

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

TULSA CITY LINES, INC.,

Plaintiff,

vs.

DIVISION NO. 892, AMALGAMATED ASSOCIATION  
OF STREET, ELECTRIC RAILWAY AND MOTOR  
COACH EMPLOYEES OF AMERICA,

Defendant.

No. 4619 Civil.

**FILED**

MAR 30 1959

JOURNAL ENTRY

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

THIS MATTER coming on for hearing before the undersigned, Judge of the United States District Court for the Northern District of Oklahoma, on this 25th day of March, 1959, plaintiff appearing by its counsel, Harry M. Crowe, Jr., and defendant appearing by its counsel, William K. Powers, such hearing being pursuant to regular assignment and setting; whereupon, the Court, after examining the pleadings and memorandum briefs of counsel with respect to defendant's motion, and hearing of oral arguments of counsel, finds that this Court does not have jurisdiction of the subject-matter of this action, and that defendant's motion to dismiss should be sustained.

BASED upon such findings, it is the order, judgment and decree of this Court that this action be, and the same hereby is, dismissed.

18/ Royce H. Searge  
United States District Judge.

18/ H. M. Crowe, Jr.  
Attorney for Plaintiff

18/ Wm. K. Powers  
Attorney for Defendant.

**FILED**

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

APR -1 1959

THE PRUDENTIAL INSURANCE COMPANY OF  
AMERICA, a corporation,

Plaintiff,

vs.

OSAGE COUNTRY CLUB APARTMENTS, INC.,  
a corporation, et al.,

Defendants.

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

No. 4526

ORDER APPROVING RECEIVER'S REPORT AND DISCHARGING RECEIVER

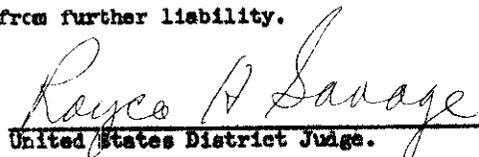
On this 1st day of April, 1959, there coming on for hearing the final report of O.B. Johnston, Receiver herein, and the court, having read said report and being sufficiently advised in the premises, finds that said Receiver has in all respects managed the property placed in his charge according to the orders and directions of this court, and said final report should be confirmed.

IT IS THEREFORE ORDERED AND DECREED that the Final Report of the Receiver herein be and the same is hereby approved.

IT IS FURTHER ORDERED that said Receiver be allowed the sum of \$ 500<sup>00</sup> as his fee herein, together with attorneys' fee to G. Ellis Gable in the amount of \$ 250<sup>00</sup> for legal representation of such Receiver, the same to be paid out of the funds in his hands.

IT IS FURTHER ORDERED AND DECREED that the balance on hand after payment of the above fees, in the amount of \$ 1538<sup>73</sup>, less any amounts due and to be paid by the Receiver for utilities or bank charges to this date, be disbursed to the judgment creditor herein to apply on its judgment and that thereafter the proceeds of the sale of the property be applied as a credit on the judgment heretofore rendered herein.

IT IS FURTHER ORDERED AND ADJUDGED that upon said Receiver's carrying out the terms of this order, and furnishing receipt therefor, that he stand discharged and his bondsmen released from further liability.

  
United States District Judge.

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

APR -1 1959

THE PRUDENTIAL INSURANCE COMPANY )  
OF AMERICA, A CORPORATION, )

Plaintiff, )

vs. )

OSAGE COUNTRY CLUB APARTMENTS, )  
INC., A CORPORATION, ET AL., )

Defendants. )

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

No. 4527

ORDER APPROVING RECEIVER'S REPORT  
AND DISCHARGING RECEIVER

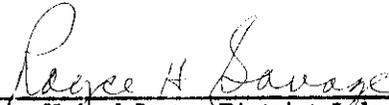
On this 1st day of April, 1959, there coming on for hearing the final report of O. B. Johnston, Receiver herein, and the Court, having read said report and being sufficiently advised in the premises, finds that said Receiver has in all respects managed the property placed in his charge according to the orders and directions of this Court, and said final report should be confirmed.

