States Marshal be and he is hereby authorized to levy execution upon the aforesaid premises.

  
JUDGE

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

FILED

Mar 11 1958

NOBLE C. HOOD  
Clerk U. S. District Court

SAWYER-JENSEN-ROSS COMPANY  
an Oklahoma corporation,

Plaintiff, )

vs. )

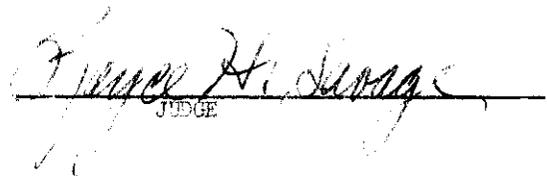
No. 3257 Civil

PAE EQUIPMENT, INC.,  
an Oklahoma corporation,

Defendant. )

DE C R E E

In accordance with Findings of Fact and Conclusions of Law filed herein, judgment is entered for the plaintiff and against the defendant and defendant is directed to pay the costs of this action.

  
\_\_\_\_\_  
JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Hudson Oil Company, a )  
 corporation, )  
 )  
 Defendant. )

No. 3083 Civil

21190

SEP 4 1953

NOBLE C. HOOD  
Clerk U. S. District Court

JOURNAL ENTRY OF JUDGMENT

This matter coming on for hearing this 4th day of September, 1953 and the plaintiff appearing by Whit Y. Meuzy, United States Attorney for the Northern District of Oklahoma, and defendant appearing by Henry L. Eist and the court having heard the evidence and being fully advised in the premises, has made its findings of fact and conclusions of law, which have been filed with the clerk of this court. The court finds that the United States is entitled to recover judgment against the defendant in the sum of \$4,764.82, with interest at 6% from this date until paid.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the plaintiff, United States of America, have and recover judgment against the defendant, Hudson Oil Company, a corporation, in the sum of \$4,764.82, with interest at the rate of 6% per annum from this date until paid and for the costs of this action, for all of which let execution issue.

(5) Raymond St. George  
JUDGE

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Clara S. Hall and R. E. Nicholson, )  
Plaintiffs, )  
vs. )  
Mid-Continent Petroleum Corporation, )  
Defendant. )

Civil No. 3191  
FILED

SEP 4 1953

JUDGMENT

NOBLE C. HOOD  
Clerk U. S. District Court

This case having been heretofore tried on the 19th day of August, 1953, pursuant to regular setting and assignment, and evidence having been introduced, and the Court having made its findings of fact and conclusions of law;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THIS COURT that plaintiffs, Claude P. Hall, Executor of the Estate of Clara S. Hall, Deceased, and R. E. Nicholson, be and hereby are denied any relief or recovery herein, and that this action be and hereby is dismissed with prejudice at plaintiffs' costs, except that future proceedings for injunctive relief are not hereby prejudiced in the event future developments justify such proceedings.

Dated and entered this 4 day of Sept, 1953.

Boyd H. Swartz  
Judge

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

C. E. Witt,  
Plaintiff,  
  
vs.  
  
Mid-Continent Petroleum Corporation,  
Defendant.

Civil No. 3192  
**FILED**

SEP 4 1953

NOBLE C. HOOD  
Clerk U. S. District Court

JUDGMENT

This case having been heretofore tried on the 19th day of August, 1953, pursuant to regular setting and assignment, and evidence having been introduced, and the Court having made its findings of fact and conclusions of law;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECIDED BY THIS COURT that plaintiff, C. E. Witt, be and hereby is denied any relief or recovery herein, and that this action be and hereby is dismissed with prejudice at plaintiff's costs, except that future proceedings for injunctive relief are not hereby prejudiced in the event future developments justify such proceedings.

Dated and entered this 4 day of Sept., 1953.

