

IN SENATE, SEPTEMBER 10, 1956

... for the
...
... corporation,
Plaintiff,

vs.

CIVIL NO. 3094

...
...
...
... corporation,
Defendant,

...
...
Intervenor.

FILED

SEP 10 1956

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

ORDER

This matter comes on for hearing this *10th* day of September, 1956 on motion to dismiss of the Intervenor, Motor Exchange Wire Company. The court being advised on the remises finds that the complaint of the Intervenor should be dismissed with prejudice.

It is further ordered, that the complaint of intervention is dismissed with prejudice at the cost of the defendant.

James H. ...

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

Robert L. Curtis, and
Wanda Curtis,

Plaintiffs,

-vs-

Eastman Richard, Jr., an incompetent,
George W. Stidham, Guardian;
Leona Richard Fox, an incompetent,
C. C. Lynn, Guardian;
Rina Urquhart, now Richard;
F. R. Billingslea;
Martha Madine Andrews and
Bert A. Andrews;
Roberta Wright McCain and J. S.
McCain;

Defendants.

NO. 3875

FILED

SEP 13 1956

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

MARSHAL'S DEED

WHEREAS, on the twenty fourth (24th) day of May,
1956, in the United States District Court for the Eastern
District of Oklahoma, in a certain action therein pending
wherein Robert L. Curtis and Wanda Curtis were plaintiffs
and Eastman Richard, Jr., an incompetent, George W. Stid-
ham, Guardian; Leona Richard Fox, an incompetent, C. C.
Lynn, Guardian; Rina Urquhart, now Richard; F. R. Billingslea;
Martha Madine Andrews and Bert A. Andrews; Roberta Wright
McCain and J. S. McCain were defendants, the said action
being an action for the partition of the real estate and
premises herein described, it was duly adjudged and de-
creed that the plaintiffs and the defendants, Eastman
Richard, Jr., an incompetent, Leona Richard Fox, Rina
Urquhart, F. R. Billingslea, Martha Madine Andrews, and
Bert A. Andrews, Roberts Wright McCain and J. S. McCain,
and Basil R. Smith were the sole and exclusive owners of

the South half (S/2) of the Northeast quarter (NE/4) and lots one (1) and two (2) all in section five (5), Township seventeen north (17N), Range seven east (7E), Creek County, Oklahoma containing one hundred and sixty (160) acres more or less, Creek County, Oklahoma. The plaintiffs owning an undivided one fifty (1/5) interest each therein, and the defendants, Eastman Richard, Jr., an incompetent, Rina Urquhart and Leona Richard Fox owning an undivided one fifty (1/5) interest each therein; the defendants Nadine Andrews and Bert A. Andrews owning an undivided one sixtieth (1/60) interest in the mineral rights; the defendants Robert Wright McCain and J. S. McCain owning an undivided one sixtieth (1/60) interest in the mineral rights therein; and the defendant F. R. Billingslea owning an undivided one thirtieth (1/30) interest in the mineral rights therein; and the defendant Basil R. Smith owning an undivided one fifteenth (1/15) interest in the mineral rights therein, and that the same should be partitioned accordingly; and

WHEREAS, on the twenty fourth (24th) day of May, 1956, the Court, by its judgment, order, and decree, appointed Homer O'Dell, Leland Seay and Jack Shickram, as commissioners to make partition of said real estate between the parties to this action according to their respective interest as above set out; and

ON the thirteenth (13th) day of July, 1956, Homer O'Dell, one of the commissioners appointed, having shown to the Court that he was unable to accept and serve in said capacity, the Court filed an amendment to the order

of partition naming R. J. Brakey in lieu of Homer O'Dell as one of said commissioners; and

WHEREAS, the aforesaid commissioner after duly taking the oath prescribed by law, and have duly went upon and personally inspected and examined said premises, and thereafter on August fourteen (14), 1956, duly filed their report in said Court in said action, and reported that the real estate and premises could not be partitioned without great and manifest injury to the owners thereof. The same being the parties to said action, and in said report, the commissioner, valued and appraised said premises as follows:

Real Estate	-	\$25,000.00
Mineral Rights	-	\$5,250.00

which report was duly approved, confirmed and ratified by said court on the seventh (7th) day of September, 1956; and

WHEREAS, on the twenty second (22nd) day of August, 1956, the said Robert L. Curtis, one of the plaintiffs in said action filed herein his written election to take said property at its appraised value of thirty thousand, two hundred and fifty dollars (\$30,250.00) and thereafter on the seventh (7th) day of September, 1956, said Court ordered and directed the United States Marshal of the Northern District of Oklahoma, to make, execute, and deliver a deed conveying said property to the said Robert L. Curtis, on payment by him to the Court Clerk of the Northern District of Oklahoma the sum of thirty thousand, two hundred and fifty dollars (\$30,250.00) the same to be disbursed to the plaintiff, Wanda Curtis and the above named defendants in proportion due each of said parties of the appraised value of said premises;

NOW, therefore, James Y. Victor, United States Marshal for the Northern District of Oklahoma, in consideration of the premises and in pursuance of said order of said Court and of the statutes in such case made and provided, and in consideration of the sum of thirty thousand, two hundred and fifty dollars (\$30,250.00), the appraised value of said property, thirty thousand, two hundred and fifty dollars (\$30,250.00) cash in hand, paid by the said plaintiff, Robert L. Curtis, to the Court Clerk of the United States District Court for the Northern District of Oklahoma, to be disbursed in conformance with the order of the Court and proportion due the plaintiff Wanda Curtis and the defendants in the amount of their interest as shown by the appraised value, have granted, bargained, sold and conveyed unto the said Robert L. Curtis, his heirs and assigns, forever, and by these presence do grant, bargain, sell, and convey unto the said Robert L. Curtis, his heirs and assigns, forever, the said real estate and premises in Creek County, State of Oklahoma, and more particularly described above, together with all and singular, the tenements, improvements, hereditaments and appurtenances thereon and thereunto belonging or in anywise appertaining.

TO have and to hold, the said real estate, mineral rights and premises unto the said Robert L. Curtis, his heirs and assigns, forever, as fully and absolutely as I, the United States Marshal for the Northern District of Oklahoma aforesaid, can, may, or ought to convey the same, by virtue of the order of said Court and of the statutes in such case made and provided.

IN witness whereof, I, the said United States Marshal for the Northern District of Oklahoma, have hereunto set my hand on this seventh (7th) day of September, 1956.

James Y. Victor
United States Marshal for the
Northern District of Oklahoma

STATE OF OKLAHOMA }
 } SS
COUNTY OF TULSA }

ON this seventh (7th) day of September, 1956, before me, the undersigned, a Notary Public within and for said County and State, personally appeared James L. Victor, United States Marshal for the Northern District of Oklahoma, known to me to be the identical person described in and who executed the foregoing instrument of writing, and acknowledged to me that he, as such United States Marshal for the Northern District of Oklahoma, executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

IN witness hereof, I hereunto set my hand and official seal the day and year last above written.

Notary Public

My Commission Expires:

_____, 19__.

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

FILED

SEP 14 1956

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

Pan American Casualty
Company, a corpora-
tion,

Plaintiff,

vs.

No. 3920 Civil.

Ralph A. Miller and
Clara Miller,

Defendants.)

DISMISSAL WITHOUT PREJUDICE

Comes now the plaintiff, Pan American Casualty Company, a corporation, and moves the Court to enter its order dismissing this case without prejudice.

Duke Duvall

DUKE DUVALL, Liberty Bank Building,
Oklahoma City, Oklahoma.

ATTORNEY FOR PLAINTIFF.

Defendants hereby consent to the entry of an order by the Court dismissing this case without prejudice.

Elliott Howe

REED & HOWE, Daniel Building, Tulsa,
Oklahoma.

ATTORNEYS FOR DEFENDANTS.

ORDER

Upon motion of the plaintiff and agreement of the defendants, it is ordered that this case be and hereby is dismissed without prejudice.

DATED this 14th day of September, 1956.

(S) J. H. Swager
JUDGE.

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

Harry W. Copeland, et al, d/b/a)
Copeland Drilling Company, a)
Partnership,)

Plaintiff)

-vs-)

Frankfort Oil Company, a division)
of the Calvert Distilling Company,)
a corporation.)

Defendant)

No. 3953 - Civil

FILED

SEP 14 1956

DISMISSAL WITH PREJUDICE

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

Come now the plaintiffs, Harry W. Copeland, Carl Copeland and
Quinton Copeland, co-partners, d/b/a Copeland Drilling Company,
and dismiss the above styled and numbered cause with prejudice
to the bringing of any further or additional action based thereon,
at their own costs.

COPELAND DRILLING COMPANY

By

Harry W. Copeland
Carl Copeland
Quinton Copeland

COLLINS & MOORE

By

Joe A. Moore
Attorneys for plaintiffs

ORDER OF DISMISSAL

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

(8) *Rayce H. Savage*
U. S. District Judge.

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

* * * * *

THE FILER & STOWELL COMPANY,)
A Corporation,)

Plaintiff,)

-vs-

RANDALL M. FENTON, doing business)
as RANDALL FENTON & COMPANY,)

Defendant.)

Civil No. 3990

FILED

SEP 14 1956

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

JUDGMENT

The motion of the plaintiff, The Filer & Stowell Company, a corporation, for Summary Judgment as against the defendant, Randall N. Fenton, doing business as Randall Fenton & Company, pursuant to Rule 56 of the Rules of Civil Procedure, having been duly presented, and the Court being fully advised,

The Court finds, upon the pleadings and affidavits submitted and on file, that there is no genuine issue as to any material fact and that the plaintiff is entitled to judgment as a matter of law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiff's Motion for Summary Judgment be, and the same hereby is granted, and that plaintiff have and recover judgment as against the defendant in the sum of \$3,775.92, with interest thereon at the rate of 6 per cent per annum from date of judgment, and for all of its costs herein expended; for all of which let execution issue.

Dated this 10th day of September, 1956.

151 Royce H. Sawyer
United States District Judge

APPROVED AS TO FORM;
Ungerma, Whitebook, Grabel & Ungerma

By *William Latta*
Attorneys for Plaintiff

James G. Davidson
James G. Davidson, Attorney for Defendant

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

ELIZABETH CATHERINE HALLIN,
Administratrix of the Estate of
OSCAR J. HALLIN, Deceased,

Plaintiff,

-vs-

WILLIAM L. ORSELL,

Defendant.

No. 3992

FILED

SEP 17 1956

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

O R D E R

Now on this 17 day of September,
1956, it appearing to the court that the above captioned cause
has been settled by and between the parties and releases therein
executed, it is ordered, adjudged and decreed that this cause be
dismissed with prejudice to the rights of the plaintiff to bring
a further action.

17 *Noble C. Hood*
Judge

IEU:lg

9/4/56

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

ED L. ERWIN,
Plaintiff
vs.
JAMES J. MILLS,
Defendant

No. 3996 Civil

FILED

SEP 17 1956

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

ORDER DISMISSING ACTION WITH PREJUDICE

Now on this 17th day of September, 1956, there having been presented to the undersigned District Judge, a Motion filed herein by the plaintiff and defendant, seeking a Dismissal of this action with Prejudice and the Court having considered the same finds that said Motion should be sustained.

IT IS THEREFORE ORDERED by this Court that the cause of action as filed herein by Plaintiff be, and the same is hereby dismissed with prejudice as of this date.

Royce H. Savage
United States District Judge

APPROVED AS TO FORM:

TROWER, FERGUSON & GAITHER
and C. A. BACK, JR.

By Jack S. Trower
Attorneys for Plaintiff

UNGERMAN, WHITEBOOK, GRABEL & UNGERMAN

By _____
Attorneys for defendant

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

MATTIE MORRIS DAVIS,)
)
 Plaintiff,)
)
 vs.)
)
 MRS. C. W. McNULTY,)
)
 Defendant.)

No. 3942

FILED

SEP 19 1956

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

DISMISSAL WITH PREJUDICE

Come now the plaintiff and defendant and dismiss respectively their complaint and their counter-claim, for the reason that said plaintiff and defendant have fully settled and compromised the controversy existing between them, and therefore respectfully move the Court to dismiss said complaint and counter-claim filed herein, at the cost of the plaintiff.

Mattie Morris Davis
Plaintiff

[Signature]
Attorney for plaintiff

HOUSTON, KLEIN & DAVIDSON

By [Signature]
Attorney for defendant

ORDER OF DISMISSAL

The parties hereto having fully settled and compromised the controversy existing between them, and the Court being fully advised in the premises, hereby grants their request to dismiss with prejudice the complaint and counter-claim filed herein.

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

15/ Royce H. Swanson
JUDGE OF THE DISTRICT COURT

O. K. [Signature]
Attorney for plaintiff

[Signature]
Attorney for defendant

IEU:lg
9/19/56

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

S. W. COE & COMPANY,
a Corporation,

Plaintiff

vs.

PAUL C. EDWARDS,

Defendant

No. 3911 - Civil

FILED

SEP 20 1956

J U D G M E N T

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

Now on this the 18th day of September, 1956, there came on for trial before the undersigned District Judge, the above styled and numbered action, plaintiff appearing by its Agent, Milo C. White and its attorneys of record, Ungerman, Whitebook, Grabel and Ungerman, and the defendant appeared by his attorney, William P. Huckin, Jr., and all parties having announced ready for trial the Court proceeded to hear the testimony of a witness sworn and examined in open Court for and on behalf of the said plaintiff. Upon the plaintiff resting its cause the defendant offered no testimony whatsoever.

Thereupon and from the said testimony so offered the Court finds that the allegations as set forth in the Complaint filed herein are true and correct and that the defendant is indebted to the plaintiff on the promissory note sued upon herein in the sum of \$6,220.77 principal, plus interest at the rate of 6% per annum from the 18th day of August, 1955, until paid, together with the further sum of \$948.00 attorney's fees and all of the cost of this action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the plaintiff, S. W. Coe and Company, a corporation, have and recover judgment of and as against the defendant, Paul C. Edwards, for the sum of \$6,220.77 principal, plus interest at the rate of 6% per annum from the 18th day of August, 1955, until paid, together with the further sum of \$948.00 attorney's fees

and all of the costs of this action.

/s/ ROYCE H. SAVAGE
United States District Judge

APPROVED AS TO FORM:

UNGERMAN, WHITEBOOK, GRABEL & UNGERMAN

By /s/ IRVINE E. UNGERMAN
Attorneys for plaintiff

/s/ W. P. HUCKIN, JR.
Attorney for defendant

FILED

SEP 21 1956

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

[Faint, mostly illegible text, possibly a list or index of names and dates.]

Members of the Board of Directors

[Faint text, possibly a list of names and titles.]

18 Raye H. Savage

18 John H. Poe

18 Grace B. Klein

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED ROYALTY COMPANY, an express trust,
by M. H. Watts, S. M. Brown and Ruth
Stewart, Trustees,

Plaintiffs

vs.

STANOLIND OIL PURCHASING COMPANY,
a corporation,

Defendant

Civil Action
No. 3117

FILED

SEP 21 1956

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

J U D G M E N T

This cause came on regularly for trial, and the trial was concluded on September 6, 1956; and the Court having announced its opinion, and having heretofore filed its findings of fact and conclusions of law; pursuant thereto

It is now ORDERED AND ADJUDGED that plaintiff have judgment against defendant in the principal sum of \$17,226.81 with interest in the sum of \$1,226.76, and with statutory interest on both sums of money from this date.

It is FURTHER ORDERED AND ADJUDGED that plaintiff, as the owner of an undivided one-half (1/2) interest in and to the minerals in place in and under the North Half of Northwest Quarter (N/2 NW/4) of Section Thirty-four (34), Township Twelve (12) South, Range Sixteen (16) West, Ellis County, Kansas, subject to the rights of the present oil and gas lessee of said lands, is entitled hereafter to receive payment for one-half the value of all royalty oil produced from said land, less gross production or like taxes thereon.

Plaintiff is allowed exceptions to the refusal of this Court to allow it interest on royalty oil heretofore produced and purchased prior to judgment that plaintiff was the owner of such oil.

Costs are assessed against defendant.

DATED September 21, 1956.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

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

RALPH E. EVANS,

Plaintiff,

VS.

O. R. BURDEN CONSTRUCTION
COMPANY, a corporation,

Defendant.

NO. 3980 Civil

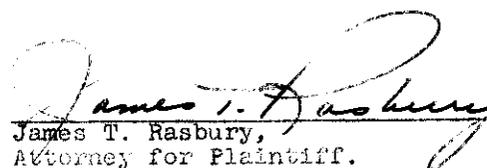
FILED

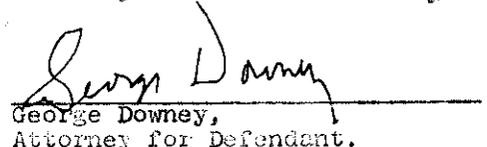
SEP 21 1956

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

STIPULATION FOR DISMISSAL

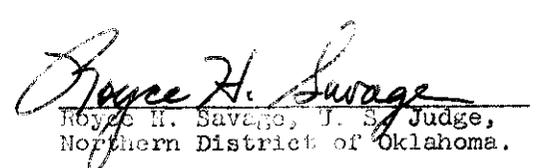
It is hereby stipulated that the above entitled
action may be dismissed with prejudice, each party to bear his
own costs.


James T. Rasbury,
Attorney for Plaintiff.


George Downey,
Attorney for Defendant.

ORDER

It is ordered that the action be and it is hereby
dismissed with prejudice.


Royce H. Savage, U. S. Judge,
Northern District of Oklahoma.

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

WILBERN W. HUNTER and TEXAS EMPLOYERS
INSURANCE ASSOCIATION, a corporation,

Plaintiff,

-vs-

FORREST H. LINDSAY, HARRIETT A. LINDSAY,
RAILIE W. VINSON and JEWELL D. VINSON,
individuals, and co-partners d/b/a
EXPLORATION DRILLING COMPANY,

Defendants.

No. 3319 - Civil

FILED

SEP 24 1956

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

ORDER OF DISMISSAL WITH PREJUDICE

Whereas, the plaintiffs filed an Application requesting the Court to dismiss this action on the grounds that the causes of action have been extinguished by a compromise between the parties for the sum of Five Thousand Dollars (\$5,000.00). The Court finds that the causes of action herein asserted have been extinguished by compromise and settlement and that hence this cause should be dismissed with prejudice and the defendants and each of them released and exonerated from all liability herein.

NOW, THEREFORE, BE IT ORDERED, ADJUDGED AND DECREED by the Court that this cause be and the same is hereby dismissed with prejudice and the defendants and each of them be and they are hereby released of and from all liability herein and go hence without day.

Done and dated in open Court this 24th day of September, 1956.

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

APPROVED:

[Signature]
C. LAWRENCE ELDER, Attorney for
Wilbern W. Hunter

COVINGTON & DONOVAN

By: *[Signature]*
Attorneys for TEXAS EMPLOYERS
INSURANCE ASSOCIATION.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

437.64 Acres of Land, More or Less,
Situate in Rogers County, Oklahoma,
and L. L. Bib, et al, and
Unknown Owners,

Defendants.

Civil No. 3982

FILED

SEP 25 1956

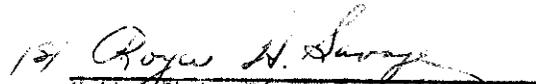
NOBLE C. HOOD
Clerk, U.S. District Court

ORDER APPOINTING COMMISSIONERS

WHEREAS, a pre-trial hearing in this Court was held September 21, 1956, in which the United States of America, represented by Charles H. Froeb, Assistant United States Attorney, being specifically authorized by the Department of Justice to waive jury trial, and the defendants present at the pre-trial hearing all agreed to waive jury trial and requested the appointment of a commission of three (3) persons qualified under Rule 71A of the Federal Rules of Civil Procedure to view and render an appraisalment of the lands in this condemnation suit, including the minerals therein, and at that time this Court made a finding of fact that it was also in the interest of justice that such a commission be appointed.

IT IS HEREBY ORDERED that Kenneth Crouch, T. E. Harp, and Frank Settle are appointed as a commission to view and render appraisements in the above cause.

Dated this 25th day of September 1956.


United States District Judge

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

DANIEL WATSON, BILLIE JOE WATSON,
FREEMAN ROBERTS and ANNIE EVANS,
Plaintiffs
vs.
SINCLAIR OIL & GAS COMPANY,
a corporation,
Defendant

NO. 4002 CIVIL

FILED

SEP 25 1956

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

J U D G M E N T

The defendant in the above entitled action having served upon the plaintiffs an offer to allow judgment to be taken against it, as hereinafter set forth, and plaintiffs having within ten days after service thereof served written notice upon the defendant that the offer was accepted and said offer and notice of acceptance and proof of service thereof having been filed by the defendant:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the defendant, its successors and assigns, shall pay to the plaintiffs, their heirs, successors and assigns, forty-five per cent of one-eighth (45% of 1/8th) of the proceeds of the oil and gas (less gross production and excise taxes) produced and sold from defendant's Era Boone Well No. 1 located in the Northwest Quarter (NW $\frac{1}{4}$) of Southeast Quarter (SE $\frac{1}{4}$) of Southeast Quarter (SE $\frac{1}{4}$) of Section 34, Township 15 North, Range 7 East, Creek County, Oklahoma, from and after December 15, 1951, and so long as defendant, its successors and assigns, produce oil or gas from the Era Boone Well No. 1; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that payment so made in accordance with the provisions of the preceding paragraph of this judgment shall constitute full and complete settlement and satisfaction of all claims and demands of plaintiffs, their heirs, successors and assigns, because of the location and drilling of defendant's Era Boone Well No. 1 and the production and disposition of oil and gas therefrom; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiffs,

their heirs, successors and assigns, shall not drill, develop or produce or permit others to drill, develop or produce for oil and gas purposes the Southwest Quarter (SW¼) of Northeast Quarter (NE¼) of Southeast Quarter (SE¼) of Section 34, Township 15 North, Range 7 East, Creek County, Oklahoma, as long as defendant, its successors and assigns, produce the Era Boone Well No. 1; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiffs recover from the defendant their costs in this action.