IT IS, THEREFORE, ORDERED AND DECREED that the Final Report of the Receiver herein be and the same is hereby approved.

IT IS FURTHER ORDERED that said Receiver be allowed the sum of \$ 500<sup>00</sup> as his fee herein, together with attorney's fee to G. Ellis Gable in the amount of \$ 250<sup>00</sup> for legal representation of such Receiver, the same to be paid out of the funds in his hands.

IT IS FURTHER ORDERED AND DECREED that the balance on hand after payment of the above fees, in the amount of \$ 1490<sup>37</sup>, less any amounts due and to be paid by the Receiver for utilities or bank charges to this date, be disbursed to the judgment creditor herein to apply on its judgment and that thereafter the proceeds of the sale of the property be applied as a credit on the judgment heretofore rendered herein.

IT IS FURTHER ORDERED AND ADJUDGED that upon said Receiver carrying out the terms of this order, and furnishing receipt therefor, that he stand discharged and his bondsmen released from further liability.

---

United States District Judge

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

PATIENCE MULLENDORE McNULTY,  
individually, etc.,  
PLAINTIFFS.

Vs.

NO. 3002-CIVIL.

MULLENDORE TRUST COMPANY,  
ET AL.,  
DEFENDANTS.

**FILED**

APR - 2 1959

ORDER

NOBLE C. HOOD

Clerk, U. S. District Court

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 execute to Dick A. Sellenb,  
Jr. an oil and gas lease in the form attached to the Application  
covering the following described lands in Pawnee County, State of  
Oklahoma, to-wit:

The Southeast Quarter of the Southeast  
Quarter (SE $\frac{1}{4}$  of SE $\frac{1}{4}$ ) in Section Three  
(3), Township Twenty (20) North, Range  
Eight (8) East I. M.

THIS 2<sup>nd</sup> day of April, 1959.



DISTRICT JUDGE

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

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

Plaintiff

v.

AVIATION, INC., a corporation, and  
AVIATION, INC., doing business as  
GLEASON ROMANS PIPE LINE PATROL CO.,  
and AVIATION INVESTMENTS CO., and  
GLEASON ROMANS, individually,

Defendants

CIVIL ACTION

FILE NO. 4520

FILED

APR -2 1959

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

J U D G M E N T

Now on this 2<sup>nd</sup> day of April, 1959, and in accordance  
with the findings of fact and conclusions of law made and entered  
following the trial of this case on the 23rd day of March, 1959, the  
court makes and enters the following judgment:

It is ORDERED, ADJUDGED AND DECREED that defendants, their  
agents, servants, employees, and all persons acting or claiming to act  
in their behalf and interest, be, and they hereby are, permanently en-  
joined and restrained from violating the provisions of Sections 15(a)(2)  
and 15(a)(5) of the Fair Labor Standards Act of 1938, as amended (U.S.C.  
Title 29, Section 201, et seq.), hereinafter referred to as the Act, in  
any of the following manners:

(1) The defendants shall not, contrary to Sections 6 and  
15(a)(2) of the Act, pay to any of their employees engaged in interstate  
commerce or in the production of goods for interstate commerce, as those  
terms are defined by the Act, wages at rates less than \$1.00 per hour,  
or such other minimum hourly rate as may hereafter be provided for by  
amendment to the Act.

(2) The defendants shall not, contrary to Sections 7 and  
15(a)(2) of the Act, employ any of their employees engaged in interstate  
commerce or in the production of goods for interstate commerce, as those

terms are defined by the Act, for a workweek longer than 40 hours unless such 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.

(3) The defendants shall not fail to make, keep, and preserve records of their employees engaged in commerce or in the production of goods for interstate commerce and of the wages, hours, and other conditions and practices of employment maintained by them, 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, Code of Federal Regulations, Part 516.

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 defendants that they have been for a period of five years in full compliance with the Act, of modifying or vacating this judgment as equity and justice may require.

DATED this 2nd day of April, 1959.

181 Royce H. Savage  
UNITED STATES DISTRICT JUDGE

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

WANDA BRIGGS, an Incompetent,  
by and through her Guardian,  
Wm. F. TAYLOR,  
Plaintiff,

vs.