*James H. Savage*  
Judge

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

Public Service Company of Oklahoma,  
an Oklahoma corporation, Plaintiff

vs

A 100 foot wide easement or right-  
of-way for electric power trans-  
mission and distribution purposes  
to be located upon, over and across  
certain tracts of land in Osage  
County, Oklahoma, and

a 50 foot x 50 foot easement for an  
electric power substation to be  
located upon a certain tract of land  
in Osage County, Oklahoma, and

The United State of America, as a  
matter affecting the title to cer-  
tain Osage Indian land previously  
allotted in fee with certain re-  
straints on alienation, or presently  
owned by restricted Osage Indians,  
and

Mary Beartrack, J. T. Evans, Mary  
Clara Chambers, Josephine Agnes  
Gilmore, Magella Whitehorn Green,  
J. J. Powell, Mary Agnes Wagoshe,  
a minor, Elrenc West, Marcelle West  
Graves, Howard M. West, Jr., Evelyn  
West Barker, Homer Thetford,  
Defendants

Civil No. 3322

RECEIVED

SEP 4 1953

NOBLE C. HOOD  
Clerk U. S. District Court

FINAL DECREE AUTHORIZING  
TAKING IN CONDEMNATION

Now on this 4 day of September, 1953,  
this Cause comes on for hearing pursuant to Order of  
this Court entered August 5, 1953, Plaintiff appearing  
by its attorneys T. M. Markley and J. W. Smith; Defend-  
and, the United States of America appearing by Hon.  
Whit Y. Mauzy, United States Attorney for the Northern  
District of Oklahoma

and no other party Defendant appearing.

All parties having announced ready for hearing, the Court's attention is drawn to each and every one of the following pleadings heretofore filed in this Proceeding, to-wit: The Complaint verified under oath; Application for Order directing manner of service; Order of the Court of August 5th, 1953 directing service; Notice by the Clerk of the Court to Superintendent, Osage Indian Agency Office, Bureau of Indian Affairs, Department of the Interior, Pawhuska, Oklahoma, also to Mary Agnes Wagoshe, a minor (Notice to Superintendent, Osage Indian Agency Office, Bureau of Indian Affairs, Department of the Interior, Pawhuska, Oklahoma), Mary Beartrack, J. T. Evans, Mary Clara Chambers, Josephine Agnes Gilmore, Magella Whitehorn Green, J. J. Powell, C. L. Tinsley, Elreno West, Marcelle West Graves, Howard M. West, Jr., Evelyn West Barker; Amendment of Complain verified under oath dismissing the Plaintiff's cause of action with respect to Defendant C. L. Tinsley and adding Homer Thetford as a party defendant; Return of Service thereof under oath by agents and attorneys for Plaintiff to the Attorney General of the United States of America, Washington, D. C. and proof of mailing thereof and to Hon. Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma and return thereof.

Plaintiff introduces the testimony of sundry witnesses relative to the damages suffered by the parties in interest in and to the lands herein sought to be condemned and which will result from appropriation by Plaintiff of perpetual easements and rights-of-way for an electric power substation, an electric transmission line tap and an electric distribution line, all as hereinafter more particularly set out, and

Whereupon Plaintiff by and through its attorneys and the United States of America by and through its attorney

and the other defendants named herein and each and every one of them by default in open Court waive their right to file in this Proceeding a written demand for a jury trial and being thus fully advised in the premises

THE COURT FINDS: That the matters set out in the verified Complaint and verified Amendment of Complaint herein filed by Plaintiff are true and correct and said Plaintiff, a corporation organized under the laws of the State of Oklahoma and engaged in the distribution and furnishing of electric power and energy to the public for light, heat and power, is authorized by the laws of the State of Oklahoma to exercise the right of eminent domain to acquire rights-of-way for electric substations and electric transmission and distribution lines and it further appearing that the taking and use of easements and rights-of-way for said purposes is a taking and use for a public purpose and that said Plaintiff should be granted the relief prayed in its said Amended Complaint; that this Court has proper jurisdiction of this cause by reason of the Act of Congress of March 3, 1901, Chap. 832, Sec. 5, 31 Stat. 1084, 25 U S C A, Sec. 357; that Notice of this Proceeding has been served according to law upon all parties in interest with respect to tracts of land Nos. 1 to 5, inclusive, more particularly hereinafter described, including the United States of America which is an interested party by reason of the fact that this matter affects the title to certain

Osage Indian lands previously allotted in fee with certain restrictions on alienation which are still in effect with respect to said lands; that all Defendants herein except the United States of America are in default; that all necessary parties to this cause are now properly before this Court for final disposition of this Proceeding; that all parties hereto have waived their right to file a written demand for a jury trial and have joined with Plaintiff in praying that final disposition be made of this Proceeding and that the Court make its findings with respect to damages; that Plaintiff in accordance with the rules of this Court amended its Complaint dismissing, without prejudice, its cause of action with respect to Defendant C. L. Tinsley and naming as a party defendant in lieu of said C. L. Tinsley one Homer Thetford; that the easements and rights-of-way sought to be condemned by Plaintiff herein will not in any manner constitute a burden or encumbrance upon the mineral interests in the said five tracts of land involved herein, which mineral interests are held in trust by the United States of America for the benefit of the members of the Osage Tribe or Nation.