Dated September 25, 1956

W. C. Hood
Clerk of the United States District Court for the Northern District of Oklahoma

W. C. Hood
W. C. Hood

Seal

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
OF OKLAHOMA

FILED

OCT - 2 1956

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

STANLEY SYMAASKI and
KNOXVALLEY INSURANCE CORPORATION,
a corporation,

Plaintiffs,

UNITED STATES OF AMERICA,

Defendant.

No. 3852-Civil

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Now on this 22nd day of August, 1956, came on for hearing the above cause, plaintiffs being present in person and by their attorneys, B. W. Tabor and William Thraugill, and the defendant, United States of America, being present and represented by Assistant United States Attorney, Charles H. Froeb, all parties having announced ready for trial, evidence being produced and the court being fully advised in the premises, makes the following conclusions:

FINDINGS OF FACT

1. That this action is brought against the United States of America under the Federal Tort Claims Act;
2. That on April 4, 1955, on Highway #69 south of Wagner, Oklahoma, an accident occurred involving plaintiff and defendant;
3. That the plaintiff, Stanley Symaaski, was traveling south following a truck owned by the United States and operated by Sgt. Dygon of the Marine Corps who, in turn, was following another car; that Stanley Symaaski sounded his horn and proceeded to pass the truck and when in a position alongside the truck, the truck started pulling to the left to pass the car in front without giving proper notice or yielding the road to Stanley Symaaski, as required by law; that the truck collided with the car of Stanley Symaaski causing Stanley Symaaski to lose control, turn over and injure himself.

2. That Stanley Symanski was injured in the neck and back necessitating hospital and medical attention in the sum of \$488.78;

3. Stanley Symanski lost two weeks from his work and was paid by the American Motorists Insurance Company \$2000.00 workmens compensation insurance for permanent partial disability under the Workmens Compensation Law of Oklahoma;

4. That Stanley Symanski's 1954 Dodge sedan was damaged in the total sum of \$1437.00;

5. That Cavalier Insurance Corporation carried a \$50.00 deductible collision policy on Stanley Symanski's car and paid to Stanley Symanski \$1387.00, and from any recovery should be reimbursed in that amount;

6. That under the laws of Oklahoma the American Motorists Insurance Company, from any recoveries by Stanley Symanski, should be reimbursed for the amount of \$2000.00 compensation and \$488.78 medical and hospital bills paid under the Compensation Law.

CONCLUSIONS OF LAW

1. That plaintiffs are entitled to recover judgment from the United States of America under the Federal Tort Claims Act because of the negligence of the driver of its truck, Sgt. Cygon of the Marine Corps, for the damage to the automobile, for the medical and hospital bills and for injuries to Stanley Symanski;

2. The Cavalier Insurance Corporation is entitled to judgment in the sum of \$1387.00 which it expended under the \$50.00 deductible insurance policy;

3. That Stanley Symanski is entitled to recover for his medical bills and his injuries which the court sets as \$ 3,500.00 and ~~5,000.00~~ from which amounts Stanley Symanski shall reimburse plaintiff, The American Motorists Insurance Company the sum of \$3388.78

JUDGMENT

The Court finds in favor of the plaintiffs and against the defendant, United States of America, based upon the facts and the law and does hereby render judgment in favor of the plaintiffs and against the defendant in the following amounts:

1. Cavalier Insurance Corporation \$1387.00
2. American Motorists Insurance Co. \$3388.78
3. In favor of Stanley Symanski 161.22

and the costs of this action.

DEPORTMENT THEREIN TO BE 5% OF JUDGMENT

18/ Royce H. Savage
United States District Judge

APPROVED AS TO FORM

B. W. Tolson
Attorney for Plaintiffs

APPROVED AS TO FORM

John H. F. ...
Attorney for United States of America

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

Emma Ada Thompson,)
)
 Plaintiff,)
)
 vs.) No. 3909 CIVIL
)
 United Transports, Inc., a)
 foreign corporation, et al,)
)
 Defendants.)

FILED

OCT - 2 1956

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

DISMISSAL WITH PREJUDICE

Comes now the plaintiff, all issues involved herein having been fully settled and compromised, and dismisses the above styled and numbered action with prejudice to the right to bring a future action.

Dated this 27 day of September, 1956.

Emma Ada Thompson
Plaintiff
[Signature]
Attorney for Plaintiff

IT IS HEREBY ORDERED that the above styled and numbered action be dismissed with prejudice, this ^{27th} ~~27~~ day of October, 1956.

[Signature]
U. S. District Judge

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

Robert Stark,

Plaintiff,

v.

United Transports, Inc., a
foreign corporation, et al,

Defendants.

No. 5910 Civil

FILED

OCT - 2 1956

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

DISMISSAL WITH PREJUDICE

Come now the plaintiff, all issues involved herein having been fully settled and compromised, and dismiss the above styled and numbered action with prejudice to the right to bring a future action.

Dated this 29 day of September, 1956.

Robert Stark

Plaintiff

[Signature]
Attorneys for Plaintiff

IT IS HEREBY ORDERED that the above styled and numbered action be dismissed with prejudice, this 2nd day of October, 1956.

[Signature]
U. S. District Judge

rd /mr

9-26-56

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

BETTY BALL,)
)
) Plaintiff,)
)
) vs.) No. 3939 Civil
)
) RED CEDAR SHINGLE BUREAU)
) and CARL PHELPS,)
) Defendants.)

FILED

OCT - 3 1956

JUDGMENT ON GENERAL VERDICT FOR PLAINTIFF NOBLE C. HOOD
Clerk, U.S. District Court

This action came on regularly for trial on the 24th day of September, 1956, R. L. Davidson, Jr. and John B. Wilson, Jr. appearing as counsel for plaintiff, and Hudson, Hudson and Wheaton by William F. Kyle appearing as counsel for the defendants. A jury of twelve persons was regularly impaneled and sworn to try said action, and witnesses on the part of the plaintiff and defendants were duly sworn and examined. After hearing the evidence, the arguments 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 to their names and say:

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Betty Ball)
) Plaintiff)
) vs.) Case No. 3939 - Civil
) Red Cedar Shingle Bureau)
) and Carl Phelps)
) Defendants)

We, the Jury, find for the plaintiff, and assess her damages at Twenty Thousand Dollars (\$20,000.00).

Sept. 25, 1956

/s/ Guy Dallas

Foreman

WHEREFORE, it is ordered, adjudged and decreed, that the plaintiff have and recover from the defendants the sum of Twenty Thousand Dollars (\$20,000.00) with interest thereon at the rate of six per cent (6%) per annum from the date hereof, until paid, together with plaintiff's costs and disbursements incurred in this action amounting to the sum of \$336.15.

Judgment entered the 25th day of September, 1956.

W. R. Williams
United States District Judge

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

CLAUDE W. DULANY,

Plaintiff,

-vs-

AMERICAN TANK & MANUFACTURING CO.,
INC., a Texas Corporation, and
MARVIN LLOYD VARNER,

Defendants.

No. 3931

FILED

OCT - 4 1956

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

MOTION TO DISMISS WITH PREJUDICE

The plaintiff, Claude W. Dulany, and his attorneys, Jack Sellers, Streater Spenkman, Jr., and Wallace and Wallace, move the court to dismiss this cause with prejudice stating the matter has been fully settled and satisfied.

Claude W. Dulany
Plaintiff

JACK SELLERS, ALBERT SPENKMAN, JR.,
and WALLACE AND WALLACE

By Jack B. Sellers
His Attorneys

ORDER DISMISSING CASE WITH PREJUDICE

Now on this 4th day of October, 1956, upon being presented motion to dismiss with prejudice by the plaintiff, and being fully advised in the premises it is so ordered and decreed that this case be fully dismissed with prejudice to the bringing of another action.

15/ Royal H. Lewis
Judge of the United States District
Court

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF

OKLAHOMA

PATRICIA ANNE MANGAN,)
)
 Complainant,)
 vs.)
)
 DAVID-WILLIAMS MOTOR COMPANY,) No. 3946-Civil
 INC., et al)
)
 Defendants.)

FILED

OCT - 4 1956

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

MOTION TO DISMISS WITH PREJUDICE

Comes now the plaintiff, Patricia Anne Mangan, and her attorneys, C. N. Christensen and R. D. Hudson, and move the court to dismiss this cause with prejudice to the bringing of any other action, stating that the cause has been settled and fully satisfied.

Dated this 2nd day of October, 1956.

Patricia Anne Mangan
Plaintiff

C. N. Christensen

R. D. Hudson
Attorneys for Plaintiff

ORDER DISMISSING CASE WITH PREJUDICE

On this 4th day of October, 1956, the court was presented with a motion of the plaintiff and her attorneys to dismiss this cause with prejudice. The court being fully advised in the premises does hereby order and decree that the case be dismissed with prejudice to the bringing of any other action.

ROYCE H. SAVAGE
United States District Judge
Northern District of Oklahoma.



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

UNION TRANSPORTATION COMPANY, a
Co-partnership consisting of DUNCAN
McRAE, E. D. DEMON, and JOHN COX,
Plaintiffs,

v.

SOUTHWESTERN GREYHOUND LINES, INC.;
MISSOURI, KANSAS AND OKLAHOMA COACH
LINES; AND TRANSCONTINENTAL BUS SYSTEM,
INC.,
Defendants.

No. 3578 - Civil

FILED

OCT - 5 1956

NOBLE C. HOOD
Clerk, U.S. District Court
ORDER APPROVING COMPROMISE AND SETTLEMENT
AND DISMISSING ACTION

This matter coming on for hearing on the 5 day of October, 1956,
on motion of plaintiff, Union Transportation Company, for approval of an
agreement for compromise and settlement and for dismissal of the cause as
against Transcontinental Bus System, Inc., and the Court having examined the
agreement attached to plaintiff's motion as Exhibit "A", and finding that
the same is in substantial accord with the compromise heretofore approved
as to the other defendants;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the agreement
of compromise and settlement attached to plaintiff's motion herein be, and the
same is hereby, approved.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this cause be, and
it is hereby, dismissed with prejudice as against Transcontinental Bus System,
Inc.

12/ Roy W. H. ...

Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Libelant,

vs.

Civil No. 4003

One 1955 Chevrolet Sedan,
Motor No. 0269650T557, its
tools and appurtenances,

Respondent,

FILED

Robert B. Dunn and Community
State Bank, Tulsa, Oklahoma,

Claimants.

OCT 14 1955

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

J U D G M E N T

Pursuant to FINDINGS OF FACT AND CONCLUSIONS OF LAW, entered herein, IT IS ORDERED, ADJUDGED, AND DECREED that judgment of forfeiture be and is hereby entered on behalf of the United States of America against respondent, 1955 Chevrolet Sedan, Motor No. 0269650T557, and in personam as against the claimants, Robert B. Dunn and the Community State Bank, Tulsa, Oklahoma, divesting them of all right, title, and interest in the afore-described automobile, and placing title and possession of said vehicle in the libelant, United States of America, and that said 1955 Chevrolet Sedan is ordered delivered over to the Regional Commissioner, Internal Revenue Service, Treasury Department, Dallas, Texas, pursuant to application filed herein under Section 304 of the Liquor Law Repeal and Enforcement Act (49 Stat. 880; 40 U.S.C. 304 1), as amended by Section 104(a) of the Federal Property and Administrative Service Act of 1949, as amended (63 Stat. 380; 5 U.S.C. 630 a).

AND IT IS SO ORDERED.


United States District Judge

IEU:lg
10/2/56

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

JOHNSON MOTORS, INC.,
a Corporation,

Plaintiff

vs.

CURLEY SUTTON, d/b/a CURLEY'S
MOTORCYCLE SALES,

Defendant

No. 4017 Civil

FILED
IN OPEN COURT

OCT -9 1956

NOBLE C. HOOD
Clerk S. District Court

J U D G M E N T

Now on this 9th day of October, 1956, the above styled and numbered action came on for hearing before the undersigned United States District Judge, plaintiff appearing by its attorneys, Ungerman, Whitebook, Grabel & Ungerman, and the defendant although three times called in open Court came not but made default. Thereupon the Court from the examination of the files finds that the defendant herein has been duly and properly served with summons in the time and manner prescribed by the Statutes and that he has failed to appear and answer herein and is now in default.

IT IS THEREFORE ORDERED BY THIS COURT that the defendant herein be adjudged to be in default. Thereupon the plaintiff in open Court offered testimony in support of its complaint on file herein and from said testimony so offered the Court finds that the allegations as set forth in the complaint are true and correct and that the defendant herein is indebted to the plaintiff in the sum of \$3,355.27 with interest at 6% per annum from date of judgment, together with all the Court costs of this action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THIS COURT that the plaintiff, Johnson Motors, Inc., a corporation, have and recover judgment of and as against the defendant, Curley Sutton, d/b/a Curley's Motorcycle Sales, the amount of \$3,355.27 together with interest thereon at the rate of 6% per annum from this date together with all the Court costs of this action.

George H. George
United States District Judge

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

MRS. ZOE E. SALING,

Plaintiff,

vs.

MRS. GLENIS MOORE, et. al.,

Defendants.

No. 3884

FILED

OCT 12 1956

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

ORDER DIRECTING SALE OF PROPERTY

Now on this 12th day of October, 1956, the plaintiff appearing by her attorneys of record, W. Preston Woodruff and F. Paul Thieman, Jr., and upon an examination of the files and records of the above entitled cause, the court finds that commissioners were heretofore appointed by this court and they made their return, fixed the value of said property and thereafter J. L. Burford and Dan Mitchell, Jr., interested parties herein, filed an election to take the property at the value fixed by the commissioners and S. R. Evans has also filed an election to take the property at the value fixed by the appraisers and Waldo C. Scott, Bessie A. Moore and Vanessa Anne Chadwell have also filed elections to take the property at the value fixed by the commissioners herein and after a full consideration thereof the court finds that said elections so filed are in opposition to each other and the United States Marshall for the Northern District of Oklahoma should sell the property in the same manner as a sale of real estate on execution.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the lands and premises involved in this action be sold by the United States Marshall for the Northern District of Oklahoma in the same manner as in the sale of real estate on execution and that said United States Marshall duly return his proceedings hereon as required by law.

15/ Royce W. Savage
Judge

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

Billie Davis and Quinton Davis,
her husband,

Plaintiff,

vs.

The Continental Bus System, Inc.,
a Foreign Corporation,

Defendant.

No. 3976 Civil

FILED

OCT 16 1956

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

DISMISSAL WITH PREJUDICE

Come now the plaintiffs, all issues involved herein
having been fully settled and compromised, and dismiss the above styled
and numbered action with prejudice to the right to bring a future action.

Dated this 10 day of October, 1956.

C. Lawrence Elder

T. B. Westmoreland
Plaintiffs

Quinton Davis

Billie Davis
Attorneys for Plaintiffs

IT IS HEREBY ORDERED that the above styled and numbered
action be dismissed with prejudice this 16th day of October, 1956.

Walter H. Savage
U. S. District Judge

LAW OFFICES
RATNER,
MATTOX &
RATNER
444 NORTH MARKET
WICHITA 2, KANSAS
PHONE AM 2-6423

FILED

OCT 11 1956

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

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

OSCAR L. MEDLEN,

Plaintiff,

CASE NO. 3979 ✓

THE ST. LOUIS-SAN FRANCISCO
RAILWAY COMPANY, a corporation,

Defendant.

The motion of plaintiff to have the case set for trial is hereby denied.

It is

ordered that the action be set for trial on the 11th day of October, 1956, at 10:00 a.m. in Court Room No. 1 of the U.S. District Court for the Northern District of Oklahoma at Oklahoma City, Oklahoma. The parties are directed to appear for trial on the date set for trial.

IT IS FURTHER ORDERED that the parties to this case shall file with the court a copy of the pleadings and the evidence in support of their claims or defenses by the date set for trial.

Dated September 21, 1956.

Royce S. Sawyer
Clerk

WITNESSED my hand and the seal of the court at Oklahoma City, Oklahoma, this 21st day of September, 1956.

BY *William L. Fry*
Attorney for Plaintiff

APPROVED: FRANKLIN & HARMON
Attorneys for Defendant

BY *[Signature]*
Clerk

HUDSON, HUDSON & WHEATON
703-709 Ritz Building
Tulsa, Oklahoma

By *W. H. H. H.*

Attorneys for Defendants

LAW OFFICES
RATNER,
MATTOX &
RATNER

444 NORTH MARKET
WICHITA 2, KANSAS
PHONE AM 2-6423

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,
vs.
James O. Miller and Vivian Miller,
Defendants.

NO. 3863 - CIVIL

FILED

OCT 18 1956

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

AMENDED JUDGMENT

On this 18th day of October, 1956, the above-entitled action coming on for hearing, the plaintiff appearing by B. Hayden Crawford, United States Attorney, and John Morley, Assistant United States Attorney, for the Northern District of Oklahoma, and the defendants appearing not, but having heretofore by their answer admitted as true all the allegations of plaintiff's complaint, and the court having heard the evidence of plaintiff and having examined the file finds:

Plaintiff has filed herein an affidavit stating that neither of the defendants is in the military service or is an infant or an incompetent, which is found to be true.

The court further finds that all of the allegations of plaintiff's complaint are true; that on May 13, 1953, for a valuable consideration and in accordance with the provisions of the Federal Housing Administration Act, the defendants did execute a written promissory note in the sum of \$2,864.50 to F & R Builders, Ponca City, Oklahoma; that defendants defaulted in the payments on the note and in accordance with the provisions of the aforementioned act, the note was thereafter assigned to this plaintiff. That on May 13, 1953, and as part and parcel of the same transaction of the mortgage note and for the purpose of securing payment of that note, defendants, James O. Miller and Vivian Miller, executed and delivered to F & R Builders a certain written mortgage covering the following described real estate situate in Osage County, Oklahoma, to-wit:

Lots Eighteen (18) and Nineteen (19), in Block Ten (10),
of the Original Town of Webb City,

which mortgage was ultimately assigned to this plaintiff. That the mortgage was duly recorded on May 22, 1953, in Book 84, page 370 in the office of the County Clerk of Osage County, Oklahoma, after the required mortgage tax was paid.

The court further finds that defendants, James O. Miller and Vivian Miller, made default in payment of said note in that they failed to pay the same according to its terms and that there is now due and owing on the note the unpaid principal balance of \$2,141.60, with interest at the rate of 6% per annum from November 29, 1953 until paid.

The court further finds and adjudges that plaintiff has a first and prior lien upon the real estate and premises described in the petition by virtue of the mortgage as security for the payment of such indebtedness, interest and costs, which property is described as follows:

Lots Eighteen (18) and Nineteen (19), in Block Ten (10),
of the Original Town of Webb City.

That defendants, James O. Miller and Vivian Miller, are claiming some interest therein by reason of the fact that they are the owners of such property, but the interests of the defendants are inferior to the lien of this plaintiff.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the court that plaintiff do have and recover judgment against the defendants, James O. Miller and Vivian Miller, for the sum of \$2,141.60, with interest thereon at the rate of 6% per annum from November 29, 1953, together with the costs of this action accrued and accruing.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that in case defendants fail for six (6) months from the date of entry of this judgment to pay the plaintiff the sum of \$2,141.60, with interest and costs of this action, an order of sale shall issue to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, according to law, without appraisal, the lands and tenements described in the mortgage, to-wit:

Lots Eighteen (18) and Nineteen (19), in Block Ten (10),
of the Original Town of Webb City,

situate in the County of Osage, State of Oklahoma, and apply the proceeds arising from the sale as follows:

1. In payment of the costs of sale and of this action;
2. In payment of ad valorem taxes due, if any;
3. In payment to plaintiff of the sum of \$2,141.60, the amount of the judgment, together with interest thereon at the rate of 6% per annum from November 29, 1953;
4. The residue, if any, be paid to the clerk of this court to await the further order of the court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that from and after sale of the real property under and by virtue of this judgment and decree, the defendants and each of them and all persons claiming under them

since the filing of the complaint herein, he and they are forever barred and foreclosed of and from any lien upon, right, title, interest, estate or equity of, in or to said real estate or any part thereof.

1st Royal H. ...

U. S. DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
Plaintiff,)
)
vs.)
)
Eldon R. Smith and Robert C. Odle,)
)
Defendants.)