FORD MOTOR COMPANY, a  
Corporation,  
Defendant.

No. 4641 Civil

**FILED**

APR -3 1959

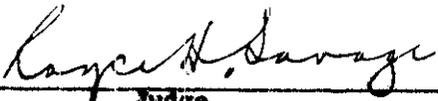
**ORDER REMANDING**

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

The motion of plaintiff to remand this suit to the District Court of Creek County, State of Oklahoma, coming on for hearing on this 3rd day of April, 1959, pursuant to regular setting and notice to parties, and the Court having heard the argument of counsel, and being fully advised, upon consideration finds that the motion should be sustained.

IT IS, THEREFORE, ORDERED that the motion of plaintiff to remand this cause to the District Court of Creek County, be and it is hereby sustained and the cause is remanded to the District Court of Creek County, for further proceedings.

Dated at Tulsa, Oklahoma, this 3rd day of April, 1959.

  
\_\_\_\_\_  
Judge



**James E. Bush, Ralph L. Abercrombie and  
George W. Clark**

By George W. Clark  
George W. Clark

**Gable, Getwals & Hays**

By Jack Hays  
Jack Hays

**Mac Q. Williamson, Attorney General,  
and Fred Hansen, Assistant Attorney General**

By Mac Q. Williams  
Mac Q. Williamson, Attorney General

UNITED STATES DISTRICT COURT

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

**FILED**

APR 17 1959

DEGREE OF HONOR PROTECTIVE  
ASSOCIATION, a corporation  
PLAINTIFF

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

vs.

CIVIL NO. 4617

HAROLD W. GILBERT and LELA PEARL  
GILBERT KINNEY, (formerly LELA  
PEARL GILBERT), DEFENDANTS

FINDINGS AND JUDGMENT

The above entitled action came duly on for hearing before the undersigned Judge of the above entitled Court on April 1, 1959.

THE COURT FINDS AS FACTS:

I.

That the summons and complaint in interpleader in said proceedings has been duly served upon said defendants.

II.

That the time to appear, plead or answer in said proceedings has expired as to both defendants.

That the defendant LELA PEARL GILBERT KINNEY has failed to appear in said proceedings by answer or otherwise, and is in default.

That the defendant HAROLD W. GILBERT has not appeared in said proceedings by answer or otherwise, except that he has filed a written disclaimer in said proceedings.

III.

That the DEGREE OF HONOR PROTECTIVE ASSOCIATION is a corporation duly organized, created and existing under and by virtue of the laws of the State of South Dakota, and has and for many years last past has had its principal place of business at St. Paul, Minnesota, and is a fraternal society and order.

IV.

That on July 1, 1943 said plaintiff issued it's policy of insurance #209719 in the amount of Five hundred dollars (\$500.00) to DORA ANN GILBERT, and in said policy the defendant LELA PEARL GILBERT KINNEY, daughter of

DORA ANN GILBERT is named as beneficiary.

V.

That said DORA ANN GILBERT died May 22, 1958.

VI.

That the defendant HAROLD W. GILBERT is and was at all times herein mentioned, a resident and citizen of the State of Oklahoma, residing in the city of Tulsa, in said State.

VII.

That the defendant LELA PEARL GILBERT KINNEY is and was at all times herein mentioned, a resident of the State of California, residing in the city of Ranford, in said State.

VIII.

That during the lifetime of said DORA ANN GILBERT certain dividends became due and payable in connection with said insurance policy and said insured applied said dividends toward the purchase of additional insurance; that by reason thereof, the amount of \$50.00 in additional insurance was purchased with these dividends.

IX

That at the time of said DORA ANN GILBERT's death, said insurance policy was in full force and effect, and upon her death <sup>there</sup> became payable to the person or persons entitled thereto, the sum of Five hundred, fifty dollars (\$550.00).

X.

That the plaintiff has deposited with the Clerk of this Court, in the city of Tulsa, State of Oklahoma, the sum of \$550.00, being the full amount which could under any circumstances <sup>be</sup> claimed under said policy, and is willing to, and has offered to abide the judgment of this Court.

XI.