THE COURT ALSO FINDS that the description of the five tracts of land upon, over and across which Plaintiff seeks herein to condemn said easements and rights-of-way together with the parties in interest defendants herein are as follows:

TRACT NO. 1: SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 32, T24N, R9E, Osage County, Oklahoma; upon, over and across which tract construct:

- (A) Upon a plot 50 x 50 feet, the Southwest corner of which is 423 feet East and 92 feet North of the Southwest corner of the said SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 32, construct an electric distribution substation including the right to fence, to grade, place foundations, surfacing, poles, structures and equipment and including the right to exclusive use and occupancy; and
- (B) Upon, over and across which tract construct a single pole electric transmission line, the center of which line will run from a point of connection with Plaintiff's existing North-South electric transmission line, approximately 503 feet East and 117 feet North of the Southwest corner of SE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Sec. 32; thence Westerly to the East line of said substation site, including the right to trim, cut and remove trees and brush of said tract that are within 50 feet of either side of said center line; and
- (C) Also upon, over and across which tract construct a single pole electric distribution line, the center of which line will run from the center of the substation described under "A" above, Southward to a point 448 feet East and 52 feet North of the Southwest corner of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Sec. 32; thence westward in a straight line parallel to and 52 feet North of the South line of said Sec. 32 to the West line of said SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 32, including down-guy and anchor and the right to trim, cut and remove trees and brush of said tract that are within 50 feet of either side of said center line.

Original Allottee and Present Restricted Owner:

Mah Grah Lum Pah, now Mary Beartrack, Osage Roll No. 865;  
Residence: Box 156, Fairfax, Oklahoma.

Agricultural Lessee: J. T. Evans, Rural Route, Wynona, Okla.

TRACT NO. 2: SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 31, T24N, R9E and SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 32, T24N, R9E, both Osage County, Oklahoma; upon, over and across which tract construct an electric distribution line consisting of conductors on single pole structures, the center of which line will run as follows:

Beginning at a point on the East line of SW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Sec. 32; thence westward on a straight line parallel to and 52 feet North of the South line of said Sec. 32 to a point on the West line of SW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Sec. 32, which is 52 feet North of the Southwest corner of said Sec. 32 and which point is also on the East line of Sec. 31, T24N, R9E, 52 feet North of the Southeast corner thereof; thence continuing westward in a straight line 52 feet North of and parallel to the South line of the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 31, T24N, R9E, to a point on the West line of said SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 31, which point is 52 feet North of the Southwest corner

of SE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Sec. 31

including the right to trim, cut and remove trees and brush on said tract that are within 50 feet of either side of said center line,

Original Allottee: Nannie Naranjo, Osage Roll No. 735, now deceased.

Present Restricted Owners - Devisees of Original Allottee:  
Mary Clara Chambers, undivided one-half ( $\frac{1}{2}$ ) interest;  
Residence: 1729 Westchester Drive, Oklahoma City, Oklahoma

Josephine Agnes Gilmore, undivided one-half ( $\frac{1}{2}$ ) interest;  
Residence: 815 West Louisiana Street, Anadarko, Okla.

Agricultural Lessee: J. T. Evans, Rural Route, Wynona, Oklahoma.

TRACT NO. 3: SE $\frac{1}{4}$  SW $\frac{1}{4}$  and SW $\frac{1}{4}$  SE $\frac{1}{4}$ , both Sec. 31, T24N, R9E, Osage County, Oklahoma; upon, over and across which tract construct an electric distribution line consisting of conductors on single pole structures, the center of which line will run as follows:

Beginning at a point on the East line of SW $\frac{1}{4}$  SE $\frac{1}{4}$ , said Sec. 31; thence westward in a straight line parallel to and 52 feet North of the South line of said Sec. 31 to a point on the West line of SE $\frac{1}{4}$  SW $\frac{1}{4}$ , said Sec. 31, which point is 52 feet North of the Southwest corner SE $\frac{1}{4}$  SW $\frac{1}{4}$ , said Sec. 31,

including the right to trim, cut and remove trees and brush on said tract that are within 50 feet of either side of said center line.