Civil No. 3922

FILED
IN OPEN COURT
OCT 18 1956

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

J U D G M E N T

This cause having come on for disposition pursuant to the regular assignment docket this 18th day of October, 1956, the United States of America appearing by B. Hayden Crawford, United States Attorney, and Charles H. Froeb, Assistant United States Attorney, for the Northern District of Oklahoma, and the defendants appearing neither in person nor by counsel, the court finds that the United States of America filed its Complaint May 3, 1956, pursuant to Title 28, U.S.C., Section 1340, to obtain judgment for certain federal wage and excise taxes for the year 1954 against the defendants, Eldon R. Smith and Robert C. Odle, d/b/a Smith & Odle Construction Company, in the total amount of \$14,511.43, plus penalties and interest as provided by law.

The court further finds that due and proper service was made and return thereon executed according to law, and that the defendants were personally served with the complaint and summons in this cause on June 18, 1956.

The court further finds that as of this date no appearance or pleading has been made by either the defendants or any counsel for defendants, and that the defendants, Eldon R. Smith and Robert C. Odle, d/b/a Smith & Odle Construction Company, are found to be in default herein.

The court further finds that on or about the following dates the Commissioner of Internal Revenue assessed against Smith & Odle Construction Company, Eldon R. Smith and Robert C. Odle, partners, the following taxes for the following periods in the following amounts; the unpaid balance outstanding of said assessments is as follows; on or about the following dates the Collector of Internal Revenue gave notice to and made demand upon defendants for payment of the amount thereof; that on or about the following dates notice of lien of the tax liability thereof was filed with the recorder of deeds in Barry County, Gasville, Missouri, with the

County Clerk of Washington County, Fayetteville, Arkansas, and with the County Clerk, Muskogee County, Muskogee, Oklahoma, all as shown by the schedule attached to and made a part of this judgment.

The court further finds that except for the payment of \$105.00 toward the tax liability for the first quarter of 1954, taxpayers Eldon R. Smith and Robert C. Odle, d/b/a Smith & Odle Construction Company, have paid no part of said taxes and are indebted to the United States in the amount of \$14,511.43, plus penalties and interest as provided by law, and that such amount should be made a lien in favor of the United States upon all property and rights to property, whether real or personal, belonging to said taxpayers since the dates of assessment of said taxes.

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure that the United States of America have judgment against the defendants, Eldon R. Smith and Robert C. Odle in the amount of \$14,511.43, plus penalties and interest as provided by law, and that the United States has had at all times since the dates on which the assessment of taxes were made, as shown in the schedule hereunto attached, valid and subsisting liens in the amounts of said assessments upon all property and rights to property, whether real or personal, of Eldon R. Smith and Robert C. Odle, and that said lien of the United States be enforced with respect to all such property and rights to property of said defendants, and for its costs herein.

Dated this 13th day of October, 1956.

15/ Royce H. Savage
United States District Judge

TAX	PERIOD	DATE OF ASSESSMENT	AMOUNT OF ASSESSMENT	BALANCE OUTSTANDING	NOTICE & DEMAND ON TAXPAYER	DATE OF NOTICE OF LIEN FILED		
						In Barry Co., Missouri	In Washington Co., Arkansas	In Muskogee Oklahoma
Wage & Excise	1 Q 54	10/29/54	\$ 817.64	\$ 712.64	11/7/54	6/23/55	6/30/55	1/13/55
Wage & Excise	2 Q 54	9/23/54	5,480.20	5,480.20	10/1/54	6/23/55	6/30/55	1/13/55
Wage & Excise	3 Q 54	10/30/54	5,670.82	5,670.82	11/8/54	6/23/55	6/30/55	2/21/55
Wage & Excise	4 Q 54	3/15/55	2,647.77	<u>2,647.77</u> \$14,511.43	3/23/55	6/23/55	6/30/55	5/23/55

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

State of Oklahoma, ex rel
Department of Highways of the
State of Oklahoma,

Plaintiff

vs.

Certain Parcels of Land in Creek County, Oklahoma,
containing 0.11 acres, more or less; The United States
of America; Rosa Lee Jones now Condule; Jack Lynch,
an incompetent; Andy Toney; Cora Toney now Cole;
Elsie Mae Toney; Mileah Toney, a minor; and Nathaniel
Toney

Defendants

No. 3954

FILED
IN OPEN COURT
OCT 18 1956

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

ORDER APPROVING AND CONFIRMING

Now on this 18th day of October, 1956, this matter comes on for hearing, plaintiff appearing herein by counsel Finis O. Stewart who request this court for an order approving the condemnation proceedings and confirmation of plaintiff's appropriation therein of the hereinafter described property.

The court finds from an examination of the files and pleadings herein that the plaintiff filed its petition on the 1st day of June, 1956, alleging that it was necessary for plaintiff to appropriate the hereinafter described property for highway purposes and that plaintiff had been unable to secure same by purchase because of the refusal by the defendant landowners to grant same to the State for public purposes; that in such instances the laws of the State of Oklahoma authorize the appropriation of same by condemnation proceedings and that plaintiff therefore prayed the court to appoint three disinterested freeholders from the current jury list of the District Court of this ^{District} ~~county~~, not interested in any like question, to inspect said property and consider the injury that would be sustained by the owners thereof by plaintiff's appropriation of same as well as the damages to the remainder of the

real estate owned by them, either directly or indirectly. The court finds that the pleadings show that good and lawful notice of the date of hearing of said petition was given the defendants. The court finds that the service by publication should be, and the same hereby is, approved.

The court further finds that on the 22nd day of August, 1956, it duly and regularly appointed Geo. M. Tyler, Bristow, W. E. Fahra, Bristow and Loren F. Thompson, Bristow ^{Dk1a.} condemnation commissioners who filed their report with the Clerk of this Court on the 30th day of August, 1956, assessing plaintiff Twenty-three and 65/100 (23.65) dollars, for the appropriation by said plaintiff of the lands and property sought by it in this proceeding, and for full and complete damages to any and all of the remaining land and property of said defendants.

The court finds that pursuant to such award plaintiff deposited with the Clerk of this Court on the 14th day of September, 1956, the said sum of Twenty-three and 65/100 (23.65) dollars, and thereupon plaintiff became entitled to the immediate possession of the property concerned herein, and defendants thereupon became entitled, by operation of law, to have said award disbursed to them by the court clerk, free and

clear of all poundage or other fees, as follows:

To Paul L. Fickinger, Area Director, Muskogee Area Office, the proper agency for the United States of America, for the use and benefit of the following persons:

Rosa Lee Jones, now Condulle	\$	2.96
Jack Lynch, an incompetent		2.96
Andy Toney		3.55
Cora Toney, now Cole		3.55
Elsie Mae Toney		3.54
Mileah Toney, a minor		3.55
Nathaniel Toney		3.54
Total	\$	<u>23.65</u>

It is further ordered that John Morley, having properly discharged his duties, is hereby discharged as guardian ad litem, without fee.

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

Easement No. 24
FAS-S-114 (4) (5) S
19-16

Hettie Tiger now Poney (Deceased)

A strip, piece or parcel of land lying in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 17 N, Range 7 E, Creek County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Beginning at the NE corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, thence West along the North line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 53.4 feet, thence Southeasterly on a curve to the left having a radius of 8664.4 feet a distance of 543.9 feet, thence S 7°10'E a distance of 21.3 feet to a point on the East line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, thence North along said East line a distance of 562.6 feet to point of beginning.

Containing 0.11 acres, more or less, of new right-of-way, the remaining area included in the above description being the 24.75 foot section line of right-of-way.

IT IS THEREFORE by the court considered, ordered, adjudged and decreed that plaintiff's taking of the right and interest sought by it in these proceedings as acquired by it on the 14th day of September, 1956, in the above described property is hereby approved and confirmed.

15/ Royce H. Savage

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

APPROVED:

Finis O. Stewart

Attorney for Plaintiff,
510 Capitol Office Building,
Oklahoma City, Oklahoma

UNITED STATES DISTRICT ATTORNEY

BY 15/ John Morley
ASSISTANT

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

MRS. LILLIAN GRAY,

Plaintiff,

vs.

AMERICAN AIRLINES, INC.,
a Delaware Corporation,

Defendant.

No. 3959

FILED

OCT 19 1956

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

O R D E R

On this 19 day of October, 1956, upon stipulation of counsel for plaintiff and defendant, it was agreed that the motion to assess costs would be withdrawn, and likewise agreed that the amount of \$249.71 shall be added to and made a part of the costs previously assessed in this case of \$430.17.

Royce H. Searcy
United States District Judge

APPROVED AS TO FORM:

Irman B. Rucker
Attorney for Plaintiff

APPROVED AS TO FORM:

Frederic M. Work
Attorney for Defendant

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

PUBLIC SERVICE COMPANY OF OKLAHOMA
an Oklahoma Corporation,

Plaintiff,

vs.

Civil No. 4024

A 100-foot wide easement and right
of way for electric power trans-
mission line purposes to be located
upon, over and across a certain
tract of land in Osage County,
Oklahoma, and the United States of
America as a matter effecting the
title to certain Osage Indian lands
previously allotted in fee with
certain restraints on alienation
and presently owned by a restricted
Osage Indian and Rhoda Wheeler,
now Ridge, Osage Roll No. 771,

Defendants.

FILED

OCT 19 1956

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

FINAL DECREE AUTHORIZING TAKING
IN CONDEMNATION

Now, on this the 19th day of October, 1956, this cause comes on for hearing pursuant to Order of this Court entered September 19th, 1956, setting the date for hearing this cause on the 16th day of October, 1956, and the Court, on October 16th, 1956, having continued said hearing to this date. Plaintiff appearing by its attorneys, T. M. Markley and Robert L. Lawrence, and Defendants United States of America and Rhoda Wheeler, now Ridge, Osage Roll No. 771 appearing by John Morley, Assistant United States Attorney for the Northern District of the State of Oklahoma.

All parties having announced ready for hearing, the Court's attention was drawn to each and everyone of the following pleadings heretofore filed in this proceeding, to-wit:

The Complaint and Application for Order directing manner of service, verified under oath; Order of this Court dated September 19th, 1956, directing manner of service of Notice; Notice by the Clerk of the Court to the Superintendent, Osage Indian Agency,



Bureau of Indian Affairs, Department of the Interior, Pawhuska, Oklahoma, and to Rhoda Wheeler, now Ridge, Osage Roll No. 771; Notice to the Attorney General of the United States of America, Washington, D. C., and the United States Attorney for the Northern District of Oklahoma by attorneys for Plaintiff; Affidavit of Service of Notice and Mailing of Notice executed under oath by agents and attorneys for Plaintiff.

Plaintiff introduced testimony relative to the damages suffered by parties in interest in and to the land herein sought to be condemned and which will result from appropriation by Plaintiff of a perpetual easement and right of way for an electric transmission power 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 Defendant named herein and each and every one of them by default and open court waive their right to file in this proceeding a written demand for jury trial and thus being fully advised in the premises,

THE COURT FINDS: That the matters set out in the verified Complaint herein filed by Plaintiff are true and correct and said Plaintiff, a corporation organized under the laws of the State of Oklahoma, authorized and qualified to furnish light, heat, and power by electricity, engaged in the generation and production of electricity for light, heat, and power purposes and for the distribution and sale thereof throughout Eastern and Southwestern Oklahoma, characterized by the laws of the State of Oklahoma as a public service corporation and operating as such, is therefore authorized by the laws of the State of Oklahoma to exercise the right of eminent domain to acquire rights of way for electric power transmission and distribution and it further appearing that the taking and use of an easement and right 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 Complaint; that this Court has proper jurisdiction of this cause by reason of the act of Congress of March 3, 1901, Chap. 832 Sec. 3, 31 Stat. 1084, 25 USCA Sec. 357; and that notice of this proceeding

has been served according to law and order of this Court upon all parties in interest in and to the land involved herein, including the United States of America which is an interested party by reason of the fact that this matter effects the title to certain Osage Indian lands previously allotted in fee with certain restraints on alienation which are still in effect with respect to said land; that all necessary parties to this cause are now properly before the Court for final disposition of this proceeding; that all parties hereto have waived their right to file a written demand for jury trial and have joined with Plaintiff in praying that final desposition be made of this proceeding and that the Court make its findings with respect to damage; that the easement and right of way sought to be condemned by Plaintiff herein will not in any manner constitute a burden or encumbrance upon the mineral interests in said 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 FINDS that the description of the land, upon, over and across which Plaintiff seeks herein to condemn said easement and right of way together with the allottee and owner thereof, Defendant herein, is as follows:

The South Half ($S\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Thirty-three (33), in Township Twenty-one North (T21N), Range Twelve East (R12E), in Osage County, Oklahoma, upon, over and across which lands construction of a double-circuit steel tower electric transmission line will run about a center line as follows:

Entering said tract at a point approximately One Hundred Twenty Feet (120') East of the Southwest corner of said tract, running in a Northeasterly direction and leaving said tract at a point approximately Three Hundred Seventy Feet (370') West of the Northeast corner thereof. Traversing said tract a total distance of approximately Sixty-five (65) rods.

Including the location of two (2) double-circuit steel towers.

Owner: Rhoda Wheeler, now Ridge, Osage Roll No. 771, a widow.

THE COURT FURTHER FINDS that the nature of the property and the rights with respect to said lands so to be taken and the uses for which such property is to be taken are:

A perpetual easement and right of way 100 feet in width across said lands for the construction, operation, maintenance and reconstruction or removal of a line of double-circuit steel towers carrying six conductors and one shield wire, having initial nominal voltage of 138 KV and other necessary fixtures and appertenances, including special structures, for the transmission of electric power and energy at any pressure and in any quantity desired by Plaintiff, and including the transmission of telephone and/or telegraph messages and impulses necessary in the operation and maintenance of Plaintiff's system at any time and including the perpetual right and privilege of ingress and egress for the construction, operation, maintenance, reconstruction, or removal of said electric power transmission line; also the perpetual right and privilege to cut, trim or remove trees or brush within a distance of fifty (50) feet from the center line of said transmission line and to prohibit the placement and/or remove any other objects at any time which may, in Plaintiff's judgment, interfere with or endanger the electric power transmission line or the construction, operation, maintenance or reconstruction thereof; BUT RESERVING, to the landowner of said land, her heirs and assigns, the right to make any use of said land included within said 100-foot easement and right of way that does not interfere with or endanger the construction, operation, or maintenance of said electric power transmission line.

THE COURT FURTHER FINDS that reasonable and adequate damages occurring to said land as a result of said appropriation of an easement and right of way thereover is:

To the Owner thereof, the sum of:

Fifty and no/100 Dollars (\$ 50.00)

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the entry upon and taking forthwith of said perpetual easement and right of way as found and described above herein, upon, over and across said land as hereinbefore set out by Plaintiff, for construction, operation, maintenance, reconstruction or removal of this electric power transmission line, all as prayed for in said Complaint, is hereby authorized and confirmed in all things and said Plaintiff, Public Service Company of Oklahoma, is hereby vested with said perpetual easement and right of way together with perpetual right of ingress and egress, all free and clear of any and all claims of Defendants herein who are hereby perpetually enjoined and barred from hereafter claiming adversely to Plaintiff's said rights, privileges and estate ordered, adjudged, decreed and granted herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that Plaintiff pay into depository of this Court the sum of _____ Fifty and no/100 Dollars (\$ 50.00) as damages and the Clerk of this Court thereafter make payable to the Treasurer of the United States of America and transmit to the Superintendent of the Osage Indian Agency, Bureau of Indian Affairs, Department of the Interior, Pawhuska, Oklahoma, the said sum to be there distributed to, or for the use of, Rhoda Wheeler, now Ridge, Osage Roll No. 771, the owner of the land, as provided by law.

IT IS FURTHER 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 their interests 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 power transmission line and further that the perpetual easement and right of way taken by Plaintiff and described herein and

the operation of said electric power transmission line will not, in any way, constitute a burden or encumbrance upon the mineral interest in said land.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the cost of this proceeding be taxed against the Plaintiff and the case be closed.

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

STATE OF OKLAHOMA }
COUNTY OF TULSA } SS

I, the undersigned Clerk of the United States District Court for the Northern District of Oklahoma, DO HEREBY CERTIFY that pursuant to the making and filing of the foregoing final decree authorizing taking in condemnation, and on the 11th day of October, 1956, Public Service Company of Oklahoma, Plaintiff in said cause deposited in my office, in said cause, for the use and benefit of the parties in interest and owners of tracts of land in said Decree described, the full amount of all damages to said parties awarded, and has further paid all costs accruing in said action to this date.

Witness my hand and seal of my office, hereto affixed at the Federal Building, at Tulsa, Oklahoma, this the 14th day of October, 1956.

NOBLE C. HOOD
Clerk, U. S. District
Court for the Northern
District of Oklahoma.

By [Signature]
Deputy.
(seal)

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

UNITED STATES of AMERICA, for the
use and benefit of the CLARENCE L.
BOYD COMPANY, INC.,

Plaintiff,

-vs-

C. R. JAMES, individually and d/b/a
C. R. JAMES CONSTRUCTION COMPANY and
CONTINENTAL CASUALTY COMPANY, an
insurance corporation,

Defendants.

No. 3940

FILED

OCT 2 1956

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

JUDGMENT ON CROSS-PETITION

The above entitled action came on for trial before the Court without a Jury on October 22, 1956, the Defendant, C. R. James, individually and doing business as the C. R. James Construction Company, appearing in person and by his attorneys of record, Houston, Klein & Davidson and R. L. Davidson of Tulsa, Oklahoma and the defendant, Continental Casualty Company, an insurance corporation, appearing by its attorneys of record, Rucker, Tabor & Cox and Thomas L. Palmer, of Tulsa, Oklahoma, and testimony having been offered and the Court being fully advised in the matter, it is hereby,

ORDERED, ADJUDGED AND DECREED, that the defendant, Continental Casualty Company, an insurance corporation, have judgment against the defendant, C. R. James, individually and doing business as the C. R. James Construction Company, in the sum of Two Thousand Dollars, (\$2,000.00), together with interest thereon at the rate of six percent (6%) per annum from October 22, 1956, attorneys' fees in the amount of Five Hundred Dollars, (\$500.00) and for its costs and disbursements in this action to be hereinafter taxed, on notice and hereinafter inserted by the Clerk of the Court in the sum of _____, dollars.

ROYCE H. SAVAGE

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

[Handwritten signature]

Thomas L. Palmer
Atty. for Continental Casualty Co.

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

UNITED STATES OF AMERICA, for the
use and benefit of McCORMICK
MACHINERY COMPANY, a corporation,

Plaintiff,

-vs-

C. R. JAMES, individually and
C. R. JAMES, d/b/a C. R. JAMES
CONSTRUCTION COMPANY and
CONTINENTAL CASUALTY COMPANY, an
insurance corporation,

Defendants.

No. 3951

FILED

OCT 22 1956

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

JUDGMENT ON CROSS-COMPLAINT

The above entitled action came on for trial before the Court without a Jury on October 22, 1956, at Tulsa, Oklahoma, the Defendants, C. R. James, individually and C. R. James, d/b/a the James Construction Company, appearing in person and by and through his attorneys of record, Houston, Klein and Davidson and R. L. Davidson, of Tulsa, Oklahoma and Defendant, Continental Casualty Company, appearing by and through its attorneys of record, Rucker, Tabor & Cox, and Thomas L. Palmer, of Tulsa, Oklahoma and testimony having been offered, and the Court being fully advised in the premises, it is hereby,

ORDERED, ADJUDGED AND DECREED, that the defendant, Continental Casualty Company, an insurance corporation, have judgment against the defendant, C. R. James, individually and C. R. James, d/b/a as the C. R. James Construction Company on its cross-complaint in the sum of Six Thousand Dollars, (\$6,000.00), together with interest therein at the rate of six percent (6%) per annum from October 22, 1956, attorneys' fees in the amount of Two Hundred and Fifty Dollars, (\$250.00) and for its costs and disbursements in this action to be hereinafter taxed, on notice, and hereinafter inserted by the Clerk of this Court in the sum of _____ dollars.

Edmond H. Savage
Ok. James R. Ryan
Att'y for McCormick Machinery Co.

EDMOND H. SAVAGE

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

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

THEODORE PAULINE GREEN AND
KATHRYN GREEN,
Plaintiffs,

-vs-

COFFIN REFRIGERATION COMPANY,
a corporation,
Defendant,

10. 1957 FILED

SEP 17 1956

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

O R D E R

Now on this ^{21st} ~~22nd~~ day of ^{Sept} ~~September~~, 1956, the

above entitled cause 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 stipulation herein for dismissal with prejudice
to a new action, 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.

ROYCE H. SAVAGE

Judge

Approved as to form:

COPPINGER AND SANDERS

BY J. Coppinger
Attorneys for Plaintiffs
Alton, Illinois

RUCKER, TABOR & COX

THOMAS L. PALMER

BY T. Rucker
Attorneys for Defendant
608 Wright Building
Tulsa, Oklahoma

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

* * * * *

MULLIN-KILLE COMPANY, a Partner-)
ship, composed of Robert M. Baldwin,)
Sarah M. Baldwin, and Charlotte V. Kille,)
)
) Plaintiff,)

-vs-

SELECT PUBLICATIONS, INC., a)
Corporation,)
)
) Defendant.)