That ROY J. MOHAN attorney for the plaintiff has filed his petition for attorney's fees in the amount of One hundred dollars (\$100.00), and for reimbursement for the following expenditures:--

1958:

December 31: Paid Clerk of United States District Court,  
Northern District of Oklahoma \$ 15.00

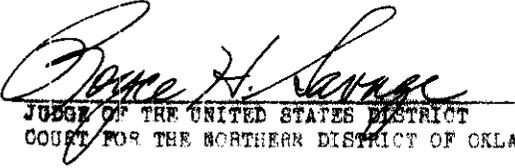
1959:

January 7: Paid U.S. District Marshal for service of  
summons and complaint upon defendants 11.10  
TOTAL DISBURSEMENTS: 26.10

NOW, THEREFORE, IT IS HEREBY ADJUDGED, DETERMINED AND DECREED:

1. That the defendant LELA PEARL GILBERT KINNEY is entitled to said sum of \$550.00 deposited by plaintiff, with the Clerk of this Court, less plaintiff's attorney's fees in the sum of \$100.00, and less disbursements in the sum of \$26.10.
2. That ROY J. MOHAN as attorney for plaintiff is entitled to the sum of \$100.00 attorney's fees, and to be reimbursed for expenses in the sum of \$26.10.
3. That the Clerk of this Court is hereby directed to pay to the defendant LELA PEARL GILBERT KINNEY, from the said sum of \$550.00, deposited by plaintiff, the sum of \$423.90.
4. That the Clerk of this Court is directed to pay to ROY J. MOHAN, as attorney for plaintiff, from said sum of \$550.00 so deposited by plaintiff, the sum of \$100.00 for attorney's fees, and \$26.10 for expenses.
5. That the plaintiff is hereby in all things discharged from any and all liability by reason of, or arising out of the issuance of said policy of insurance to DORA ANN GILBERT.

DATED: APRIL 15<sup>th</sup>, 1959

  
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

BOBBY KING,

Plaintiff,

-vs-

WILLIAM ROBERT GLAUSER,

Defendant.

No. 4630 C

**FILED**

APR 17 1959

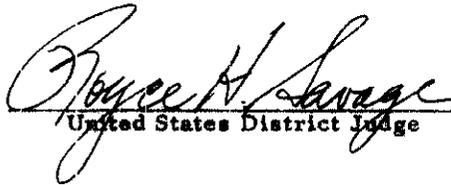
ORDER OF DISMISSAL

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

Now on this 15<sup>th</sup> day of April, 1959, upon plaintiff's

request for dismissal of the above styled and numbered cause on the grounds that the same has been fully compromised and settled, this court determines that this action should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the above styled and numbered cause of action is and the same is hereby dismissed with prejudice.

  
United States District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 52.04 Acres of Land, More or Less, )  
 Situate in Nowata County, Oklahoma )  
 and Maynard Stanart, et al, and )  
 Unknown Owners, )  
 )  
 Defendants. )

Civil No. 4428

**FILED**

APR 27 1959

J U D G M E N T

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

Confirming Commissioners' Awards As To Tracts  
Nos. H-811, H-819, H-837 & H-831

I

This cause, coming on for disposition on this 24th day of  
April, 1959, the Court finds that:

II

This judgment applies only to the Tracts described in the Declara-  
tion of Taking filed in this cause and designated therein as, Tracts Nos.  
H-811, H-819, H-837, and H-831.

III

The Court has jurisdiction of the parties and the subject matter  
of this action.

IV

Service of process has been perfected either personally or by  
publication notice as provided by Rule 71A of the Federal Rules of Civil  
Procedure on all parties defendant in this cause who are interested in the  
Tracts named in paragraph II above.

V

The Acts of Congress set out in paragraph II of the Complaint  
filed herein give the United States of America the right, power, and au-  
thority to condemn for public use the land described in Schedule A attached  
to such Complaint. Pursuant thereto, on February 20, 1958, the United States  
of America has filed its Declaration of Taking of such described land, and  
title thereto should be vested in the United States of America.