Original Allottee: Walla Fish (A. H. Hu Scah), Osage Roll No. 686, now deceased.

Present Restricted Owner: Magella Whitehorn Green, Hominy, Oklahoma.

Agricultural Lessee: J. J. Powell, Rural Route, Wynona, Oklahoma

TRACT NO. 4: E $\frac{1}{2}$  NE $\frac{1}{4}$ , Section 1, T23N, R8E, Osage County, Oklahoma; upon, over and across which tract construct an electric distribution line consisting of conductors on single pole structures, the center of which line will run approximately as follows:

Commencing at a point on the North line of E $\frac{1}{2}$  NE $\frac{1}{4}$  of said Sec. 1, 61 feet West of the Northeast corner thereof; thence southerly in a straight line at an angle of 88 degrees and 40 minutes with said North line to a point on the South line of said E $\frac{1}{2}$  NE $\frac{1}{4}$ , which point is 135 feet West of the Southeast corner of said E $\frac{1}{2}$  NE $\frac{1}{4}$ ,

including the right to trim, cut and remove trees and brush on said tract that are within 50 feet of either side of said center line.

Original Allottee: Mo Se Che He, Osage Roll No. 838,  
Now deceased.

Present Restricted Owner:  
Mary Agnes Wagoshe, a minor;  
Residence: Pawhuska, Oklahoma.

Agricultural Lessee: Homer Thetford, Rural Route,  
Wynona, Oklahoma.

TRACT NO. 5: E $\frac{1}{2}$  NE $\frac{1}{4}$ , Section 12, T23N, R8E, Osage County, Oklahoma; upon, over and across which tract construct an electric distribution line consisting of conductors on single pole structures, the center of which line will run approximately as follows:

From a point on the North line of E $\frac{1}{2}$  NE $\frac{1}{4}$ , said Sec. 12, which point is 48 feet West of the Northeast corner of said E $\frac{1}{2}$  NE $\frac{1}{4}$ ; thence southerly in a straight line along the East line of said Sec. 12 to a point on the South line of said E $\frac{1}{2}$  NE $\frac{1}{4}$ , which point is 20 feet West of the Southeast corner of said E $\frac{1}{2}$  NE $\frac{1}{4}$ ,

including the right to trim, cut and remove trees and brush on said tract that are within 50 feet of either side of said center line.

Original Allottee: Fannie West, Osage Roll No. 836,  
Now deceased.

Present Restricted Owners:  
Elreno West, undivided one-half ( $\frac{1}{2}$ ) interest;  
Residence: Rural Route, Wynona, Oklahoma (lives on land).  
  
Marcelle West Graves, undivided one-sixth ( $\frac{1}{6}$ ) interest;  
Residence: Fairfax, Oklahoma  
  
Howard M. West, Jr., undivided one-sixth ( $\frac{1}{6}$ ) interest;  
Residence: Tulsa, Oklahoma  
  
Evelyn West Barker, undivided one-sixth ( $\frac{1}{6}$ ) interest;  
Residence: In Care Of Suzie Craft, Hominy, Oklahoma

THE COURT FURTHER FINDS that the nature of the property and rights with respect to said Tracts Nos. 1 to 5, inclusive, so to be taken and the uses for which such property is to be taken are:

(1) A perpetual easement and right-of-way covering a plot 50 feet by 50 feet, hereinbefore fully described (Tract No. 1), for the purpose of erecting, operating and maintaining an electric substation consisting of poles, structures, surfacing, wires, fixtures, transformers, regulators, foundations and equipment for the transformation, regulation, metering, protection, transmission, distribution, control and flow of electric power and energy, at any voltage or quantity and including telephone, telegraph and control messages and impulses necessary in the operation and maintenance of Plaintiff's system at any time, including the right and privilege of ingress, egress, removal, change in or additions to at any time, the right to cut down, trim or remove trees and brush and to fill and grade the surface of the land; also the right to enclose and fence and to have the exclusive right of entrance, use and occupancy of the land; and