No. 3972-Civil

FILED

OCT 24 1956

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

JUDGMENT

On this 22nd day of October, 1956, the Motion of Plaintiff for Summary Judgment pursuant to Rule 56 (c) of the Rules of Civil Procedure came on regularly for hearing before the undersigned, Judge of the United States District Court for the Northern District of Oklahoma, and the Court having examined the Pleadings of the parties, the Affidavit of C. A. Whitebook filed herein in support of said Motion for Summary Judgment, which Affidavit completely discloses all material facts showing Plaintiff entitled to judgment, and which Affidavit is not controverted by the Defendant demonstrating that as a matter of law Defendant's Answer filed herein states no defense to Plaintiff's claim; and thereupon the Court having examined the Request for Admissions of Fact duly served by Plaintiff upon the Defendant pursuant to Rule 36 of the Rules of Civil Procedure on September 20, 1956, and more than ten days prior to this date, which Requests called for the admission of every material fact necessary to establish Judgment for Plaintiff as prayed for in its Complaint, all of which facts, pursuant to said Rule, Defendant having failed to file or serve Admissions or Denials thereof, are deemed admitted; and the Court being fully advised in the matter, finds that there is no genuine issue as to any material fact, and that as a matter of law

Defendant's Answer states no defense and that Plaintiff is entitled to a Judgment herein as a matter of law.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for Summary Judgment be and the same is hereby sustained and granted.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff, Mullin-Kille Company, a Partnership, have and recover from the Defendant, Select Publications, Incorporated, a corporation, the sum of \$3,079.09, together with interest thereon at the rate of 6% per annum from May 13, 1956, until fully paid, together with Plaintiff's costs as fixed and taxed by the Clerk of this Court.

15/ Royce H. Savage
United States District Judge

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

FILED

OCT 25 1956

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

The Connecticut Fire Insurance
Company,

Plaintiff

vs.

Robert F. Coker,

Defendant.

NO. 3913 Civil

O R D E R

The above captioned is hereby dismissed without prejudice,
on the oral application of plaintiff.

DATED: October 25, 1956.

/s/ Royce H. Savage
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

*	*	*	*	*
B-W ACCEPTANCE CORPORATION,)			
a corporation,)			
)			
Plaintiff,)			
)			
-vs-)			No. 3994-Civil
)			
CLAUDE RIGGS and C. M. RIGGS,)			
co-partners doing business as TULSA)			
FURNITURE & UPHOLSTERY COM-)			
PANY,)			
)			
Defendants.)			

FILED

OCT 25 1956

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

JOURNAL ENTRY OF JUDGMENT

This cause came on for hearing on the 22nd day of October, 1956, on the motion of the above named Plaintiff for default judgment as against the above named Defendants; Plaintiff appeared by Ungerman, Whitebook, Grabel & Ungerman, attorneys of record, and said Defendants appeared neither in person nor by counsel, and although three times called in open Court, came not but made default. Thereupon the Court examined the files herein, and found that the Defendants, Claude Riggs and C. M. Riggs, co-partners doing business as Tulsa Furniture & Upholstery Company, and Claude Riggs individually and C. M. Riggs individually had been duly and properly served with summons and complaint on the 6th day of August, 1956, but had wholly failed, refused and neglected to plead, answer or otherwise defend herein, and were and were adjudged to be in default.

Thereupon this cause proceeded to trial; Plaintiff in open Court waived trial by jury, and the Court, having heard the testimony of a witness duly sworn and examined, and being fully advised in the premises, found: That the Defendants were indebted to the Plaintiff on fourteen promissory notes executed by the Defendants to the Plaintiff in the sum of \$5,377.03, which

sum is composed of the principal balance due and owing of \$4,578.45, \$123.58 accrued interest at time of suit, and a reasonable attorneys' fee, which the Court finds to be in the sum of \$675.00. The Court finds further that by virtue of a certain purchase agreement, dated November 18, 1955, executed by one Kenneth L. Horn, as purchaser, to the Defendants as seller, which purchase agreement was thereafter assigned to the Plaintiff with an express guaranty of payment by the said Defendants, the Defendants are indebted to the Plaintiff in the sum of \$645.41, and that the Plaintiff is entitled to judgment as against the Defendants in the total sum of \$6,022.44, and the costs herein.

The Court takes judicial notice of the proceedings in this Court in Case No. 7705 in Bankruptcy, wherein the Defendant partnership, composed of Claude Riggs and C. M. Riggs, co-partners doing business as Tulsa Furniture & Upholstery Company, was duly adjudicated a bankrupt, and finds that there is no property subject to execution by the Plaintiff and that if execution were issued by the Plaintiff as against the Defendant partnership, the same would be returned unserved and unsatisfied and no property found, and that it would be a useless act to require the Plaintiff to first issue execution as against the partnership before becoming entitled to judgment as against the individual defendants who were served with summons and complaint.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that Plaintiff have and is hereby granted judgment as against the partnership, composed of Claude Riggs, and C. M. Riggs, co-partners doing business as Tulsa Furniture & Upholstery Company, in the sum of \$6,022.44, with interest thereon at the rate of 6% per annum from date of judgment, until paid, and for the costs of this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff have and is hereby granted judgment as against Claude Riggs, individually, and as against C. M. Riggs, individually, in the sum of

\$6,022.44, with interest thereon at the rate of 6% per annum from date of judgment, until paid, and for the costs herein expended.

Dated this 25th day of October, 1956.

151 Royce W. Savage
United States District Judge

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

Paul B. Clark,

Plaintiff,

vs.

The Texas Company, a
corporation,

Defendant.

No. 4027-Civil

FILED

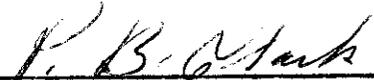
NOV - 1 1956

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

DISMISSAL WITH PREJUDICE

Comes now the plaintiff, Paul B. Clark, all issues involved in this case having been fully settled and compromised, and dismisses the above styled and numbered cause of action with prejudice to the bringing of a further action.

Dated this 25 day of October, 1956.

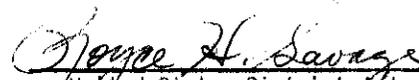


Plaintiff



Attorneys for Plaintiff

IT IS HEREBY ORDERED that the above styled and numbered cause of action be dismissed with prejudice this 1st day of Nov, 1956.



United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN

DISTRICT OF OKLAHOMA

NATIONAL FARMERS UNION PROPERTY
AND CASUALTY COMPANY,

Plaintiff,

vs.

LEONARD TUCKER, CECIL WRIGHT,
WAYNE WRIGHT, and H. GENE SEIGEL,
Administrator of the Estate of
SYLVIA WRIGHT, Deceased,

Defendants.)

NO. 3853 - Civil

FILED

NOV-2 1956

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

JUDGMENT AND DECREE

JUDGMENT IS HEREBY ENTERED for the defendants and against the complainant in conformity with the findings of fact and conclusions of law filed herein on this date.

The costs are taxed against the complainant.

Dated this 20th day of November, 1956.

Boya H. Barry
United States District Judge

JIG/dn

11/2/56

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

* * * * *
SIPANAM, INC., a Corporation,
Plaintiff,
-vs-
LAURENCE SOBEL and MARTIN KOPELMAN, d/b/a Oil Field Supply Company,
Defendants.
Civil Action No. 3961
NOBLE C. HOOD
Spec. U.S. District Court

JUDGMENT ON OFFER AND ACCEPTANCE

This action having been commenced by due and proper service of summons and complaint on the defendant, Oil Field Supply Company, a partnership, by personal service on the defendant Laurence Sobel, on the 10th day of July, 1956, and upon the defendant Martin Kopelman, on the 20th day of August, 1956, and the defendants having offered in writing to allow the plaintiff to take judgment against them in the sum of \$11,661.39, with interest thereon at the rate of 6% per annum from April 24, 1956, until paid, which offer, the plaintiff, within ten days thereafter accepted in writing, now on motion of Bill E. Brice, of Witts, Geary, Hamilton & Brice, Plaintiff's Attorneys, in accordance with the Federal Rules of Civil Procedure, judgment is entered.

It is, therefore, adjudged that plaintiff, Sipanam, Inc., a corporation, have and recover of the defendants, Oil Field Supply Company, a partnership composed of Laurence Sobel and Martin Kopelman, partners, the sum of \$11,661.39, with interest thereon at the rate of 6% per annum from April 24, 1956, until paid, and that plaintiff have execution therefor.

It is further adjudged that if execution issue against the assets and joint property of said partnership, Oil Field Supply Company, and be returned "no property found", or if, in whole or in part, the assets of said

partnership, Oil Field Supply Company, shall be insufficient to satisfy this judgment, then, and in that event,

It is adjudged that plaintiff, Sipanam, Inc., a corporation, have judgment, and judgment is hereby granted, for such deficiency, if any, as shall remain unpaid, against Laurence Sobel and Martin Kopelman, defendants, individually, and that execution issue as against either or both of said defendants, for that portion or all of said judgment which shall remain unsatisfied.

Judgment rendered this 9th day of November, 1956.

NOBLE C. HOOD, Clerk of the United States District Court, Northern District of Oklahoma

By: *Paul B. Challenge*
Deputy Court Clerk

Approved as to form:

Ungerman, Whitebook, Grabel & Ungerman

By *Carl Whitebook*
Attorneys for Defendant Laurence Sobel

Dyer, Powers & Gotcher

By *Dayle S. Gotcher*
Attorneys for Defendant Martin Kopelman

Attorneys for Defendant Oil Field Supply Company, a Partnership

Witts, Geary, Hamilton & Brice

By *Edith E. Brice*
Attorneys for Plaintiff, Sipanam, Inc.

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

JOHN E. GREEN,
Plaintiff,
-vs-
AMERICAN AIRLINES, INC.,
a Delaware Corporation,
Defendant.

NO. 4055 - CIVIL

FILED

NOV - 8 1956

JOURNAL ENTRY OF JUDGMENT

This cause came on to be heard on this 7th day of
November, 1956, Plaintiff appearing in person by his attorneys, Rucker,
Fisher & Cox, and Truman B. Sucker; defendant appearing by its attorneys,
Pierce, Meek & Duncan, and Fred M. Meek, and upon statement of counsel
and stipulation of the parties, and the Court being fully advised in the premises
upon consideration finds that judgment should be entered for the plaintiff in
the amount of ONE HUNDRED TEN THOUSAND and 00/100 Dollars, (\$110,000.00)

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED,
by the Court that the plaintiff, John E. Green, have and recover of said
defendant the sum of ONE HUNDRED TEN THOUSAND and 00/100 Dollars,
(\$110,000.00), and the costs of this action.

Moyce H. Savage
JUDGE

APPROVED AS TO FORM:

Truman B. Sucker
Attorney for Plaintiff

Melvin F. Pierce
Attorney for Defendant

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

LOYD MANN, D. PERKINS COBB, HARRY
GRADOUS, M. L. SHIPLEY and C. R.
ALBERDING,)

Plaintiffs,)

vs.)

CORA J. DAVIS, also known as Mrs.
W. A. Davis, and IRVINE J. VAWTER,)

Defendants.)

No. 3713 Civil

FILED

NOV- 9 1956

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

JUDGMENT

This matter coming on to be heard upon objections to the accounting of the operator, Allen Borton, and the court having examined the accounting filed by the said Allen Borton approves and confirms said accounting, and it further appearing that the parties hereto have fully and wholly settled and compromised all of the matters and things involved in this litigation by the payment of the plaintiffs to the defendant Irvine J. Vawter the sum of \$1750.00 for which said sum the defendant Ervine J. Vawter has executed and delivered to the plaintiffs a release of the oil and gas mining lease from Cora J. Davis to Ervine J. Vawter, dated March 29, 1955, and it further appearing to the court that the plaintiffs have agreed that the defendant, Cora J. Davis, may be paid and receive from funds now held in suspense by the Service Pipe Line Company as purchaser of the oil produced from the Clarke Moore 4-B, 5-B and 6-B wells which are the wells in controversy, and that upon said payment of the sum of \$6,000.00 she will deliver to Clarke Moore, lessor of plaintiffs herein, a quit claim deed conveying all of her right, title and interest in and to the 50 acres which is the subject matter of this controversy to the said Clarke Moore, and it further appearing to the court that each and all of the parties herein, as a

part of the compromise herein referred to, have released each from the other all claims and demand of whatsoever kind and character arising out of the controversy which is the subject matter of this litigation.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Cora J. Davis and her attorney, Bryan Labor, have and receive from the Service Pipe Line Company the sum of \$6,000.00 out of the funds held by said company under their lease account No. 19848, a portion of their lease account No. 18823. Upon receipt of such payment, It is ordered, adjudged and decreed that defendant, Cora J. Davis, deliver to Clarke S. Moore, lessor of the plaintiffs herein, a good and sufficient quit claim deed, quit claiming all of her right, title and interest in and to the real property described as follows, to-wit:

The East 20 acres of Lot Six (6), and the East 20 acres of Lot Seven (7), and Northwest quarter of Southeast quarter of Southwest quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Six (6), Township Twenty-six (26) North, Range Fifteen (15) East of the Indian Base and Meridian, Nowata County, Oklahoma, containing 50 acres, more or less.

In the event she fails to deliver such deed, this judgment and decree shall operate as a full conveyance of her said interest.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Allen Borton as operator of said premises under the supervision and direction of this court since the 1st day of June, 1955, have and receive from the funds so held in suspense by the Service Pipe Line Company, and said Service Pipe Line Company is hereby authorized and directed to pay to the said Allen Borton, the sum of \$6,484.76, which said sum constitutes reimbursement for expenditures made by the said Allen Borton in the operation of the wells in controversy to November 1, 1956.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all the rest and residue of the funds held in suspense in said account be paid to the plaintiffs herein as their interest may appear.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Service Pipe Line Company, upon making the payments herein prescribed, shall be fully

resolved and released of and from any claims or demand by any of the parties to this litigation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that by virtue of said settlement which is by the court hereby approved, title to the above described property be, and it is hereby, vested in Clarke Moore, lessor of the plaintiffs herein, and it is further ordered, adjudged and decreed that the oil and gas mining lease owned by the plaintiffs herein is a valid and subsisting oil and gas mining lease, and the defendants nor any of them now have any right, title or interest in or to the minerals in or under said premises or that have been or may hereafter be produced therefrom and by virtue of said settlement all matters of controversy between the parties hereto have been settled and no claim or demand shall ever be asserted one against the other by reason of the transaction involved in the subject matter of this litigation.

W. Royce H. Savage
District Judge

APPROVED:

BRYAN TABOR

Bryan Tabor
Attorney for Defendants,
Cora J. Davis and
Ervine J. Vawter

HOUSTON, KLEIN & DAVIDSON

By R. Davidson
Attorneys for Plaintiffs

absolved and released of and from any claims or demand by any of the parties to this litigation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that by virtue of said settlement which is by the court hereby approved, title to the above described property be, and it is hereby, vested in Clarke Moore, lessor of the plaintiffs herein, and it is further ordered, adjudged and decreed that the oil and gas mining lease owned by the plaintiffs herein is a valid and subsisting oil and gas mining lease, and the defendants nor any of them now have any right, title or interest in or to the minerals in or under said premises or that have been or may hereafter be produced therefrom and by virtue of said settlement all matters of controversy between the parties hereto have been settled and no claim or demand shall ever be asserted one against the other by reason of the transaction involved in the subject matter of this litigation.

18 Royce H. Savage
District Judge

APPROVED:

BRYAN TABOR

Bryan Tabor
Attorney for Defendants,
Cora J. Davis and
Ervin J. Vavter

HOUSTON, KLEIN & DAVIDSON

By R. Davidson
Attorneys for Plaintiffs

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

HALLMAC CONSTRUCTION COMPANY,
a Corporation,

Plaintiff,

vs.

INDIAN HILLS COUNTRY CLUB, a
Corporation, and INDIAN HILLS
COUNTRY CLUB, INC., a Corporation,

Defendants,

CONSTRUCTORS MATERIALS &
EQUIPMENT CO., a Corporation,

Intervenor.

NO. 3908-Civil

FILED

NOV - 9 1956

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

J U D G M E N T

Now on this ^{9th} day of November, 1956, the above cause comes on regularly for trial pursuant to previous assignment. The plaintiff, Hallmac Construction Company, a corporation, and the intervenor, Constructors Materials & Equipment Co., a corporation, appeared by their respective counsel of record, and the defendants appeared by their attorneys; and the court having considered written stipulations of the parties and statements of counsel in connection therewith, finds that plaintiff is entitled to judgment against the defendants and each of them in the sum of \$51,000.00, with interest thereon from the first day of November, 1956 at the rate of six per cent per annum, and all costs of the action, together with an attorneys' fee in the sum of \$4,000.00, which the court finds and adjudges to be reasonable.

The court further finds that the intervenor herein is entitled to judgment against the defendants and each of them in the sum of \$18,425.00, with interest thereon at the rate of six per cent per annum from the 15th day of August, 1955, and all costs of said intervenor, together with an attorneys' fee in the amount of \$1,000.00, which the court finds and adjudges to be reasonable.

The court further finds that the plaintiff and the intervenor each has a good and valid lien as alleged in their respective complaints herein against and upon the following described real property, water pipe line and easements therefor, to-wit:

The Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$); and the West Half of the Southeast Quarter of the Northeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$); and the Southeast Quarter (SE $\frac{1}{4}$) and the Southeast Quarter of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$), EXCEPT that part of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast Quarter of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) described as follows: Beginning at the Northwest corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence East 600 feet to the Northeast corner, thence South along the East line of said Section 300 feet to a point, thence in a north-westerly direction to the point of beginning;

all in Section 36, Township 20 North, Range 14 East, Rogers County, State of Oklahoma; together with a water pipe line and easement rights therefor described as follows: Beginning at a point on the Spavinaw Water Flow Line of the City of Tulsa in the W $\frac{1}{2}$ of Section 7-20N-15E, and extending southwesterly along said Flow Line a distance of approximately 1,500 feet to the County Highway, thence South along said County Highway through Sections 13 and 24-20N-14E, thence across said Highway into Section 30 in a southerly direction along the westerly boundary line of Sections 30 and 31-20N-15E, thence across said County Highway onto the above described lands of the Indian Hills Country Club a distance of approximately 1,500 feet, of the total approximate length of 33,000 feet;

and that the plaintiff and the intervenor herein are entitled to foreclose their respective liens to secure the money judgment rendered in their favor herein against said defendants.

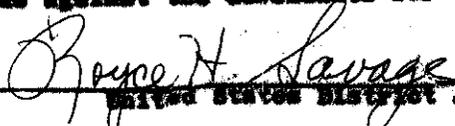
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff, Hallmac Construction Company, a corporation, have and recover of and from the defendants and each of them the sum of \$51,000.00, with interest thereon from the first day of November, 1955 until paid at the rate of six per cent per annum, and all costs of this action, together with an attorneys' fee in the sum of \$4,000.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the intervenor, Constructors Materials & Equipment Co., a corporation, have and recover of and from the defendants and each of them the sum of \$15,425.00, with interest thereon from the 13th day of August, 1955 at the rate of six per cent per annum and costs, together with an attorneys' fee in the sum of \$1,000.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the aforesaid liens of the plaintiff and the intervenor upon and against the above described property and premises belonging to the defendants are of equal rank and priority and that said liens should be and the same are hereby foreclosed; and that upon failure of said defendants to satisfy said judgments in favor of said plaintiff and intervenor, including interest, attorneys' fees and costs as herein awarded, that said property and property rights be sold as provided by law, subject only to a first and prior mortgage in favor of The First National Bank and Trust Company of Tulsa, Oklahoma, upon that portion of the above described property and premises covered by said mortgage, and that the proceeds arising from said sale be applied as follows:

- (1) In payment of costs of said sale and of this action;
- (2) In payment to said plaintiff of the sum of \$51,000.00, together with interest thereon and attorneys' fees in the amount of \$4,000.00; and in payment to the intervenor herein of the sum of \$15,425.00, together with interest thereon and attorneys' fees in the amount of \$1,000.00.

If the amount derived from said sale is insufficient to satisfy said judgments, the net amount received therefrom shall be applied toward the discharge of said judgments pro rata, and execution shall issue against the defendants for the remainder unpaid.


United States District Judge

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

FILED

NOV 13 1956

NOBLE C. HOOD
Clerk, U.S. District Court
NO. 3002 - CIVIL.