VI

On February 20, 1958, there was deposited in the Registry of this  
Court as estimated compensation for the taking of the lands described in  
Schedule A of the Complaint filed herein certain sums of money, as set out  
in paragraph XI below. None of these deposits have been disbursed.

VII

The Report of Commissioners filed herein on September 16, 1958, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to each tract as fixed by the Commission and now adopted by the Court is set out in paragraph XI below.

VIII

Certain deficiencies exist between the amounts deposited as estimated just compensation and the amounts fixed by the Commission and the Court as just compensation. These deficiencies are set out in paragraph XI below.

IX

The persons named in paragraph XI as recipients of the awards of just compensation are found by the Court to be the only defendants asserting any interest in the estates condemned herein, all other defendants having either disclaimed or defaulted; the named defendants are the owners of the respective estates as designated, and as such, are entitled to distribution of just compensation therefor.

X

It Is Therefore ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the property described in Schedule A attached to the Complaint filed herein, and the Tracts designated in paragraph II herein, to the extent of the estate indicated and for the uses and purposes described in the Declaration of Taking filed herein, are CONDEMNED and title thereto is vested in the United States of America, and all defendants herein and all other persons interested in such Tracts are forever barred from asserting any claim thereto.

XI

It Is Further ORDERED, ADJUDGED AND DECREED that the right to just compensation for the respective estates taken herein is vested in the defendants whose names appear below in this paragraph; the Commissioners' report of September 16, 1958, is hereby confirmed and the sums therein fixed are adopted as just compensation for each tract condemned, and reported therein. These defendants, named below, shall have and recover judgment against the United States of America, including interest, according to the following schedule:

TRACT NO. H-811

Compensation fixed by Commission and adopted by Court:		
For Surface Estate only	\$3,500.00	\$3,500.00
Deposited as estimated compensation	<u>3,000.00</u>	
Original deposit deficiency	\$500.00	
Less amount for property reserved	340.00	340.00
Present deposit deficiency	<u>\$160.00</u>	

Judgment for Earl Jordan and Eva Mae Jordan \$3,160.00  
Plus interest at 6% per annum on \$160.00 present deposit deficiency until such deficiency be deposited in the Registry of this Court.

TRACTS NOS. H-819 and H-837

Compensation fixed by Commission and adopted by Court:		
For Surface Estate only	\$150.00	\$150.00
Deposited as estimated compensation	<u>60.00</u>	
Deposit deficiency	\$90.00	

Judgment for Delilah Holden  
Verdie Florence Holden and Ethel Goldie Holden \$150.00  
Plus interest at 6% per annum on \$90.00 deposit deficiency until such deficiency be deposited in the Registry of this Court.

Tract No. H-831

Compensation fixed by Commission and adopted by Court:		
For Surface Estate only	\$25.00	
Deposited as estimated compensation	<u>25.00</u>	

Judgment for heirs of estate of Martha Branham Scott, deceased \$25.00  
To be distributed as follows:  
Florence Scott Watson \$5.00  
John Scott 5.00  
Battelle Scott Martin 5.00  
Stella Branham Thomas 5.00  
Homer Scott 2.50  
Floyd Ray Scott 2.50

Except as otherwise stated, interest on above deficiencies shall begin on February 20, 1958.

It is Further ORDERED, ADJUDGED AND DECREED that the United States of America shall deposit with the Clerk of this Court the sum of money necessary to cover the total of the deposit deficiencies, plus interest thereon as shown in the schedule in paragraph XI. Upon deposit of this sum, the Clerk of this Court shall satisfy the judgments by making distribution of the money on deposit in this case according to the terms of the schedule in paragraph XI.

(S) J. E. Kanner  
UNITED STATES DISTRICT COURT

APPROVED ~~12-20-1958~~:

Hubert A. Marlow

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

602.72 Acres of Land, More or Less,  
Situate in Rogers County, Oklahoma, and  
Bess Briggs, et al, and Unknown  
Owners,

Defendants.