(2) A perpetual easement and right-of-way for the purposes of erecting, operating and maintaining upon, over and across the land hereinbefore fully described (Tract No. 1), an electric transmission feeder tap line consisting of single pole structures, wires and fixtures operating at a nominal 33,000 volts and extending approximately 50 feet from the center line of Plaintiff's present 33,000 volt transmission line to the electric substation

described under (1) above, and carrying electric power and energy together with the right and privilege of ingress, egress, removal, change in or additions to, at any time, and including the right to set anchors and attach necessary guy wires thereto for bracing said transmission line; also the right to cut, trim or remove trees or brush which may, in Plaintiff's judgment, interfere with or endanger said electric transmission line or its maintenance or operation within an area of 50 feet of either side of the center of said line, but RESERVING, nevertheless, to the land owners, lessees and tenants of said tract of land, at all times, the right to make such use of said land including the 100 foot width of said easement as is not inconsistent with or dangerous to the operation and maintenance of said electric transmission line, easement and right-of-way; and

(3) A perpetual easement and right-of-way for the purpose of erecting, operating and maintaining upon, over and along the route and across the lands hereinbefore fully described (Tracts Nos. 1, 2, 3, 4 and 5), an electric distribution line consisting primarily of single pole structures, carrying wires and fixtures, operating at not to exceed 14,000 volts and carrying for distribution, electric power and energy, together with the right and privilege of ingress, egress, removal, change in or additions to at any time and including also the right to set anchors and attach necessary guy wires thereto for bracing said distribution

lines; also the right to cut down, trim or remove trees and brush which may, in Plaintiff's judgment, interfere with or endanger said line or its maintenance and operation, within an area fifty feet on either side of the center of said electric distribution line, but RESERVING, nevertheless, to the land owners, lessees and tenants of said tracts of land at all times the right to make such use of said lands, including the 100 foot width of said easement, as is not inconsistent with or dangerous to the operation and maintenance of said electric distribution line, easement and right-of-way; provided, however, that Plaintiff shall cut down no trees, at any time, within the 100 foot width of the said distribution line easement within the area immediately in front of the residence now situated on Tract No. 3 and in front of which residence said distribution line will pass, for so long as such existing residence shall remain, but Plaintiff shall have the continuing right and privilege of trimming and "topping" any trees within said area, having reasonable respect for the use and value of such trees as shade trees for said residence, in order to provide for the safe operation and maintenance of said electric distribution line.

THE COURT FURTHER FINDS that reasonable and adequate damages accruing to the said five tracts of land as a result of said proposed appropriation of easements and rights-of-way are:

<u>TRACT NO. 1</u> (as described above herein):		
To the Owners thereof, the sum of		\$230.00
To the Agricultural Lessee thereof, the sum of		<u>15.00</u>
Total for Tract No. 1		\$245.00
<u>TRACT NO. 2</u> (as described above herein):		
To the Owners thereof, the sum of		\$105.00
To the Agricultural Lessee thereof, the sum of		<u>10.00</u>
Total for Tract No. 2		\$115.00
<u>TRACT NO. 3</u> (as described above herein):		
To the Owners thereof, the sum of		\$135.00
To the Agricultural Lessee thereof, the sum of		<u>25.00</u>
Total for Tract No. 3		\$160.00
<u>TRACT NO. 4</u> (as described above herein):		
To the Owners thereof, the sum of		\$120.00
To the Agricultural Lessee thereof, the sum of		<u>20.00</u>
Total for Tract No. 4		\$140.00
<u>TRACT NO. 5</u> (as described above herein):		
To the Owners thereof, the sum of		\$105.00
To the Agricultural Lessee thereof, the sum of		<u>35.00</u>
Total for Tract No. 5		\$140.00

Total damages, all tracts - - - - - \$800.00

Also that Plaintiff has heretofore paid into the depository of this Court the sum of Eight Hundred Dollars (\$800).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the entry upon and taking forthwith, of the said perpetual easements and rights-of-way as found and described above herein upon, over and across said tracts of land Nos. 1 to 5, inclusive, as set out above herein, by Plaintiff, for the construction,

operation, maintenance and alteration of its electric substation, electric power transmission line and electric distribution line, all as prayed in its said Amended Complaint, is hereby authorized and confirmed in all things and said Plaintiff, Public Service Company of Oklahoma, is hereby vested with the said perpetual easements and rights-of-way together with the perpetual rights of ingress and egress and the right to the exclusive use and occupancy of the said substation area all free and clear of any and all claims of the Defendants herein who are hereby perpetually enjoined and barred from hereafter claiming adversely to the Plaintiff's said rights, privileges and estate ordered, adjudged, decreed and granted herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Clerk of this Court make payable to the Treasurer of the United States and transmit to the Superintendent, Osage Indian Agency Office, Bureau of Indian Affairs, Department of the Interior, Pawhuska, Oklahoma, the sum of Eight Hundred Dollars (\$800) to be there distributed to or for the use of the owners and agricultural lessees of the respective tracts as set out hereinabove according to law.