PATIENCE MULLENDORE McNULTY,
Individually, etc.,
Plaintiffs.
VS.
MULLENDORE TRUST COMPANY,
ET AL.,
Defendants

ORDER

Upon the Trustees' application in that behalf,

IT IS ORDERED that A. C. Adams, Mildred M. Adams and Bessie M. Johnson as Trustees of the Mullendore Trust Company, be and they are hereby authorized to accept the offer of JESSE W. MOULDER to purchase for Five Hundred and No/100 (\$500.00) Dollars cash, the following described property owned by the Mullendore Trust Company:

The surface only of a tract of land containing approximately Five (5) acres, more or less, located in the Northeast Quarter of the Northeast Quarter of Section Ten, Township 20 North, Range Eight East I.M., in Pawnee County, State of Oklahoma, more particularly described as follows: Commencing at a point sixty feet (60 ft) West of the Northeast corner of the NE/4 of the NE/4 of said Section 10, Township 20 North, Range 8 East I.M., thence running due South parallel to the East line of the said NE/4 of NE/4 a distance of 260 feet; Thence running West a distance of 94.5 feet; thence running North a distance of 260 feet to the North line of the said NE/4 of the NE/4; thence running East to the point of beginning, Pawnee County, Oklahoma,

together with all improvements thereon, and to make, execute and deliver to said purchaser a conveyance thereof upon the payment of the full purchase price.

THIS 13th day of November, 1956.

Wesley H. Savage
District Judge

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

The City of Sapulpa, a
Municipal Corporation,

Plaintiff,

vs.

No. 4030 Civil.

George Perry, an incompetent
person, Overton Washington,
Guardian of George Perry, an
incompetent person, and the
United States of America,

Defendants.

FILED

NOV 17 1956

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

J U D G M E N T

Pursuant to the Findings of Fact and Conclusions of
Law filed herein,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the
property described in this cause be and the same is hereby
condemned and the fee simple title thereto is hereby vested in
the plaintiff City of Sapulpa upon payment of the award fixed
hereby; and compensation in the amount of \$1700.00 is awarded
to the defendant George Perry and his guardian Overton Washington,
and upon payment by the plaintiff to the Clerk of this court in
the amount of \$1700.00 he is directed to issue a check in this
sum to the Bureau of Indian Affairs, Muskogee, Oklahoma, and for-
ward the same to Paul L. Fickinger, Bureau of Indian Affairs,
Muskogee, Oklahoma.

Dated this 13th day of November, 1956.

Boyer H. Savage
United States District Judge

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

CALLIE WEST,)

Plaintiff,)

-vs-)

No. C-4 0 6 0

SAFEWAY STORES, INC., a)
corporation,)

Defendant.)

FILED

NOV 14 1956

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

O R D E R

On Motion of Plaintiff showing settlement has been
made, this cause is hereby dismissed with prejudice.

Dated this 14 day of NOV, 1956.

1st Royalt. Savage
Judge of the U. S. District Court
Northern District of Oklahoma

UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF OKLAHOMA

United States of America,

Libelant,

vs.

One 1956 Chrysler Two-Door Sedan,
Motor No. 3NE561665, Its Tools and
Appurtenances,

Respondent,

Leo Lemaster, Herschel Lovil Mathis,
Mary Mathis, and The National Bank
of Commerce, Tulsa, Oklahoma,

Claimants.

Civil No. 4065

FILED

NOV 15 1956

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

JUDGMENT AND ORDER

BE IT REMEMBERED that this cause came on for trial before the undersigned judge on this 15th day of November, 1956, the libelant appearing by B. Hayden Crawford, United States Attorney, and Russell H. Smith, Assistant United States Attorney, and the claimant, The National Bank of Commerce, of Tulsa, Oklahoma, appearing by Carl W. Wiedemann, its vice-president, and Hickman & Hickman, its attorneys, and Leo Lemaster and Herschel Lovil Mathis, each appearing in person, and all parties having announced ready for trial the court proceeded to hear the evidence on behalf of the libelant and the libelant having rested, the court concludes from the proof that the above described automobile, denominated herein respondent, is not subject to forfeiture as claimed under the libel of information herein, and that the evidence fails to show that said automobile was used in violation of Sections 1262 and 3615, Title 18, U. S. C. (Liquor Enforcement Act of 1936).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the prayer of the libelant herein for forfeiture be and the same is hereby denied.

15/ Royce H. Savage
United States District Judge

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

FILED

NOV 16 1956

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

G. EVERETT PARKS,

Plaintiff

-vs-

JOHN T. HARRIS,

Defendant

Civil Action

No. 4036

D E C R E E

BE IT REMEMBERED that the above entitled cause came on for hearing on this the 16th day of November, 1956, the plaintiff appearing by his attorney, W. F. Semple, and the defendant by his attorney, Walter L. Kimmel, and no defense having been interposed by the defendant, the court finds the issues in favor of the plaintiff.

IT IS THEREFORE CONSIDERED, ORDERED AND DECREED that the plaintiff have judgment herein, decreeing him to be the owner of a 7/16 interest in that certain oil and gas mining lease executed by the Osage Tribe of Indians with the approval of the Department of the Interior, under date of July 16, 1952, in favor of C. E. Beal, covering the following described land, situate in Osage County, Oklahoma:

SW Section 21-20N-11E

the aforesaid lease having been assigned in part by assignments approved by the Department of the Interior to the defendant, John T. Harris, and the plaintiff having acquired by purchase a full 7/16 interest from the said defendant, John T. Harris, but for which the said defendant has never executed an assignment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff is the equitable owner of a 7/16 interest in said lease and is further entitled to an assignment of said interest in said lease, together with payment of the income accruing therefrom now held

by any pipeline purchaser of oil produced from the aforesaid lease, and the defendant is directed to issue an assignment to the plaintiff for the 7/16 interest here in issue and to execute and file proper transfer order with the pipeline company connected to the lease for such sums as may be held by the pipeline purchaser connected with the aforesaid lease to cover income accruing to the defendant and now held in suspense.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that in the event the defendant, John T. Harris, fails to execute assignment and transfer orders as above directed, this decree shall operate and have the force and effect of a conveyance or assignment of the 7/16 leasehold interest held in the name of the defendant, to the plaintiff, G. Everett Parks, and a transfer of any suspended income attributable to that interest, if any, in the hands of Kerr-McGee Oil Industries, Inc., the pipeline purchaser connected with said lease.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have judgment against the defendant for all costs herein expended.

1st Royal H. Savage

J U D G E

OK AS TO FORM:

1st Walter L. Kimmel

Walter L. Kimmel
Attorney for defendant

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Civil No. 3807

ELIZABETH MILLER and HARRY MILLER,
Transferees of the ESTATE OF S. L.
MILLER, Deceased,

Defendants.

FILED

NOV 2 1 1956

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

ORDER

This cause having come on for hearing pursuant to regular assignment on the 21st day of November, 1956, the United States of America being represented by E. Hayden Crawford, United States Attorney, and Charles E. Froeb, Assistant United States Attorney, for the Northern District of Oklahoma, and the defendants, Elizabeth Miller and Harry Miller, being represented by Robert L. Wheeler, Jr., Attorney, of Tulsa, Oklahoma, and the defendants having filed a motion to dismiss supported by briefs, and the United States having filed its briefs herein, and the Court having heard oral argument, the Court is of the opinion that it does not appear on the face of the facts presented that a proceeding against the estate of S. L. Miller, deceased, would be a vain and useless thing, the estate not having been administered or distributed as of this time to the heirs at law.

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

Dated this 21st day of November, 1956.

Royce H. Savage
UNITED STATES DISTRICT JUDGE

FILED

NOV 2 1 1956

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

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

H. T. Landrum,

Plaintiff,)

vs.)

Percy E. Cunningham, individually and
d/b/a Cunningham Lumber Company,

Defendant.)

Civil Action

No. 8897

FILED

NOV 2 1 1956

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

J U D G M E N T

Defendant not having answered herein, and stipulating with plaintiff that plaintiff was entitled to the following judgment,

IT IS HEREBY CONSIDERED, ORDERED AND DECREED that the plaintiff have and recover from the defendant the sum of \$12,913.56, together with interest at the rate of six percent per annum from the date hereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover from the defendant an attorney's fee in the amount of \$500.00.

DATED and entered this 18th day of October, 1956.

Royce H. George
United States District Judge

APPROVED:

Ernest J. Holliman
Attorney for plaintiff

Tommy S. ...
Attorney for defendant

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

Walter H. Cox,

Plaintiff,

vs.

Ted F. Dunham,

Defendant.

No. 3921.

FILED

NOV 21 1956

DECREE

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

On this 5th day of September, 1956, this matter comes on regularly for trial. The parties represented by their respective counsel of record announce ready for trial.

Plaintiff presents his evidence in chief and rests, except for the evidence of Lee Evans. Defendant presents his evidence and the hour of adjournment arrived and the trial is continued until the 6th day of September, 1956.

On the 6th day of September, 1956, defendant presents additional evidence and rests, except for the right to rebut to the evidence of Lee Evans. The court continues this matter until September 21, 1956.

On this 21st day of September, 1956, this matter comes on for further evidence. Plaintiff presents additional evidence and the evidence in the case is closed. The court takes under advisement this matter until the 19th day of November, 1956.

On this 19th day of November, 1956, this matter comes on for oral argument and decision, having been briefed by the parties hereto. After due consideration of the evidence, the briefs and arguments of counsel, the court finds in favor of plaintiff in the sum of \$1,600.00 on quantum meruit.

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that plaintiff, Walter H. Cox, have judgment of and from Ted F.

Durham in the sum of \$1,600.00, and costs of this action.

(5)

Royce H. Savage
JUDGE

Approved as to form:

McCoy + Craig
McCoy & Craig

Robert P. Kelly
Robert P. Kelly

Attorneys for Plaintiff

Owen W. Ware

Merle G. Smith

Attorneys for Defendant

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

O. W. Johnston,

Plaintiff,

vs.

Alonso Yakola, et al,

Defendants,

United States of America,

Intervener in its own
right and on behalf of
defendants, Alonso Yakola
and Joe Yakola,

vs.

D. W. Cotton,

Third-Party Defendant.

Civil No. 3729

FILED

NOV 26 1956

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

ORDER

On this 8th day of November 1956, this matter coming on for hearing on motion of the United States of America for a new trial, and the Court, having been fully advised in the premises, finds that the motion should be overruled, and

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED BY THE COURT that this motion for a new trial be and is hereby overruled.

Royce H. Savage
United States District Judge

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

N. C. SAWYER,

Plaintiff

vs.

MARION ROBERTS AND NOLAH ROBERTS,

Defendants

No. 4071 - Civil

FILED

NOV 26 1956

FINAL DECREE APPOINTING RECEIVER

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

The above entitled matter came to the attention of the Court on the application of the plaintiff contained in his verified complaint for the appointment of a receiver to take possession of and conserve and collect income from the property which is the subject matter of the action, and the Court having heard the evidence of the parties and being otherwise sufficiently advised is of the opinion that such application should be granted.

IT IS ORDERED that R. J. Reavis of Miami, Ottawa County, Oklahoma, be and he is hereby appointed the receiver herein of all and singular the premises and property described in the complaint, with the usual powers of receivers in such cases according to the law and practice of this Court.

Said receiver is hereby given authority to demand, collect, receive and take into his possession all choses in action and property of any description belonging to or appertaining to the premises and property described in the complaint.

Said receiver is further given the authority to and directed to conduct the motor court business located upon the real estate involved herein, including all proper use of the personal property and equipment thereon involved in this action, and is directed to establish a bank account in a bank at Miami, Oklahoma, to deposit therein all income or monies received by him from any source whatever belonging to or appertaining to the premises or property described in the complaint. He is directed to not spend any of such money except on application to the Court and proper order therefor, and he is directed to make a written report of his actions and conduct as such receiver, including strict accounting of the money taken in and spent

as herein provided, at least once every six months and oftener as the Court may direct.

The bond of said receiver is hereby fixed in the sum of \$2,500.00, conditioned that such bond and sureties be approved by this Court and shall be filed forthwith with the Clerk.

Said receiver shall not enter upon his duties as such receiver until he has taken the oath as such receiver and posted such bond with the approval of the Court.

Done in open Court this November 23, 1956.



Royce H. Savage,
District Judge



Harry D. Moreland,
Attorney for Plaintiff

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

O. H. Chambers and
Alice Chambers,

Defendants.

Civil No. 3999

F. I. L. E. D.

NOV 30 1956

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

JUDGMENT

On this 30th day of November 1956, the above-entitled action coming on for hearing, the plaintiff, United States of America, appearing by S. Hayden Crawford, United States Attorney, and Russell E. Smith, Assistant U. S. 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 the defendants were duly served with summons herein more than twenty (20) days prior to this date, and, having failed to appear for answer, are adjudged to be in default.

The Court further finds that all the allegations of the plaintiff's complaint in the first cause of action are true; that the above-named defendants, on the 7th day of October 1952, did make, execute, and deliver to Apex Roofing and Paint Co. their written promissory note in the sum of \$793.36, in accordance with the provisions of the Federal Housing Administration Act, and that the defendants defaulted in payments on this note in accordance with the provisions of said Act, and that the note was ultimately assigned to the United States of America on January 11, 1954, by the First National Bank in St. Louis, Missouri, and that there is now due and owing upon the note the sum of \$628.18, principal, plus \$129.59, interest as of July 31, 1956, plus interest at the rate of six per cent (6%) per annum on the principal sum from July 31, 1956, thereafter until paid.

The Court further finds that all the allegations of the plaintiff's second cause of action are true; that the above-named defendants, on the 20th day of October 1952, did make, execute, and deliver to Apex

Roofing and Paint Co. their written promissory note in the sum of \$961.23, in accordance with the provisions of the Federal Housing Administration Act, and that the defendants have defaulted in the payments on this note, and that the note was ultimately assigned to the United States of America on January 11, 1954, by the First National Bank in St. Louis, Missouri, and that there is now due and owing upon the note the sum of \$761.79, principal, plus \$157.81, as of July 31, 1956, plus interest at the rate of six per cent (6%) per annum on the principal sum from July 31, 1956, thereafter until paid.

The Court further finds that plaintiff has filed herein an affidavit stating that the defendants are not in the military or naval service, and that neither is an infant nor an incompetent, which is found to be true.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED by the Court that the plaintiff have judgment against the defendants, O. E. Chambers and Alice Chambers, for the principal sum of \$628.18, principal, plus \$129.59, interest, as of July 31, 1956, plus interest at the rate of six per cent (6%) per annum on the principal sum from July 31, 1956, thereafter until paid, on the plaintiff's first cause of action; and that the plaintiff have judgment against the defendants for the principal sum of \$761.79, principal, plus \$157.81, as of July 31, 1956, plus interest at the rate of six per cent (6%) per annum on the principal sum from July 31, 1956, thereafter until paid, on the second cause of action; and for the costs of this action.


United States District Judge

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

* * * * *
MOUNTAIN IRON & SUPPLY COM-)
PANY, A Corporation,)
)
Plaintiff,)
)
-vs-)
)
SMITH & ELAM DRILLING COMPANY,)
a co-partnership composed of C. W.)
Smith and Bernard Elam,)
)
Defendant.)

No. 4048 - Civil

FILED

NOV 30 1956

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

JUDGMENT BY DEFAULT UPON APPLICATION
TO CLERK

Upon application of plaintiff, and examination of the records herein, the defendant, Smith & Elam Drilling Company, a co-partnership composed of C. W. Smith and Bernard Elam, having been regularly served with summons and complaint, and having failed to plead or otherwise defend herein, the legal time for pleading or otherwise defending having expired, and the default of said defendant, Smith & Elam Drilling Company, a co-partnership composed of C. W. Smith and Bernard Elam, in the premises having been duly entered according to law, a judgment is hereby entered as against the said defendant, Smith & Elam Drilling Company, a co-partnership composed of C. W. Smith and Bernard Elam, in pursuance of the prayer of said complaint.

WHEREFORE, by virtue of the law, and by reason of the premises aforesaid:

IT IS ORDERED, ADJUDGED AND DECREED that the said plaintiff do have and recover of the said defendants, Smith & Elam Drilling Company, a co-partnership composed of C. W. Smith and Bernard Elam, the sum of \$4,066.03, with interest thereon at the rate of 6% per annum from

August 1, 1956, until paid, together with said plaintiff's costs and disbursements incurred in this action, and that the plaintiff have execution therefor.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED That execution issue as against said defendant, Smith & Elam Drilling Company, a co-partnership composed of C. W. Smith and Bernard Elam, and that the joint property of such partnership be subjected to the payment of the judgment herein granted.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED That if execution against the assets of said partnership be returned "no property found", or if, in whole or in part, the assets of said partnership, Smith & Elam Drilling Company, a co-partnership composed of C. W. Smith and Bernard Elam, shall be insufficient to satisfy the judgment herein, then:

IT IS BY THE COURT ORDERED, ADJUDGED AND DECREED that plaintiff have judgment and is hereby granted judgment for such deficiency, if any, as shall remain unpaid, as against C. W. Smith, individually, he being one of the partners who was duly served with copy of summons and complaint in this cause, and as against Bernard Elam, individually, he being one of the partners who was duly and properly served with copy of summons and complaint in this matter, and that execution issue as against the said C. W. Smith and as against the said Bernard Elam, for that portion or all of the said judgment which shall remain unsatisfied.

Judgment rendered this 30 day of November, 1956.

NOBLE C. HOOD, Clerk of the United
States District Court, Northern District
of Oklahoma

By M. M. Ewing
Deputy Court Clerk

copy

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

PUBLIC SERVICE COMPANY OF OKLAHOMA
an Oklahoma corporation,

Plaintiff,

vs.

Civil No. 4064

A 50-foot wide easement and right of
way for electric power transmission
line purposes to be located upon, over
and across certain tracts of land in
Tulsa 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
presently owned by restricted Cherokee
Indians; Agnes Tiblow, now Washington
and Joseph Ax Washington, and the United
States of America in Trust for John Lee
Washington, Joe Washington, Jr., Billie
Gene Washington, Eldie Lou Washington,
Louise Washington, Eunice Washington,
Elanor Washington, Olive Washington,
David Washington, Lucille Washington,
and Walter Washington; and Webster
Chisholm, Cherokee Roll No. 30871,

Defendants.

FILED

NOV 30 1956

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

FINAL DECREE AUTHORIZING TAKING
IN CONDEMNATION

Now, on this the 30th day of November, 1956, this cause comes on for hearing pursuant to Order of this Court entered November 8th, 1956. Plaintiff appearing by its attorneys, T. M. Markley and Robert L. Lawrence, and Defendants United States of America, Agnes Tiblow, now Washington, and Joseph Ax Washington, appearing by John Morley, Assistant United States Attorney for the Northern District of the State of Oklahoma.

All parties having announced ready for hearing, the Court's attention was drawn to each and everyone of the following pleadings heretofore filed in this proceeding, to-wit:

The Complaint and Application for Order directing manner of service, verified under oath; Order of this Court dated November 8th, 1956, directing manner of service of Notice; Notice by the Clerk of the Court to the Area Director, Muskogee Area Office, Bureau of Indian Affairs, Department of the Interior, Muskogee, Oklahoma, and to Agnes Tiblow, now Washington, Joseph Ax Washington and Webster Chisholm; Notice to the Attorney General of the United States of America, Washington, D. C., and the United States Attorney for the Northern District of Oklahoma by attorneys for Plaintiff; Affidavit of Service of Notice and Mailing of Notice executed under oath by agents and attorneys for Plaintiff.

Plaintiff introduced testimony relative to the damages suffered by parties in interest in and to the land herein sought to be condemned and which will result from appropriation by Plaintiff of a perpetual easement and right of way for an electric transmission power 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 attorneys and the other Defendants named herein and each and every one of them by default and in open court waive their right to file in this proceeding a written demand for jury trial and thus being fully advised in the premises,

THE COURT FINDS: That the matters set out in the verified Complaint herein filed by Plaintiff are true and correct and said Plaintiff, a corporation organized under the laws of the State of Oklahoma, authorized and qualified to furnish light, heat and power by electricity, engaged in the generation and production of electricity for light, heat and power purposes and for the distribution and sale thereof throughout Eastern and Southwestern Oklahoma, characterized by the laws of the State of Oklahoma as a public service corporation and operating as such, is therefore authorized

by the laws of the State of Oklahoma to exercise the right of eminent domain to acquire rights of way for electric power transmission and distribution and it further appearing that the taking and use of an easement and right 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 Complaint; that this Court has proper jurisdiction of this cause by reason of the act of Congress of March 3, 1901, Chap. 832 §3, 31 Stat. 1084, 25 USCA §357; and that notice of this proceeding has been served according to law and order of this Court upon all parties in interest in and to the land involved herein, including the United States of America which is an interested party by reason of the fact that this matter effects the title to certain Cherokee Indian lands previously allotted in fee with certain restraints on alienation which are still in effect with respect to said land; and the United States of America as Trustee for John Lee Washington, et al, owners of Tract No. 1, subject to the life estate reserved to Agnes Tiblow, now Washington and Joseph Ax Washington; that all necessary parties to this cause are now properly before the Court for final disposition of this proceeding; that all parties hereto have waived their right to file a written demand for 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 damage; that the easement and right of way sought to be condemned by Plaintiff herein will not in any manner constitute a burden or encumbrance upon the mineral interests in said land involved herein.

THE COURT FURTHER FINDS that the tract of land described, in the Complaint filed herein, as Tract No. 2 and as being owned by Webster Chisholm, Cherokee Roll No. 30871, was allotted and is now owned by Webster Chisholm, Cherokee Roll No. 30871, and said Webster Chisholm was released by the Bureau of Indian Affairs, Department of the Interior, from all restrictions in the year 1919, and that

said lands set out in said Complaint as Tract No. 2, and now owned by Webster Chisholm, Cherokee Roll No. 30871, are free from all restraints on alienation; therefore, this Court being without jurisdiction, said cause should be dismissed insofar as said Tract No. 2 is concerned.