(Civil Action No. 4430

**FILED**

MAY -4 1959

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

J U D G M E N T

As To Tracts Nos. C-317, D-403 and J-1001

I

This matter coming on for disposition this 30th day of April, 1959, as to Tracts Nos. C-317, D-403 and J-1001, and the Plaintiff, United States of America, being represented by Hubert A. Marlow, Assistant United States Attorney for the Northern District of Oklahoma, and the defendants appearing not, and the Court is advised by Hubert A. Marlow, Assistant United States Attorney, as follows:

II

The Court has jurisdiction of the parties and the subject matter of this action.

III

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the tracts named in paragraph I above.

IV

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the land described in Schedule "A" attached to such Complaint. Pursuant thereto, on February 20, 1958, the United States of America has filed its Declaration of Taking of such Described land and title thereto should be vested in the United States of America.

V

On February 20, 1958, there was deposited in the Registry of this Court an estimated compensation for the taking of certain estates in

the three tracts named in paragraph I as such estates and tracts are described in the Declaration of Taking herein, certain sums of money, and these deposits have been disbursed as set out in paragraph VIII below.

VI

On the date of taking, the owners of the estates as described in the Declaration of Taking, taken by the Government in Tracts Nos. G-317, D-403, and J-1001, were the persons whose names are shown in the Schedule in paragraph VIII and the interest each owner had in the respective tracts is set out following his name. These named defendants are the only persons asserting any interest in the estates taken in these three tracts, all other persons having either disclaimed or defaulted, and these defendants named are entitled to receive the just compensation for the estates taken in these tracts.

VII

The owners of Tracts Nos. G-317, D-403, and J-1001 have each and all consented with the United States of America or agreed to and approved in writing, contracts of Option for the Purchase of Land, wherein they have agreed that just compensation for the estates contained in these three tracts are the amounts as shown as compensation in paragraph 8.

VIII

TRACT NO. G-317

Compensation agreed upon by Option:		\$640.00
Deposited as estimated compensation:		640.00
Disbursed, per Order of June 30, 1958, to:		
Ella Shell Coon Nichols, an undivided 2/9th interest	\$142.22	
Richard Coon, Jr., an undivided 4/9th interest	284.45	
Alta V. Ketcher Coon, an undivided 1/3 interest	<u>213.33</u>	640.00

TRACT NO. D-403

Compensation agreed upon by Option:		\$9,850.00
Deposited as estimated compensation:		9,850.00
Disbursed per Order of June 13, 1958, to:		
Eart Sharp, life estate		9,850.00
H. G. (Jack) Kindred and Jean Burton, remaindermen having disclaimed any interest,		

TRUST NO. J-1001

Compensation agreed upon by Option and Agreement: \$13,900.00

Deposited as estimated compensation: 13,900.00

Disbursed per Order of March 11, 1958, to:

Joe L. Hayes, owner of certain improvements valued at	\$1,900.00
Mrs. J. A. Douglass, an undivided 1/6th interest in land	2,107.58
Mrs. Joe L. Hayes, an undivided 1/6th interest in land less \$700.00 salvage value of improvements reserved	1,407.58
Daisy Taylor, an undivided 1/6th interest in land	2,107.59
Fern Faye Adair, an undivided 1/6th interest in land	2,107.59
Lena May Slector, an undivided 1/6 th interest in land	2,107.58
Elmer Ketchum, an undivided 1/6th interest in land less 1/6th of his interest and certain liens as follows:	1,979.66
Bobby Gene Ketchum and Vernan Lee Ketchum, an undivided 1/6th of Elmer Ketchum's 1/6th interest,	32.93
Jack E. Mayberry, lien	75.00
Mrs. R. C. Melroy and O. V. Malt, liens	20.00
County Treasurer, Rogers County, (Klahaosa, ad valorem taxes	54.49
	<hr/>
	\$13,900.00

IX

The Court being so advised finds the facts to be as set forth above.

X

It is therefore ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts designated in paragraph I herein as such tracts are described in the Declaration of Taking and Complaint filed herein <sup>and such tracts</sup> to the extent of the estate indicated and for the uses and purposes described in the Declaration of Taking herein are condemned and title thereto is vested in the United States of America and all defendants herein and all other persons interested in such tracts are forever barred from asserting any claim thereto.