IT IS ALSO ORDERED, ADJUDGED AND DECREED by the Court that the damages awarded herein shall not be construed as concluding the rights of any defendant to the extent of his interest therein, if entitled, to claim, sue for and recover damages, if any, that may occur during the process of construction and maintenance of said electric substation, transmission and distribution line and further that the perpetual easements and rights-of-way taken by Plaintiff and described herein and the operation of said substation

transmission line feeder tap and electric distribution line will not, in any way, constitute a burden or encumbrance upon the mineral interests in the said five tracts of land and that the costs of this Proceeding be taxed against the Plaintiff herein and that the case be closed.

Royce 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

E. M. Turner, )  
 )  
 Plaintiff, )  
 )  
 vs. ) No. 3195 Civil  
 )  
 G. G. Griffis, Inc., a Pipeline )  
 Constructio Company, )  
 )  
 Defendant. )

SEP 11 1953  
NOBLE C. HOOD  
Clerk U. S. District Court

DISMISSAL WITH PREJUDICE

Comes now the plaintiff, E. M. Turner, and dismisses the above  
styled and numbered action with prejudice to the bringing of a future action.

Dated this 8th day of September, 1953.

Jack B. Sellers  
Attorney for Plaintiff

It is hereby ordered that the above styled and numbered cause of  
action be dismissed with prejudice, this 8th day of September, 1953.

George H. Savage  
U. S. District Judge

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

St. Louis-San Francisco Railway  
Company, a corporation, )  
Plaintiff, )  
-vs- )  
John T. Hair, )  
Defendant. )

FILED  
SEP 21 1953  
No. 3303  
NOBLE C. HOOD  
Clerk U. S. District Court

CROSS-COMPLAINANT'S DISMISSAL WITH PREJUDICE

John T. Hair, defendant and cross-complainant, having paid, and plaintiff, St. Louis-San Francisco Railway Company, having accepted, the sum of Forty-five hundred Dollars (\$4500.00) in complete settlement of its claims against the said John T. Hair, defendant and cross-complainant does hereby, therefore, dismiss with prejudice to future action his cross-complaint against plaintiff.

*John T. Hair*  
\_\_\_\_\_  
JOHN T. HAIR  
*Gurney G. Cox*  
\_\_\_\_\_  
GURNEY G. COX  
for RUCKER & TARBOR

GABLE, GOTWALS & HAYS  
By *Gable, Gotwals & Hays*  
Attorneys for Defendant

APPROVED: this 10 day of September, 1953.

*Royce H. Savage*  
\_\_\_\_\_  
ROYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

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

St. Louis-San Francisco Railway  
Company, a corporation, )  
Plaintiff, )  
-vs- )  
John T. Hair, )  
Defendant. )

No. 3303

FILED

SEP 10 1952

PLAINTIFF'S DISMISSAL WITH PREJUDICE

NOBLE C. HOOD  
Clark U. S. District Court

St. Louis-San Francisco Railway Company, plaintiff,  
having accepted, and defendant, John T. Hair, having paid, the  
sum of forty-five Hundred Dollars (\$4500.00) to said plaintiff  
St. Louis-San Francisco Railway Company in complete settlement  
of its claims plaintiff does hereby, therefore, dismiss with  
prejudice to future action its complaint against defendant.

SATTERFIELD, FRANKLIN & GARGON

By Harry L. Harmon  
411 Colcord Building  
Oklahoma City 2, Okla.

DOERNER, FINEHART & STUART  
National Bank of Tulsa Bldg.  
Tulsa 3, Oklahoma  
by Paul Q. Walker  
Attorneys for Plaintiff

APPROVED: this 10 day of September, 1952.

Royce H. Savage  
Royce H. Savage  
United States District Judge

DISTRICT COURT OF MARYLAND

Plaintiff,

Plaintiff,

NOBLE C. HOOD

Defendant,

Defendant,

1959

1959

NOBLE C. HOOD  
Clerk U. S. District Court

on September 10, 1959, on motion of plaintiff,

it is ORDERED that this case be dismissed at the cost of  
the plaintiff without prejudice.