THE COURT FURTHER FINDS that the description of the land, upon, over and across which Plaintiff seeks herein to condemn said easement and right of way together with the owners thereof, Defendants herein, is as follows:

Tract No. 1:

East Half ($E\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Thirteen (13), in Township Twenty-one North (T21N), Range Twelve East (R12E), in Tulsa County, State of Oklahoma:

To construct on, over and across said tract an electric power transmission line carrying an initial nominal voltage of 13.2 KV, having 3 conductors, mounted on single wood pole structures with the future right to install on the same right of way an over-built 66 KV electric power transmission line having 3 conductors and 2 shield wires all mounted on H-frame wood pole structures, about a center line running as follows:

Entering said tract at a point approximately 25 feet West of the Northeast corner thereof, running in a Southerly direction parallel to the East boundary and leaving said tract at a point approximately 25 feet West of the Southeast corner thereof. Traversing said tract a total distance of approximately 76.66 rods.

Including the location of 6 single-pole structures and the future location of 3 H-frame type "A" or straight-through structures.

Owners: Agnes Tiblow Washington and Joseph Ax Washington, her husband, life estate and remainder in the United States of America as trustee for John Lee Washington, Joe Washington, Jr., Billie Gene Washington, Eldie Lou Washington, Louise Washington, Eunice Washington, Elanor Washington, Olive Washington, David Washington, Lucille Washington, and Walter Washington and all additional children of the marriage of Agnes Tiblow Washington and Joseph Ax Washington, hereafter born.

THE COURT FURTHER FINDS that the nature of the property and the rights with respect to said lands so to be taken and the uses for which such property is to be taken are:

A perpetual easement and right of way 50 feet in width across said lands for the construction, operation

maintenance and reconstruction or removal of a line of wood poles carrying three conductors and having initial nominal voltage of 13.2 KV and other necessary fixtures and appertenances, with the future right to occupy the same right of way with an over-built 66 KV electric power transmission line mounted on H-frame 2-pole structures having three conductors and two shield wires, for the transmission of electric power and energy at any pressure and in any quantity desired by Plaintiff, and including the transmission of telephone and/or telegraph messages and impulses necessary in the operation and maintenance of Plaintiff's system at any time and including the perpetual right and privilege of ingress and egress for the construction, operation, maintenance, reconstruction, or removal of said electric power transmission lines; also the perpetual right and privilege to cut, trim or remove trees or brush within a distance of twenty-five (25) feet from the center line of said transmission lines and to prohibit the placement and/or remove any other objects at any time which may, in Plaintiff's judgment, interfere with or endanger the electric power transmission lines or the construction, operation, maintenance or reconstruction thereof; BUT RESERVING, to the owners of said land, their heirs and assigns, the right to make any use of said land included within said 50-foot easement and right of way that does not interfere with or endanger the construction, operation, or maintenance of said electric power transmission line.

THE COURT FURTHER FINDS that reasonable and adequate damages occurring to said land as a result of said appropriation of an easement and right of way thereover is:

To the Owners thereof, as their interest may appear, the sum of:

Three Hundred Forty Dollars (\$340.00)

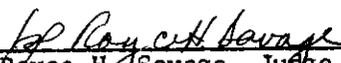
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the entry upon and taking forthwith of said perpetual easement and right of way as found and described above herein, upon, over and across said land as hereinbefore set out by Plaintiff, for construction, operation, maintenance, reconstruction or removal of electric power transmission lines, all as prayed for in said Complaint, is hereby authorized and confirmed in all things and said Plaintiff, Public Service Company of Oklahoma, is hereby vested with said perpetual easement and right of way together with perpetual right of ingress and egress, all free and clear of any and all claims of Defendants herein who are hereby perpetually enjoined and barred from hereafter claiming adversely to Plaintiff's said rights, privileges and estate ordered, adjudged, decreed and granted herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that Plaintiff pay into depository of this Court the sum of _____ Three Hundred Forty Dollars (\$340.00) as damages and the Clerk of this Court thereafter make payable to the Treasurer of the United States of America and transmit to the Area Director, Muskogee Area Office, Bureau of Indian Affairs, Department of the Interior, Muskogee, Oklahoma, the said sum to be there distributed to, or for the use of, Agnes Tiblow Washington and Joseph Ax Washington, her husband, and the United States of America as Trustee for John Lee Washington, Joe Washington, Jr., Billie Gene Washington, Eldie Lou Washington, Louise Washington, Eunice Washington, Elanor Washington, Olive Washington, David Washington, Lucille

Washington, Walter Washington and all additional children of the marriage of Agnes Tiblow Washington and Joseph Ax Washington, hereafter born, the owners of the land, as their interest may appear, as provided by law.

IT IS FURTHER 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 their interests 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 power transmission lines and further that the perpetual easement and right of way taken by Plaintiff and described herein and the operation of said electric power transmission lines will not, in any way, constitute a burden or encumbrance upon the mineral interest in said land.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that this cause be dismissed as to Tract No. 2 and Webster Chisholm, the owner thereof, and the cost of this proceeding be taxed against the Plaintiff and the case be closed.



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

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

I, the undersigned Clerk of the United States District Court for the Northern District of Oklahoma, DO HEREBY CERTIFY that pursuant to the making and filing of the foregoing final decree authorizing taking in condemnation, and on the 30th day of Nov, 1956, Public Service Company of Oklahoma, Plaintiff in said cause deposited in my office, in said cause, for the use and benefit of the parties in interest and owners of tracts

of land in said Decree described, the full amount of all damages to said parties awarded, and has further paid all costs accruing in said action to this date.

Witness my hand and seal of my office, hereto affixed at the Federal Building, at Tulsa, Oklahoma, this the 30th day of Jun, 1956.

(seal)

NOBLE C. HOOD
Clerk, U.S. District Court for
the Northern District of Oklahoma

By M M Evening
Deputy

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

CRANE COMPANY, an Illinois Corporation,
Plaintiff,
-vs-
R. S. BROWN, d/b/a BROWN HEATING COMPANY,
Defendant.

Civil No. 4028

FILED

DEC - 4 1956

JUDGMENT BY DEFAULT UPON
APPLICATION TO CLERK

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

Upon application of plaintiff, and examination of the records

herein, the defendant, R. S. Brown, doing business as Brown Heating Company, having been regularly served with summons and Complaint, and having failed to plead or otherwise defend herein, the legal time for pleading or otherwise defending having expired, and default of said defendant, R. S. Brown, doing business as Brown Heating Company, in the premises having been duly entered according to law, a judgment is hereby entered as against the said defendant, R. S. Brown, doing business as Brown Heating Company, in the pursuance of the prayer of said Complaint.

WHEREFORE, by virtue of the law, and by reason of the premises aforesaid:

IT IS ORDERED, ADJUDGED AND DECREED that the said plaintiff have and recover of the said defendant, R. S. Brown, doing business as Brown Heating Company, the sum of \$7,199.80, together with interest thereon at the rate of 6 per cent per annum from the 10th day of July, 1956, until paid, together with said plaintiff's costs and disbursements incurred in this action, and that the plaintiff have execution therefor.

Judgment rendered this 4th day of December

1956.

NOBLE C. HOOD, Clerk of the United States District Court, Northern District of Oklahoma

By M. M. Ewing
Deputy Court Clerk

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Libellant,

vs.

252 first aid kits, more or less, each containing one bottle of an article of drug labeled in part: (btl) "100 Water Purification Tablets For Purifying Drinking Water in Containers Halazone H.S.B. (P-sulfonethylbenzimidazole-benzene acid) Each tablet contains 0.004 Gm. (1/16 grain) of Halazone with sodium carbonate, sodium chloride and boric acid. Abbott Laboratories - North Chicago, Ill. ***. Enclosed in each kit (btl) "Eveready Instant Napkin (Parasol No. 612 ***; (box) "6 Iodine Swabs Item No. 9120 Each Tube Contains 1 1/2 cc. Mild Tincture of Iodine ***; (wrapper) "Small First-aid Dressing U.S. Army Quinine Model Sterilized ***; (wrapper) "Sentinel Sterilized Handy-Bandage ***; (tube) "Acid Boric Ointment U.S. P. Net Weight 1 Oz. ***.

Claimant.

CIVIL ACTION

NO. 4974

RECORD OF COMMUNICATION

FILED

DEC - 7 1956

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

On November 21, 1956, a Libel of Information against the above described article was filed on behalf of the United States of America. The libel alleged that the article proceeded against is a drug which was introduced into interstate commerce in violation of the Federal Food, Drug and Cosmetic Act and was adulterated while held for sale after shipment in interstate commerce within the meaning of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 351(b) in that it purports to be and is represented as Halazone Tablets, a drug the name of which is recognized in the National Formulary, an official compendium, and its strength differs from the standard set forth in such compendium.

The aforesaid article is in possession of Miller Bros, Jobbing Co., 209 South Main Street, Tulsa, Oklahoma, within the jurisdiction of this court.

It appearing that process was duly issued herein and returned according to law; that notice of the seizure of the above described article was given according to law; and that no persons have appeared or interposed a claim before the return day named in such process;

NOW, THEREFORE, on motion of B. Hayden Crawford, United States Attorney, and John Morley, Assistant United States Attorney, for the Northern District of Oklahoma, it is ORDERED, ADJUDGED AND DECREED that the defaults of all persons be and the same are entered herein, and

The Court being fully advised in the premises, it is on like motion further ORDERED, ADJUDGED AND DECREED that the Water Purification Tablets so seized are adulterated within the meaning of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 351(b) in that they purport to be and are represented as Malasone Tablets, a drug the name of which is recognized in the National Formulary, an official compendium, and their strength differs from the standard set forth in such compendium, and are condemned as forfeited to the United States, and the United States Marshal in and for the Northern District of Oklahoma do forthwith destroy the same and make return of his action to this court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the kits and contents thereof, except the Water Purification Tablets contained therein, be retained by Miller Bros. Jobbing Co., as custodian for the lawful owner thereof.

DATED this 7th day of December, 1956.

ROYCE H. SAVAGE ^{clerk}
Northern District of Oklahoma

U. S. Marshal

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

City of Muskogee, Oklahoma
& Municipal Corporation,

Plaintiff,

Civil No. 4057

vs.

Tract No. 1, 200 acres of land, etc.,
Tract No. 2, 720 acres of land, etc.,
Tract No. 3, 140 acres of land, etc.,
Tract No. 4, 120 acres of land, etc.,
Tract No. 5, 70 acres of land, etc.,
United States of America, and
Fred A. Sauton, Secretary of the
Interior,

Defendants.

FILED

DEC - 7 1956

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

ORDER

On this 7th day of December 1956, this matter coming on for hearing on motion of the United States of America to quash summons served on the Secretary of the Interior of the United States, Fred A. Sauton, and the Court, having been fully advised in the premises, finds that the motion should be sustained, and

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED by the Court that the summons on the Secretary of the Interior, Fred A. Sauton, should be and is hereby quashed.

Royce H. Savage
UNITED STATES DISTRICT JUDGE

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

JOE COLBY and WALTER COLBY,

Complainants,

vs.

CITIES SERVICE OIL COMPANY,
a Delaware Corporation, and
SINCLAIR OIL & GAS COMPANY,
a Maine Corporation,

Defendants.

No. ³⁷⁹³~~3743~~-Civil

FILED

DEC 10 1956

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

DECREE

This cause comes on for judgment and entry of decree on this 10th day of December, 1956, after the entry of findings of fact and conclusions of law resulting from the trial of this cause on the 11th, 12th, 15th and 16th days of October, 1956, plaintiffs being present in person and by their attorneys, Fred Tillman and G. C. Spillers and G. C. Spillers, Jr., and the defendants being represented by their attorneys, Gentry Lee, L. L. Corn, J. M. Stryker, Ralph W. Garrett, James McGowan and Truman B. Rucker, and both sides having announced ready for trial, the court proceeded to hear the evidence of witnesses and thereafter argument of counsel. Thereupon, the court being well and truly advised in the premises, finds that it has jurisdiction of the parties and the subject-matter, and finds the issues in favor of the defendants and against the plaintiffs, to which the plaintiffs object and except.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that judgment be and is hereby rendered for the defendants, to which the plaintiffs do object and except.

W. Royce H. Savage
United States District Judge

APPROVED AS TO FORM

G. C. Spillers
Attorneys for Plaintiffs
APPROVED AS TO FORM

Truman B. Rucker
Attorneys for Defendants.

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

WARD LEWIS, JAMES HAYES, J. W.
NEWMAN, W. D. WEBB, CLIFFORD
RICHARDSON, A. DAUGHERTY, LES
HAUGER, BEN WALKINGSTICK, SR.,
BEN WALKINGSTICK, JR., N. F.
HARDCASTLE, PAUL MASON, STANLEY
TIMM, J. E. REYNOLDS, L. V.
TARPLEY, BOYD HIATT

Plaintiffs,

vs.

T. J. BETTES COMPANY, a corporation,
BOSTON FIVE CENT SAVINGS BANK, a cor-
poration, WESTERN SAVINGS FUND SOCI-
ETY, a corporation, CAMBRIDGEPORT
SAVINGS BANK, a corporation, FIRST
NATIONAL BANK OF ST. LOUIS, a corpo-
ration, DOLLAR SAVINGS BANK, a cor-
poration, EAST RIVER SAVINGS BANK, a
corporation, EQUITABLE LIFE INSUR-
ANCE COMPANY OF IOWA, a corporation,
WILLIAMSBURG SAVINGS BANK, a corpora-
tion, and MUTUAL BENEFIT LIFE INSUR-
ANCE CO., a corporation

Defendants.

FILED

DEC 14 1956

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

NO. 4082

ORDER GRANTING LEAVE OF COURT TO DISMISS AS AGAINST
THE DEFENDENTS DOLLAR SAVINGS BANK, A CORPORATION,
AND WILLIAMSBURG SAVINGS BANK, A CORPORATION

Now on this 14th day of December, 1956, the above cause comes on for hearing on the Plaintiffs' motion for leave of Court to dismiss the above cause as against the Defendants Dollar Savings Bank, a corporation and Williamsburg Savings Bank, a corporation, and the Court having considered said motion, the Complaint filed in this cause, and statement of counsel for the Plaintiffs, and being fully advised in the premises, finds that this cause purports to be a class action brought on behalf of the Plaintiffs and others similarly situated; that no summons has been issued as against the Defendants Dollar Savings Bank, a corporation, and Williamsburg Savings Bank, a corporation; that it is unnecessary that notice be given of Plaintiffs' motion for leave of Court to dismiss said cause against said named Defendants; that leave of Court should be granted to dismiss said cause as against the Defendants Dollar Savings Bank, a corporation, and Williamsburg Savings Bank, a corporation.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Plaintiffs be and they are hereby granted leave of Court to dismiss said cause as against the Defendants Dollar Savings Bank, a corporation, and Williamsburg Savings Bank, a corporation.

18 Royce W. Savage
Judge

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

JAMES F. MITCHELL, SECRETARY :
OF LABOR, UNITED STATES :
DEPARTMENT OF LABOR, :

Plaintiff :

v. :

GRAMFORD PRODUCTION COMPANY, :

Defendant :

CIVIL ACTION

File No. 3900

FILED
IN OPEN COURT

DEC 17 1956

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

JUDGMENT

Now on this 17th day of December 1956, and in accordance with the findings of fact and conclusions of law made and entered following the trial of this case on the 13th day of September 1956, the court makes and enters the following judgment:

It is ORDERED, ADJUDGED, AND DECREED that the defendant, its officers, agents, servants, employees and all persons acting or claiming to act in its behalf and interest be, and they hereby are, permanently enjoined and restrained from violating the provisions of the Sections 15(a)(1), 15(a)(2), 15(a)(3) and 15(a)(5) of the Fair Labor Standards Act of 1938 (Act of June 25, 1938, c. 676, 52 Stat., 1060, U.S.C. Title 29, Sec. 201, et seq.), hereinafter referred to as the Act, in any of the following manners:

(1) The defendant shall not, contrary to Section 7 of the Act, employ any of its employees engaged in commerce or in the production of goods for commerce as defined by the Act, for a workweek longer than 40 hours, unless the employee receives compensation for his employment in excess of 40 hours at a rate not less than one and one-half times the regular rate at which he is employed.

(2) The defendant shall not fail to make, keep and preserve records of its employees, and of the wages, hours and other conditions and practices of employment maintained by it, as prescribed by the regulations of the Administrator, issued, and from time to time amended, pursuant to Section 11(c) of the Act, and found in Title 29, Chapter V of Code of Regulations.

(3) The defendant shall not, contrary to section 15(a)(1) of the Act, ship, deliver, transport, offer for transportation, or sell in interstate commerce, as defined by the Act, or ship, deliver, or sell with knowledge that shipment, delivery, or sale thereof in interstate commerce is intended, any goods in the production of which any employee of the defendant has been employed at rates of pay less than those specified in paragraph (1) of this judgment.

(4) The defendant shall not, contrary to section 15(a)(3) of the Act, discharge, or in any other manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act, or has testified or is about to testify in any such proceeding.

(5) The defendant shall immediately cease in any manner to interfere with, and withdraw its objection to, the employment of T. E. Bearden by the Wade Drilling Company, or any other person, firm or corporation with whom it may contract, or to in any other manner discriminate against such employee within the meaning of section 15(a)(3) of the Act.

It is further ORDERED, ADJUDGED and DECREED that the court retains jurisdiction of this matter for the purpose, on proper petition with notice to the opposite party, and upon a showing by defendant that it has been for a period of 5 years in full compliance with the Act, of modifying or vacating this judgment as equity and justice may require.

DATED this 17 day of December, 1956.

151 Royal H. Savage
United States District Judge

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

J. W. Cagle,

Plaintiff)

-vs-

Hartford Fire Insurance
Company,

Defendant)

No. 3955
Civil

FILED

DEC 17 1956

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

J U D G M E N T

This cause came on for trial before the Court and a Jury on the 1st day of October, 1956, both parties appearing by counsel, and the issues having been duly tried and the Jury having rendered a verdict for plaintiff in words and figures as follows:

"United States District Court
For the
Northern District of Oklahoma

"J. W. Cagle)
v.) Civil Action
Hartford Fire Insurance) No. 3955
Company)

"We, the Jury, find for the plaintiff, and assess his damages at-----(\$8,000.00) Dollars)

"10-1-1956

/s/ S. E. Chambers, Jr."
Foreman

It is hereby ORDERED, ADJUDGED and DECREED that plaintiff recover of defendant the sum of \$8,000.00 with interest at the rate of 6 per cent per annum from the 1st day of October, 1956, and his costs of action, and that the plaintiff have execution therefor.

W. R. Wallace
Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Civil No. 3975

James E. Bruton and
Iva M. Bruton,

Defendants.

FILED

DEC 17 1956

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

J U D G M E N T

On this 17th day of December 1956, the above-entitled action coming on for hearing, the plaintiff, appearing by Russell H. Smith, 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 the defendants were duly served with summons herein more than twenty (20) days prior to this date, and having failed to appear or answer are and should be adjudged in default.

The Court further finds that all allegations of plaintiff's complaint are true; that the defendants were indebted to the plaintiff in the sum of \$1,045.00, plus interest thereon at the rate of six per cent (6%) per annum from May 5, 1949, until paid; that there remains a balance owing, due, and unpaid in the amount of \$1,045.00, plus interest thereon at the rate of six per cent (6%) per annum from May 5, 1949, until paid.

The Court further finds that plaintiff has filed herein an affidavit stating that the defendants are not in the military or naval service, and that neither is an infant nor an incompetent, which is found to be true.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED by the Court that this plaintiff have judgment against the defendants, James E. Bruton and Iva M. Bruton, for the sum of \$1,045.00, plus interest thereon at the rate of six per cent (6%) per annum from May 5, 1949, until paid, and for the costs of this action.

15/ Royce H. Savage
United States District Judge

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

FILED

DEC 19 1956

PATIENCE MULLENDORE McNULTY,
Individually, etc.,
Plaintiffs,

vs.

MULLENDORE TRUST COMPANY,
ET AL.,
Defendants

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

NO. 3002 - CIVIL.

ORDER

Upon the Trustees' application in that behalf,

IT IS ORDERED that A. C. Adams, Mildred M. Adams and Bessie M. Johnson as Trustees of the Mullendore Trust Company, be and they are hereby authorized to convey to Bessie M. Johnson, Mildred M. Adams, Patience M. McNulty, Dale Archer McNulty and Eugene C. Mullendore by the quit claim deeds attached as Exhibits "A" and "B" to Trustees' Application, the following described property owned by the Mullendore Trust Company:

1. One-fourth (1/4) undivided interest in Lot 4 and the Southwest Quarter of the Northwest Quarter and West-half of the Southwest Quarter (SW/4 NW/4 & W/2 SW/4) of Section 1, Township 20 North, Range 7 East, Pawnee County, Oklahoma.
2. One-fourth (1/4) undivided interest in Lot 3 (or NE/4 NW/4) and the Southeast Quarter of the Northwest Quarter (SE/4 NW/4) of Section 1, Township 20 North, Range 7 East, Pawnee County, Oklahoma.
3. All of the Northwest Quarter (NW/4) of Section 24, Township 21 North, Range 7 East except 25.24 acres of surface which is owned of record by Bessie M. Johnson and described as follows, to-wit:

"Commencing at a point marked by a 2 in. iron stake 635.2 ft. east and along the south boundary of Section 24 of the Quarter corner between Sections 23 and 24, Twp. 21 North, Range 7 East, thence 434.8 ft. east along the South boundary of Section 24 to another 2 in. pipe stake, thence North 1 degree 38' East for a distance of 429.6 ft. to another 2 in. pipe stake, thence North 16 degrees 40' West for a distance of 147 ft. to another 2 in. pipe stake, thence north 16 degrees 40' West for a distance of 165 ft. to a point in a lake, thence North 64 degrees 32' West for a distance of 373 ft. to another 2 in. pipe stake, thence North 19 degrees 15' West for a distance of 259.6 ft. to another 2 in. pipe stake, thence North 19 degrees 50' West for a distance of 330 ft. to another 2 in. pipe stake, said stake being located on the South boundary of Highway No. 64 right of way; from this point parallel and along the South boundary of Highway No. 64 right of way

for a distance of 734 ft. southwesterly to another 2 in. pipe stake, thence South 21 degrees 12' East for a distance of 554.4 ft. to another 2 in. pipe stake, thence South 29 degrees 30' East for a distance of 666 ft. to another 2 in. pipe stake, thence South 61 degrees 48' East for a distance of 415.1 ft. to the original point of beginning. Forming an irregular tract containing 25.24 acres more or less, located in Sections 24 and 23, Twp. 21 North, Range 7 East of the I. M., Pawnee County, Oklahoma.

4. One-half (1/2) undivided interest in the East half of the Southwest Quarter (E/2 SW/4), Section 20, Township 21 North, Range 8 East, Pawnee County, Oklahoma
5. One-half undivided interest in the West half of the Southwest Quarter (W/2 SW/4) of Section 20, Township 21 North, Range 8 East, Pawnee County, Oklahoma.
6. One-eighth (1/8) undivided interest in the Northwest Quarter (NW/4) of Section 20, Township 21 North, Range 8 East, except a five (5) acre tract in square form in the Northeast Corner of the South-half of said Northwest Quarter (NE/c S/2 NW/4), Pawnee County, Oklahoma.
7. Five-eighths (5/8) undivided interest in a five (5) acre tract in square form in the Northeast Corner of the South-half of the Northwest Quarter (NE/c S/2 NW/4) of Section 20, Township 21 North, Range 8 East, Pawnee County, Oklahoma.
8. One-half (1/2) undivided interest in Lots 3 and 4 of Section 31, Township 21 North, Range 9 East, Pawnee County, Oklahoma.
9. One-half undivided interest in the West half of the Northwest Quarter (W/2 NW/4) of Section 26, Township 16 North, Range 2 East, Lincoln County, Oklahoma.

All of the above mentioned interests to be divided between grantees as follows:

Bessie M. Johnson	22533/73820
Mildred M. Adams	22261/73820
Patience M. McNulty	20261/73820
Dale Archer McNulty	1760/73820
Eugene C. Mallendore	6985/73820

Dated 17 day of December, 1956.

151 Royce H. Savage
District Judge

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

W. O. DIXON, d/b/a PHERRAULT
EQUIPMENT COMPANY,)

Plaintiff,)

-vs-

NO. 4070
3889

BRIGGS ENGINEERING & CONTRACTING,
INC., a corporation, JAMES O.
BRIGGS, and JOHN M. HARVEY,)

Defendant.)

FILED

DEC 9 1956

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

J U D G M E N T

On this 19th day of December, 1956, on oral motion for judgment by default on behalf of the plaintiff's attorneys, the Court being fully advised in the premises finds that the defendants, Briggs Engineering & Contracting Inc., a corporation, and John M. Harvey, has been legally served with summons and are in default. Upon hearing the evidence the Court finds the issues for the plaintiff and against said above named defendants.

IT IS ORDERED, that plaintiff have and recover judgment against the defendant, Briggs Engineering & Contracting, Inc., a corporation and John M. Harvey, for \$6,000.00, with interest at the rate of six per cent per annum from August 29, 1956, to October 14, 1956, and at the rate of ten per cent per annum from and after October 14, 1956, attorneys' fees in the amount of \$650.00 and costs of the action.

IT IS FURTHER ORDERED, that the note sued upon herein be canceled and merged into judgment as to said above named defendants but not as against the defendant James O. Briggs who has not been served with summons.

(S) Gayle H. Wray
JUDGE

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

P. J. BOYLAN, Attorney in Fact,
Plaintiff

vs.

EMELINE R. HAWKSWORTH, as executrix
of the estate of Tom T. Hawksworth,
deceased, et al.,
Defendants

No. 4006

FILED

DEC 21 1956

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

ORDER OF DISMISSAL

This cause coming on to be heard on this the 21st
day of ~~October~~ ^{December}, 1956, on the motion or application of plaintiff
to dismiss the above entitled cause, and the Court being fully
advised in the premises finds that said motion should be sustained.

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

Rayce H. Savage
Judge

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

LINCOLN BATTENFIELD,

Complainant,

-vs-

JAMES A. GAMMON,

Defendant.

No. 4019

FILED

DEC 21 1956

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

REQUEST FOR DISMISSAL

Comes now the plaintiff and moves the court
to grant him permission to dismiss this action with prejudice to his rights
to refiling same.

IT IS SO ORDERED.

Royce H. Savage

Judge

Comes now the plaintiff, permission of the
court having first been obtained, and herewith dismisses this action with
prejudice to his rights to refiling.

Lincoln Battenfield

Plaintiff

Carl L. Freeman

Attorney for Plaintiff

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT
OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HAWK DAIRIES, INC.,

Defendant,

Civil Action
No. 3651

FILED

DEC 21 1956

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

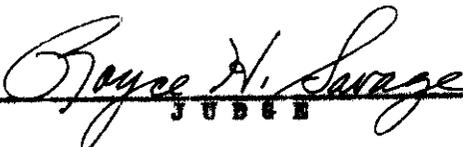
J U D G M E N T

This matter coming on to be heard on the 21st day of December, 1956 upon defendant's motion for disposition, and it appearing to the court that the administrative procedure pending before the Secretary of Agriculture at the time this court entered the judgment filed herein on the 2nd day of September, 1955 has now been concluded, and it further appearing that the Secretary of Agriculture has determined and adjudged that Section 905.61b of Order No. 5 requiring the payment of certain sums into the Producer-Settlement Fund of Order No. 5 regulating the marketing of milk in the Oklahoma City marketing area is invalid and not according to law; it further appearing that this court ordered the defendant, Hawk Dairies, Inc., to make certain payments of the obligations imposed by the Market Administrator under Order No. 5, said sums to be held in escrow by said Market Administrator pending further order of this court; and it further appearing that the defendant is entitled to recover from said Market Administrator any and all sums so paid; said sums were actually paid by South Side Dairy, Inc., a wholly owned subsidiary of Hawk Dairies, Inc., and were so made for and on behalf of the defendant, Hawk Dairies, Inc., and the attorneys of record for the defendant, Hawk Dairies, Inc., having consented and agreed that repayment of said sums to South Side Dairy, Inc. would constitute repayment to the defendant, Hawk Dairies, Inc.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the judgment entered by this court on the 2nd day of September, 1955 be, and the same is hereby set aside.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Market Administrator of milk marketing Order No. 5 regulating the marketing of milk in the Oklahoma City milk marketing area be, and he is hereby, ordered and directed to repay and refund to South Side Dairy, Inc. forthwith all sums received by said Market Administrator pursuant to the terms of the judgment of this court of September 2, 1958.

IT IS FURTHER ORDERED that the plaintiff, United States of America, take nothing by reason of its Complaint filed herein, and that the defendant, Hawk Dairies, Inc., be, and it is hereby, discharged of and from any obligation sought to be imposed under said Complaint.



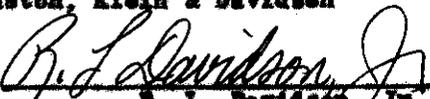
JUDGE

APPROVED AS TO FORM:



E. Hayden Crawford,
United States Attorney for the
Northern District of Oklahoma,
Attorney for Plaintiff.

Houston, Klein & Davidson

By 

R. L. Davidson, Jr.
Attorneys for Defendant

FILED

IN THE UNITED STATES DISTRICT COURT FOR

DEC 20 1953

THE NORTHERN DISTRICT OF OKLAHOMA

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

JOHN R. RILEY, JR.,

Plaintiff,

vs.

Case No.

3929

Beatrice Brooks (or Boyce), Jennie Brocks (or Boyce),
Hattie Brooks (or Boyce), Lucy Brooks (or Boyce),
Clarence Brooks (or Boyce), Thomas L. Boone,
Johnny Brown, Wallace Brown, Nellie Brown, Edward
Brown, Russell Brown, Harry Brown, John Brown,
Paul Brown, Mima Byrd, Pauline Carolina, Alice
Carolina, Gertie Carolina, Jessie Casey, Rose
Corbray, Mary Corbray, Leah Cully, Memmie Davis,
Julia Durant, Victoria Davis, Annie Davis, Rachel
Edwards, Elzora Fields, Berry Friday, Louis
Friday, Jack Friday, Bennie Friday, Billy Friday,
Edward Friday, Fred Frowe, Georgia Frowe, Isom
Grayson, Bertha Grayson, Polly Grayson, Dock Grayson,
Zack Grayson, Dorothy Grayson, Billy Grayson, Leona
Grayson, Katie Grayson, Lucy Grayson, Janey Grayson,
Cooper Grayson, Joe Grayson, Ivy Grayson, Richard
Grayson, Jack Grayson, Hattie Givens, Macey Goff,
Delilah Hutton, Rayford Hutton, Sam Haynes, Rose
Haynes, Alice Hunter, George Harrison, Katie Harrison,
Patsy Harrison, Peter Hawkins, Joe Hawkins, Sambo
Hawkins, Dave Hawkins, Robert Hawkins, Mack Hawkins,
Galula Hawkins, Willie Hawkins, Dilsey Hope, Johnie
Island, Alice Jones, Wyatt Jones, Robert Jones, Luther
Jones, Monday Jamison, William London, Lennie Lewis,
Robert Lewis, Elmore Lewis, Jesse Lewis, Eddie Lewis,
Prince Lewis, Joe McIntosh, Wiley McIntosh, John
McIntosh, George McIntosh, Roy McIntosh, Roxana Mc-
Intosh, Sarah McSwain, Mary Manuel, Jeff Murrell,
Lou Daisy Murrell, Percilla Murrell, Florence McKillop,
James McKillop, Martha McKillop, Nettie Perry, Esther
Lee Perry, Willie May Perry, Lucile Perry, Esther Rowe,
Elizabeth Randel, Jack Stidham, Sam Stidham, Letha
Stidham, Willie Smith, Johanna Smith, Henry Smith,
George Smith, Joe Stephens, Morris Stephens, Jim Samuels,
Betty Tucker, Rebecca Turner (Or McIntosh), Dick Thurs-
day, Lucy Williams, Tim Watley, Beecher Watley, Jack
Watley, Beatrice Watley, Myrtle Watley, Tommy White,
Rachie White, Phoebe White, Amy Wilson, Ed Colbert,
A. B. Reese, J. A. Hull, W. C. Blackmon, Ira E.
Cornelius, Walter L. Ransom, James H. Kennedy,
Avery L. Routh, James N. Harrod, J. T. Smith,
John E. Williams, E. L. Graves, A. R. Oliver, Sam
B. Spaulding, Jesse W. Watts, Harry Rothberg,
Louis Brown, W. H. Brimm, Jno. W. Porter, H. B.
Parris, M. E. Turner, Harry G. Davis, Andrew Island,
Priscilla Kernell, nee Brown, Kimble Williams, Jimmy
Grayson, if living, and if any of them be dead, then
their unknown heirs, executors, administrators, devisees,
trustees and assigns, if any, of any such deceased person
or persons; State Bank Commissioner of the State of
Oklahoma, Superintendent of the Five Civilized Tribes,
Massachusetts Bonding & Insurance Company and
Southern Surety Company, if same be in existence, but
if same be dissolved, the unknown successors, trustees
and assigns thereof, C. W. Mandler, E. P. Kirschner,
David Young, and Sim L. Liles; The heirs, adminis-
trators, executors, devisees, trustees and assigns,
immediate and remote, of George C. Butte, Deceased,
and Daniel A. Dabney, Deceased,

Defendants.

JOURNAL ENTRY

Now on this 10th day of December, 1956, the above styled and numbered cause came on for hearing pursuant to regular hearing and the Plaintiff appearing by his attorney, R. Robert Huff, and the Defendant, David Young, appearing in person, all other named Defendants in the caption did not appear, either in person or by attorney.

Thereupon, the case was called for trial, the Plaintiff answered ready for trial and the Defendant, David Young, entered and filed his disclaimer to any right, title or interest in or to the property described in the Plaintiff's Petition or any part thereof.

The Court then examined the files and records in said cause and finds that the Defendants, David Young, Ed Colbert, J. T. Smith, Edward Brown, Willie Smith, Sim L. Liles, Harry G. Davis, Jno. W. Porter, E. P. Kirschner, C. W. Mandler, Superintendent of the Five Civilized Tribes, State Insurance Commissioner and the State Bank Commissioner of the State of Oklahoma, were all personally served with summons in this case; that each and all of the remaining named Defendants in the caption hereof, not personally served with summons, have been duly and regularly served with Summons by Publication, and the Court, after examination of the files and records, finds that the copy of the Notice by Publication filed by the Plaintiff in the office of the Clerk of the United States District Court for the Northern District of Oklahoma on the 16th day of July, 1956, directed the named Defendants to answer on or before the 27th day of September, 1956, more than 41 days after July 19, 1956, the date of first publication, and the Court finds that the Affidavit of Publication by the publisher of the Sapulpa Legal News indicating the Notice by Publication to have been published

therein once a week for six consecutive weeks prior to the answer date, is due and sufficient, and the Court finds that from the Affidavit of Mailing and Non-Mailing filed in said cause that all proceedings in connection with said Notice by Publication were legal and valid in all respects, and the Motion for Order for Service by Publication and the Affidavit to Obtain Service by Publication, the Order and Notice by Publication, and the Affidavit of Mailing and Non-Mailing are each and all, good, legal, valid and sufficient and meet the requirements of the Laws of the State of Oklahoma, and the Statutes of the United States in such cases made and provided, and the Court does hereby approve same.

The Court finds that Plaintiff is a citizen of the State of Connecticut and that the Defendants are not citizens of the State of Connecticut, and that the matter in controversy, exclusive of interest and costs, exceeds the sum of \$3,000, and that the Court has jurisdiction over the parties, and the subject matter, of this action.

The Court further finds that the Defendants, Willie Smith, J. T. Smith, Jno. W. Porter, Harry G. Davis and David Young, have filed disclaimers herein to any right, title or interest in and to the property described in Plaintiff's Petition, or any part thereof; that the Defendants, E. F. Kirschner, and C. W. Mandler have filed an Answer and General Denial in said cause; that each and all of the remaining named Defendants in the caption hereof, after having been called three times in open court to appear, plead or answer, came not and wholly made default and the Court hereby decrees said Defendants in default. That the Court approves the Affidavit as to Military Service of Defendants as filed herein, and finds that this is a proper cause in which to enter judgment.

Thereupon Plaintiff introduced evidence in support of his Petition and after hearing and considering the evidence offered,

and being fully and sufficiently advised in the matter, the Court finds, adjudges and decrees all of the allegations contained in Plaintiffs Petition as against each and all of the Defendants named in the caption hereof to be true.

The Court finds that the Plaintiff is the owner of a valid and subsisting Oil and Gas Lease, dated April 1, 1955, executed by Edith M. Hayden, a widow, to E. A. Shaw and Margaret F. Shaw, partners, d/b/a Cherokee Drilling Company, which said lease was filed for record in the office of the County Clerk of Creek County, Oklahoma, on April 6, 1955, in Book 739, at Page 329. Said Lease was assigned to the Plaintiff by assignment executed by E. A. Shaw and Margaret F. Shaw, d/b/a Cherokee Drilling Company, on the 3rd day of May, 1956, and recorded in the office of the County Clerk of Creek County, Oklahoma, on the 8th day of May, 1956, in Book 770, at Page 551. Said Oil and Gas Lease covers the following described land, located in Creek County, State of Oklahoma, as follows:

The East Half (E/2) of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4), and the Northwest Quarter (NW/4) of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4), and the East Half (E/2) of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4), and the Northwest Quarter (NW/4) of the Southeast Quarter (SE/4), and the Northwest Quarter (NW/4) of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of Section Twenty (20), Township Eighteen (18) North, Range Twelve (12) East, and containing 37-1/2 acres, more or less.

The Court further finds that Edith M. Hayden, the Lessor of the above described Oil and Gas Lease, is the owner in fee simple and in actual possession of all of the oil, gas and other minerals underlying the above described property, and that may be produced therefrom, together with the right of ingress and egress for the purpose of mining, drilling, exploring, operating and developing said land, for oil, gas and other minerals.

The Court further finds that on the 1st day of October, 1945, said Edith M. Hayden, and her predecessors in title, had been in open, notorious, adverse, peaceable and undisturbed

possession of the above described property for a period of more than 15 years, and therefore, said Edith M. Hayden was the owner in fee simple and in actual possession of all estates in the above described property at that time. That on the 31st day of October, 1945, said Edith M. Hayden, by a Quit Claim Deed, conveyed the surface of the above described property to W. A. Anderson, who conveyed the surface of the above described property to Amos Bozarth and Phyllis Jean Bozarth, his wife, on the 22nd day of November, 1946. Thereafter, Amos Bozarth and Phyllis Jean Bozarth, his wife, on March 10, 1948, conveyed the surface of the above described property to Sim L. Liles. That said Sim L. Liles does not now own, nor has he ever owned, any right, title or interest in and to the mineral estate of the above described property. That the mineral deed from Sim L. Liles to C. W. Mandler, dated April 13th, 1951, purporting to convey to Mandler an undivided 1/8th interest in and to the oil, gas and other minerals in and to the above described property, which said mineral deed was filed of record in the office of the County Clerk of Creek County, Oklahoma, in Book 620, at Page 531, conveyed absolutely no interest of any kind in the above described property, is void and of no force and effect, and should be cancelled. That the oil and gas lease executed by Sim L. Liles to David Young, on the 21st day of December, 1955, covering the above described property, which said lease is filed of record in the office of the County Clerk of Creek County, Oklahoma, in Book 2760, at Page 331, conveyed absolutely no interest in the above described property, is void and of no force and effect and should be cancelled. The Court further finds that on the 29th day of May, 1956, after the commencement of this action, there was recorded in the office of the County Clerk of Creek County, Oklahoma, in Book 772, at Page 227, an Oil and Gas Lease dated November 5, 1955, executed by C. W. Mandler to E. P. Kirschner. That said C. W. Mandler does not now own, nor

has he at any time owned, any right, title and interest in and to the mineral estate of the above described property; that said Oil and Gas Lease dated November 5, 1955, did not convey any interest in this property, is void and of no force and effect, and should be cancelled.

The Court further finds that George C. Butte, died intestate in Mexico City, Mexico, on or about the 18th day of January, 1940, at which time the records of the County Clerk of Creek County, Oklahoma, indicated he was the owner of an undivided 1/16th interest in and to the above described property. That at the time of his death his sole and only heirs were his sons and daughters: Pauline Dawson, nee Butte, daughter; Catherine B. Jones, nee Butte, daughter; W. L. Butte, son; Felix L. Butte, son; George M. Butte, son. That under the laws of succession of the State of Oklahoma, all of the right, title and interest of George C. Butte, Deceased, in and to the above described land descended to and vested in said five named children in equal undivided shares.

The Court further finds that Daniel A. Dabney died intestate in Independence, Kansas, on or about the 15th day of November, 1933, at which time the records of the County Clerk of Creek County, Oklahoma, indicated he was the owner of an undivided 1/16th interest in and to the above described property. That at the time of his death he left surviving, as his sole and only heirs, his widow, Alice A. Dabney; his sister, Katherine Folker; his sister, Sarah Elizabeth Patchen; his sister, Florence Shafer; and his brother, Henry J. Dabney. That under the laws of succession of the State of Oklahoma, all right, title and interest of Daniel A. Dabney, deceased, in and to the above described property, descended and vested in said heirs, as follows:

Alice A. Dabney, an undivided 1/2 interest
Katherine Folker, an undivided 1/8th interest
Sarah Elizabeth Patchen, an undivided 1/8th interest
Florence Shafer, an undivided 1/8th interest
Henry J. Dabney, an undivided 1/8th interest.