*Joyce H. Savage*  
Joyce H. Savage  
United States District Judge

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

KOHLER, STOVER & LVEY, a partnership,  
Plaintiff,

vs.

THE CITY OF TULSA, a Municipal Corporation,  
and O. M. WARREN, Mayor of the City of Tulsa,  
GLENN H. McCONNEL, J. J. JONES, J. MAXWELL  
SMITH, W. W. JENKINS, and SID W. PATTERSON,  
Commissioners of the City of Tulsa, in their  
representative capacities,

Defendants,

No. 4275

FILED

SEP 10 1953

NOBLE C. HOOD  
Clerk U. S. District Court

DECLARATORY JUDGMENT

Pursuant to the findings of fact and conclusions of law filed  
in this cause this 9<sup>th</sup> day of September, 1953, and upon motion of  
the defendants

IT IS ORDERED, ADJUDGED AND DECREED that under the terms of the  
contract between the parties dated January 10, 1953, for the construc-  
tion of the Turkey Mountain Sewage Disposal Plant designated contract  
5-552-2, the plaintiff, Kohler, Stover & Lvey, a partnership, is re-  
quired and bound to perform all the work covered by the plans and  
specifications including specifically all backfill and borrow excava-  
tion, placement, compaction, grading and dressing for the lump sum  
bid of \$831,672.00 except as said lump sum bid may be adjusted by alter-  
ations in the work authorized and ordered by written change order as  
provided in the contract documents.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff pay  
the costs of this action.

*(S)* Reyes H. Savage  
DISTRICT JUDGE

*Auto form  
Collins + Moore  
By Joel A. Moore  
Attorneys  
Approved  
W. Davidson  
Attorney for Defendants*

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

DORIS L. NORTON,

Plaintiff,

-vs-

NATIONAL GYPSUM COMPANY,  
A Corporation,

Defendant.

No. 3284

ROBERT C. BROWN  
Clerk U. S. District Court

O R D E R

Now, on this 14th day of September, 1953, the above entitled matter coming on for hearing upon the stipulation of the parties for dismissal with prejudice and it appearing to the court that the parties have settled said cause out of court and have filed their written stipulation herein for dismissal with prejudice to a new action at the cost of the defendant but without attorneys' fees to either side, and the Court being well and sufficiently advised in the premises,

IT IS ORDERED, ADJUDGED AND DECREED, that the above entitled matter be and the same is hereby dismissed with prejudice to a new action at the cost of the defendant but without attorneys' fees to either side.

s/ Royce H. Savage  
Judge

APPROVED:

s/ Charles C. Chesnut  
Attorney for Plaintiff  
Miami, Oklahoma

s/ Whit Y. Mauzy  
United States District Attorney  
Tulsa, Oklahoma

s/ A. C. Wallace

s/ John F. Wallace

s/ Ben T. Owens  
Attorneys for Defendant  
Miami, Oklahoma

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Donald Broyles  
Commerce, Oklahoma

Defendant.

No. 3327 Civil

FILED

SEP 15 1953

NOBLE C. HOOD  
Clerk U. S. District Court

ORDER OF DISMISSAL

NOW on this 15th day of September, 1953, it being shown to the Court that the defendant has paid to the Treasurer of the United States the amount involved in this suit in the sum of \$108.50 and the sum of \$42.00, Court Costs, to the Court Clerk being the full amount of the costs of the case:

IT IS THEREFORE ordered by the court that said case be dismissed with prejudice to any future action.

15/ *Royal H. George*  
District Judge

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

MISSOURI-ILLINOIS RAILROAD CO.,

PLAINTIFF,

V. Civil Action No. 3157

UNIVERSAL PETROLEUM CO., a Corporation,

VERSUS

DEFENDANT.

SEP 23 1953

O R D E R

NOBLE C. HOOD  
Clerk U. S. District Court

On this 16<sup>th</sup> day of September, 1953, is presented stipulation of plaintiff and defendant filed herein, wherein they stipulate and agree that plaintiff's complaint may and should be dismissed at the cost of plaintiff, and the Court, being well and sufficiently advised, approves the said stipulation and finds that plaintiff's complaint should be so dismissed and,

IT IS SO ORDERED.

Raymond H. Sprague  
United States District Judge