The Court further finds that Sarah Elizabeth Patchen died intestate a resident of the State of Kansas in the year 1937, at which time she was the owner of an undivided $1/8$ th interest of the interest owned by Daniel A. Dabney in the above described property at the time of his death, or an undivided $1/128$ th interest in the whole of the above described property. That at the time of her death she left surviving her as her sole and only heirs, her son, John E. Patchen; her son, Jesse G. Patchen; her daughter, Martha Deuel; and the children of a deceased son, William Patchen, who died intestate a resident of the State of Kansas in the year 1918, which said children of said William Patchen are four sons, C. A. Patchen; E. A. Patchen; Gerald Patchen; and George W. Patchen. That under the laws of succession of the State of Oklahoma all of the right, title and interest of Sarah Elizabeth Patchen, deceased, in and to the above described property, same being an undivided $1/128$ th interest therein, descended to and vested in her said heirs as follows:

John E. Patchen, an undivided $1/4$ th interest
Jesse G. Patchen, an undivided $1/4$ th interest
C. A. Patchen, an undivided $1/16$ th interest
E. A. Patchen, an undivided $1/16$ th interest
Gerald Patchen, an undivided $1/16$ th interest
George W. Patchen, an undivided $1/16$ th interest
Martha Deuel, an undivided $1/4$ th interest

The Court further finds that Martha Deuel died intestate in the State of California on or before the year 1950, at which time she was the owner of an undivided $1/32$ nd interest of the interest of Daniel A. Dabney in the above described property, or an undivided $1/512$ th interest in the whole of the above described property. That at the time of her death she left surviving her as her sole and only heirs her four children, Elizabeth Olmstead; Roy E. Deuel; Glen W. Deuel; and Horace W. Deuel. That under the laws of succession of the State of Oklahoma, all of the right, title and interest of Martha Deuel, deceased, in and to the above described property descended to and vested in said named heirs in equal undivided $1/4$ th shares;

each of said heirs interest in the whole of the above described property, being 1/2048.

The Court further finds that a period of more than 3 years has elapsed since the death of said Daniel A. Dabney and George C. Butte, both deceased, and that a period of more than 3 years has elapsed since the death of the heir of Daniel A. Dabney, Sarah Elizabeth Fatchen and her heir, Martha Deuel, without their having been a valid decree of the County Court having jurisdiction to administer upon their respective estates within the State of Oklahoma, nor a judicial determination of heirship determining who, by name, or were all of the particular persons entitled to participate in the distribution of the real property owned by them under the laws of succession of the State of Oklahoma. That the plaintiff is entitled to a determination of the heirship of George C. Butte and Daniel A. Dabney, Deceased, together with a determination of the heirship of the deceased heir of Daniel A. Dabney, Sarah Elizabeth Fatchen and her deceased heir, Martha Deuel.

The Court further finds that the Defendants named in the caption hereof, and each of them, claims some right, title, interest or estate in and to, or lien against the above described property, adverse to the Plaintiff, which claims of said Defendants are entirely without foundation or merit, either in law or in equity, barred by the Statute of Limitations of the State of Oklahoma, but which constitute a cloud upon Plaintiff's title thereto. That the Plaintiff is entitled to a decree adjudging him to be the owner of the only valid and existing oil and gas lease upon all of the mineral estate in and to the above described property, and that the Defendants, and each of them, have no right, title, interest or estate in and to the leasehold estate of the Plaintiff upon all of the mineral estate of the above described property, and that no lien against same exists, and that the Defendants herein, and each of them,

should be perpetually barred and enjoined from asserting any right, title, interest or estate in and to said leasehold estate adverse to the Plaintiff; and that the title of the Plaintiff in and to the oil and gas lease upon all of the mineral estate of the above described property should be quieted and confirmed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the Plaintiff, John R. Riley, Jr., is a citizen of the State of Connecticut and that the Defendants are not citizens of the State of Connecticut; that the matter in controversy exclusive of interest and cost, exceeds the sum of \$3,000; and that the Court has jurisdiction over the parties and the subject matter of this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that Willie Smith, J. T. Smith, Jno. W. Porter, Harry G. Davis and David Young have filed disclaimers in this action to any right, title or interest in and to the property described in Plaintiff's Petition, or any part thereof, and that said Defendants, Willie Smith, J. T. Smith, Jno. W. Porter, Harry G. Davis and David Young have no right, title or interest in and to the property described in Plaintiff's Petition or any part thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the Service by Publication had in this case upon all of the Defendants named in the caption hereof, except David Young, Ed Colbert, J. T. Smith, Edward Brown, Willie Smith, Sim L. Liles, Harry G. Davis, Jno. W. Porter, E. P. Kirschner, C. W. Mandler, Superintendent of the Five Civilized Tribes, State Insurance Commissioner and State Bank Commissioner of the State of Oklahoma, who were personally served with summons in this cause, be, and is hereby in all respects, approved and adjudged to be sufficient to give the Court jurisdiction to render judgment herein against said Defendants, and it is further ordered that said Defendants and each of them are adjudged to be in

default. It is further ordered that all of the Defendants named in the caption hereof, disclaimed, are in default, or failed to appear at time of trial, and that the allegations of Plaintiff's Petition be taken and confessed as against all of the Defendants named in the caption hereof, and each of them.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the Plaintiff is the owner of the only valid and existing Oil and Gas Lease upon all of the mineral estate in and to the above described property, which said oil and gas lease is dated April 1, 1955, executed by Edith M. Hayden, a widow, to E. A. Shaw and Margaret F. Shaw, partners d/b/a Cherokee Drilling Company, and filed for record in the office of the County Clerk of Creek County, Oklahoma, on April 6, 1955, in book 739, at page 329. That said lease was assigned to the Plaintiff by assignment executed by E. A. Shaw and Margaret F. Shaw, d/b/a Cherokee Drilling Company, on the 3rd day of May, 1956, and recorded in the office of the County Clerk of Creek County, Oklahoma, on the 8th day of May, 1956, in book 770 at page 551.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that Edith M. Hayden, the Lessor of the above described oil and gas lease, is the owner in fee simple and in actual possession of all of the oil, gas and other minerals underlying the above described property, and that may be produced therefrom, together with the right of ingress and egress for the purpose of mining, drilling, exploring, operating and developing said land for oil and other minerals, and her title therein is hereby quieted as against all of the Defendants herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that on the 1st day of October, 1945, Edith M. Hayden, and her predecessors in title, had been in open, notorious, adverse, peaceable and undisturbed possession of the above described property for a period of more than 15 years, and that said Edith M. Hayden was the owner in fee simple and in actual possession of all estates in the above described property at that

time. That on the 31st day of October, 1945, said Edith M. Hayden, by Quit Claim Deed, conveyed the surface of the above described property to W. A. Anderson, who thereafter conveyed the surface of the above described property to Amos Bozarth and Phyllis Jean Bozarth, his wife, on November 22, 1946. Said Amos Bozarth and Phyllis Jean Bozarth, his wife, on March 10, 1948, conveyed the surface of the above described property to Sim L. Liles. That said Sim L. Liles does not now own, nor has he ever owned, any right, title or interest in and to the mineral estate of the above described property. It is further ordered that the mineral deed from Sim L. Liles to C. W. Mandler dated April 13th, 1951, and recorded in book 620 at page 531 of the records of the office of the County Clerk of Creek County Oklahoma, conveyed absolutely no interest of any kind in the above described property, is void and of no force and effect and is hereby cancelled. It is further ordered that the oil and gas lease executed by Sim L. Liles to David Young, on the 21st day of December, 1955, covering the above described property, and recorded in book 2768, at page 331 of the records of the office of the County Clerk of Creek County, Oklahoma, conveyed absolutely no interest in the above described property, is void, and of no force and effect and is hereby cancelled. It is further ordered that the oil and gas lease dated November 5, 1955, executed by C. W. Mandler and E. P. Kirschner covering the above described property and recorded in book 772, at page 227 of the office of the County Clerk of Creek County, Oklahoma, conveyed absolutely no interest in the above described property, is void, and of no force and effect, and is hereby cancelled.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that George C. Butte died intestate in Mexico City, Mexico, on or about the 18th day of January, 1940, at which time the records of the County Clerk of Creek County, Oklahoma, indicated he was the owner of an undivided 1/16th interest in and to the

above described property. That at the time of his death his sole and only heirs were his sons and daughters:

Pauline Dawson, nee Butte, Daughter;
Catherine B. Jones, nee Butte, Daughter;
W. L. Butte, Son;
Felix L. Butte, Son;
George M. Butte, Son;

all of whom, under the laws of succession of the State of Oklahoma inherited all of the right, title and interest of said George C. Butte, deceased, in and to the above described land, in equal undivided shares.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that Daniel A. Dabney died intestate in Independence, Kansas, on or about the 15th day of November, 1933, at which time the records of the County Clerk of Creek County, Oklahoma, indicated he was the owner of an undivided 1/16th interest in and to the above described property. That at the time of his death the sole and only heirs of Daniel A. Dabney are the following named persons who inherited the interest owned by Daniel A. Dabney in the above described property in the undivided interest set opposite their respective names:

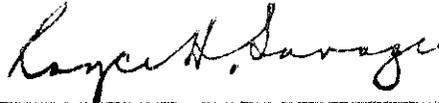
Alice A. Dabney, an undivided 1/2 interest;
Katherine Felker, an undivided 1/8th interest;
Sarah Elizabeth Patchen, an undivided 1/8th interest;
Florence Shafer, an undivided 1/8th interest;
Henry J. Dabney, an undivided 1/8th interest.

The Court further decrees that Sarah Elizabeth Patchen died intestate a resident of the State of Kansas in the year 1937, at which time she was the owner of an undivided 1/8th interest of the interest owned by Daniel A. Dabney in the above described property at the time of his death, or an undivided 1/128th interest in the whole of the above described property. That at the time of her death her sole and only heirs were the following named persons who inherited the undivided 1/128th interest in the whole of the above described property in the undivided interest set opposite their respective names:

John E. Patchen, an undivided 1/4th interest;
Jesse O. Patchen, an undivided 1/4th interest;
C. A. Patchen, an undivided 1/16th interest;
E. A. Patchen, an undivided 1/16th interest;
Gerald Patchen, an undivided 1/16th interest;
George W. Patchen, an undivided 1/16th interest;
Martha Deuel, an undivided 1/4th interest.

The Court further decrees that Martha Deuel died intestate in the State of California on or before the year 1950 at which time she was the owner of an undivided 1/32nd interest of the interest owned by Daniel A. Dabney at the time of his death in the above described property, or an undivided 1/512th interest in the whole of the above described property. That at the time of her death her sole and only heirs were her four children, Elizabeth Olmstead, Roy E. Deuel, Glen W. Deuel and Horace W. Deuel, who each inherited an undivided 1/4th interest of the undivided 1/512th interest owned by Martha Deuel in the whole of the above described property at the time of her death. It is further ordered by the Court that the above named heirs of George C. Butte, Daniel A. Dabney, Sarah Elizabeth Patchen, and Martha Deuel, all deceased, have no right, title, interest or estate in the above described property, and that the title and possession of Edith M. Hayden to all the oil, gas and other minerals underlying the above described property, and that may be produced therefrom, together with the right of ingress and egress for the purpose of mining, drilling, exploring, operating and developing said land for oil, gas and other minerals, and the title and possession of the Plaintiff as the owner of the only valid and subsisting oil and gas lease upon the whole mineral estate of the above described property, be, and the same is, hereby forever settled and quieted in Edith M. Hayden and the Plaintiff, as their interests appear, as against all claims and demands of all of the heirs of George C. Butte, Daniel A. Dabney, Sarah Elizabeth Patchen, and Martha Deuel, named herein, or any of them, and those claiming by, through or under them, or any of them.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the Plaintiff, John R. Riley, Jr., is the owner of the only valid and existing oil and gas lease upon all of the mineral estate in and to the above described property; that all of the Defendants named in this action, and each of them, have no right, title, interest or estate in and to the leasehold estate of the Plaintiff upon all of the mineral estate of the above described property, and no lien against same, and that all of the Defendants named in this action, and each of them, and those claiming by, through or under them, be and the same are hereby perpetually enjoined and barred from asserting or claiming any right, title, interest or estate in and to the leasehold estate adverse to the Plaintiff and that the title of the Plaintiff in and to said oil and gas lease upon all of the mineral estate of the above described property is hereby quieted and confirmed.



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.

GULF OIL CORPORATION,)
Plaintiff,)
Vs.) No. 4029 - Civil
KANSAS-NEBRASKA NATURAL GAS)
COMPANY, INC., a corporation,)
Defendant.)

FILED

DEC 26 1956

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

ORDER

Upon Motion of the plaintiff tendered pursuant to leave of Court, Count II of plaintiff's Complaint is dismissed without prejudice to further and future action upon and respecting the causes asserted therein.

The Motion of the defendant for more definite statement, its Motion to strike portions of Count I of the Complaint, and its Motion to dismiss are severally overruled.

The defendant is extended twenty (20) days from the date of this Order within which to answer the Complaint.

Dated at Tulsa, Oklahoma this 21st day of December, 1956.

/s/ Royce H. Savage
United States District Judge

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

ROBERT FELDMAN and
GUSSIE FELDMAN,

Plaintiffs,

VS.

THE AUTOMOBILE INSURANCE COMPANY
OF HARTFORD, CONNECTICUT, and THE
FARMERS & BANKERS LIFE INSURANCE
COMPANY, WHICHITA, KANSAS,

Defendants.

NO. Civil-3966

FILED

DEC 27 1956

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

JUDGMENT

This cause coming on to be heard before William R. Wallace
District Judge, and a jury, and the Court having submitted the
issue to the jury, and the jury having answered, as follows:

"We, the Jury, find the 'actual cash value'
of the building in question to be \$85,000.00";

Upon motion of the Plaintiffs, IT IS ORDERED, ADJUDGED AND
DECREED that Plaintiffs recover from the Defendant, The Auto-
mobile Insurance Company of Hartford, Connecticut, the sum of
Seventy-Thousand Dollars (\$70,000.00), with interest thereon from
March 16, 1956, until paid, together with the costs of this
action to be taxed by the clerk.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the
Defendant, The Automobile Insurance Company of Hartford,
Connecticut, shall be fully discharged from its liability under
this Judgment, both to the Plaintiffs herein and to the
Defendant, The Farmers & Bankers Life Insurance Company, Wichita,
Kansas, by said Defendant, The Automobile Insurance Company

of Hartford, Connecticut, depositing with the clerk of this Court to the joint credit of the Plaintiffs and the Defendant, The Farmers & Bankers Life Insurance Company, Wichita, Kansas, the full amount, including interest and costs, due and payable under this Judgment. And it is FURTHER ORDERED that the clerk of this Court shall, without any further order of the Court, disburse such funds upon the filing of, and in the manner provided by, a written stipulation between the Plaintiffs and the Defendant, The Farmers & Bankers Life Insurance Company, Wichita, Kansas, to be filed herein; and in case the Plaintiffs and the Defendant, The Farmers & Bankers Life Insurance Company, Wichita, Kansas, fail to file such written stipulation, then, upon application of either of them, with notice to the other, and after a hearing, the Court will decree how such funds shall be apportioned between the said Plaintiffs and the said Defendant, The Farmers & Bankers Life Insurance Company, Wichita, Kansas.

Dated October 8, 1956.

APPROVED AS TO FORM:

Saul A. Yager
Saul A. Yager, Attorney for
Plaintiffs

William R. Wallace
William R. Wallace, Judge,
United States District Court,
Northern District of Oklahoma

ok as to form only except debt contends interest
Clarence P. Green should run from 5/22/56
rather than 3/16/56 as
Clarence P. Green, Attorney for
Defendant, The Automobile Insurance
Company of Hartford, Connecticut set out above.

Roetzel Joehms
Roetzel Joehms, Attorney for
Defendant, The Farmers & Bankers
Life Insurance Company, Wichita,
Kansas

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

ROBERT FELDMAN, et al,

Plaintiffs,

VS.

THE AUTOMOBILE INSURANCE COMPANY
OF HARTFORD, CONNECTICUT, et al,

Defendants.

NO. Civil-3966

FILED

DEC 27 1956

ORDER DENYING MOTION FOR NEW TRIAL

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

The Motion of the Defendant, The Automobile Insurance Company, to vacate the judgment entered herein on October 8, 1956, and to grant a new trial, came on for hearing. The Plaintiffs and the said Defendant appeared by their respective counsel and argued the Motion.

IT IS ORDERED THAT THE MOTION BE DENIED.

Done this 28th day of November, 1956.



William R. Wallace,
U. S. District Judge

APPROVED AS TO FORM:



Saul A. Yager,
Attorney for Plaintiff



Clarence P. Green,
Attorney for Defendant,
The Automobile Insurance Company

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

TOM C. RYAN,

Plaintiff

vs

UNITED STATES OF AMERICA,

Defendant

Civil
No. 3997

FILED

DEC 28 1956

ORDER OF DISMISSAL WITH PREJUDICE NOBLE C. HOOD
Clerk, U.S. District Court

Now on this 28 day of December, 1956, this matter having come on for hearing upon the application and motion of the plaintiff herein for dismissal of said cause with prejudice to the bringing of a further or future action, and the court, being fully advised, finds that the said parties have compromised and settled their claim herein and that said dismissal should be allowed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the above entitled action be dismissed at the cost of the plaintiff and with prejudice to the bringing of a further or future action.


Royce H. Sledge, United States
District Judge

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

Betty Bell,

Plaintiff,

vs.

Red Cedar Shingle Company
and Carl Phelps,

Defendants.

No. 3939

FILED

DEC 3 1 1956

NOBLE C. HOOD

JOURNAL ENTRY OF JUDGMENT Clerk, U.S. District Court

This case came on for trial on the 24th day of September, 1956, pursuant to the order of the court, the plaintiff appearing in person and by her attorneys of record, John Wilson, Jr., and R. L. Davidson, and the defendants appeared in person by Carl Phelps and through their attorney, W. F. Kyle.

And a jury of twelve men and women having been duly impaneled and sworn well and truly to try the issues joined between the plaintiff and the defendants and a true verdict render according to the evidence; and having heard the evidence, the instructions of the court and the arguments of counsel, upon their oath rendered a verdict in favor of the plaintiff and against the defendants in the amount of \$20,000.00.

IT IS THEREFORE ORDERED, AND ADJUDGED by the court that the plaintiff have and recover from the defendant the sum of Twenty Thousand and No/100 (\$20,000.00) Dollars, together with the costs of this action. For all of which let execution issue.

Approved: John B. Wilson, Jr.
and R. L. Davidson, Kevin J. Davidson
By: R. L. Davidson, Jr.
Attorney for Plaintiff

W. D. Wallace
Judge

W. F. Kyle
Attorney for Defendant

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

Jesse Edwin Sample,

Plaintiff,

vs.

Harry James Hamilton,

Defendant.

No. 3944

FILED

DEC 3 1 1956

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

JOURNAL ENTRY OF JUDGMENT

On the 26th day of September, 1956, appeared the plaintiff in person and by his attorneys of record, Thomas Dee Frazier and John Feagins and the defendant appeared in person and by his attorney, W. F. Kyle; and this cause came on for trial in its regular order before a jury of twelve men and women who being duly impaneled and sworn well and truly to try the issues joined between the plaintiff and defendant and a true verdict render according to the evidence; and having heard the evidence, the instructions of the court and the argument of their counsel, say that they find the issues for the defendant.

IT IS THEREFORE ORDERED AND ADJUDGED by the court that judgment be entered for and on behalf of the defendant.

(S) W. R. Wallace
Judge

Approved:

(S) Thomas Dee Frazier
Attorney for Plaintiff

(S) W. F. Kyle
Attorney for Defendant

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

Roland D. Rozell,)
)
 Plaintiff,)
)
 vs.)
)
 Harry James Hamilton,)
)
 Defendant.)

No. 3945

FILED

DEC 3 1 1956

JOURNAL ENTRY OF JUDGMENT

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

On the 26th day of September, 1956, the plaintiff appeared in person and by his attorneys of record, Thomas Dee Frasier and John Feagins and the defendant appeared in person and by his attorney, W. F. Kyle; and this case came on for trial in its regular order before a jury of twelve men and women who being duly impaneled and sworn well and truly to try the issues joined between the plaintiff and the defendant and a true verdict render according to the evidence; and having heard the charges of the court and the argument of counsel upon their oaths rendered a verdict in favor of the plaintiff and against the defendant in the amount of Two Hundred Fifty and No/100 (\$250.00) Dollars.

Thereafter, the plaintiff filed a motion for new trial which was heard by the court on November 28, 1956, the parties appearing by their attorneys of record as heretofore indicated. And the court having heard the argument of counsel, ordered that the defendant pay to the plaintiff the amount of Two Thousand Five Hundred and No/100 (\$2,500.00) Dollars within ten (10) days, failing which it would be the order of the court that the plaintiff be granted a new trial according to his motion.

IT WAS, THEREFORE, ORDERED AND ADJUDGED by the court that the said plaintiff have and recover from said defendant the sum of Two Thousand Five Hundred and No/100 (\$2,500.00) Dollars, together with the costs of this action.

Approved:

Thomas Dee Frasier
Attorney for Plaintiff
W. F. Kyle
Attorney for Defendant

(s) W. R. Wallace
Judge