XI

It is further ORDERED, ADJUDGED AND DECREED that as of the date of taking, the owners of the estates as described in the Declaration of Taking condemned herein in Tracts Nos. C-317, D-403 and J-1001, were the persons whose names appear in the Schedule in paragraph VIII, and that the right to just compensation for the respective estates in these three tracts taken herein is vested in those parties so named as their interests appear therein.

XII

It is further ORDERED, ADJUDGED, AND DECREED that the Contracts of Option for the Purchase of Land and agreements approving such Options mentioned in paragraph VII are hereby confirmed and the amounts thereof as shown in paragraph VIII are adopted by the Court as the awards of just compensation for the estates taken in the respective tracts.

(S) *F. E. Kennamer*  
UNITED STATES DISTRICT JUDGE

APPROVED:

(S) *Hubert A. Marlow*  
HUBERT A. MARLOW  
Assistant United States Attorney

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

ALBERT BENTON MEARS, JOE S. )  
GIBONEY, and JOHN ELLSWORTH, )  
 )  
Plaintiffs, )  
 )  
-vs- )  
 )  
MONARCH ASPHALT PAVING COMPANY, )  
INCORPORATED, a corporation, )  
 )  
Defendant. )

NO. 4607

**FILED**

MAY -5 1959

JOURNAL ENTRY OF JUDGMENT

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

NOW, on this 5<sup>th</sup> day of May, 1959, the above entitled case came on for trial before the undersigned Judge. The plaintiffs appeared by and through their attorney of record, John L. Dunn, and the defendant appeared by and through its attorneys, LeRoy Blackstock and John Robert Seelye, and both sides being present announced that they did waive formal setting of this case for trial and any order therefor and did desire to proceed to the trial of this case forthwith.

Under the Pre-Trial Order issued by this Court on the 25th day of March, 1959, the plaintiffs announced that they did not have any further or additional evidence to present to the Court other than defendant's Exhibit 2 which had been presented at the pre-trial conference and incorporated in the subject order and made a part of the record of this case.

The Court thereupon announced that there being no further evidence presented or to be considered by the Court, the Court thereupon does find that the plaintiffs were only engaged in commerce or in the production of goods for commerce during the work weeks hereinabove referred to in the Pre-Trial Order, in which they worked over forty hours for which they were not paid at the rate of one and one-half times the regular rate of pay and that upon that basis, the plaintiffs were

entitled to judgment for the sum of \$225.25 for plaintiff Albert Benton Mears, \$118.50 for plaintiff Joe S. Giboney and none for plaintiff John Ellsworth.

The Court finds that the defendant is essentially a local concern, serving a miscellany of local customers and is therefore not generally engaged in commerce or in the production of goods for commerce, and is only considered as being engaged in commerce or in the production of goods for commerce during such work weeks where employees perform work which meets the test specified in the Pre-Trial Order.

The Court further finds that the plaintiffs were not paid the above sums found to be due them for the subject work weeks, for the reason that defendant relied in good faith and in conformity with and upon the written regulations of the Administrator of the Wage and Hour Division of the Department of Labor; and that, therefore, plaintiffs are not entitled to any liquidated damages as provided in the Fair Labor Standards Act of 1938, as amended. The Court further found that the plaintiffs were entitled to the sum of \$ 250.<sup>00</sup> as total attorneys fees.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff, Albert Benton Mears, have and recover judgment against the defendant for the sum of \$225.25, together with his Court costs herein expended.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff, Joe S. Giboney, have and recover judgment against the defendant for the sum of \$118.50 and his court costs herein expended.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that as to the petition and claim of plaintiff, John Ellsworth, that judgment be and it is hereby entered in favor of the defendant.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiffs have and recover judgment against the defendant for the sum of \$ 250.<sup>00</sup> as total attorneys fees.

*A. Approved*  
*Burcham + Dunn*  
*by: H.C. Burcham*

*LoLay, Blackstock*  
*Atty for defendant*

*191 Royce W. Savage*  
\_\_\_\_\_  
Judge of the District Court

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,  
Plaintiff,  
vs.  
Morris D. Hamilton,  
Defendant.

Civil No. 4626

**FILED**

MAY - 6 1959

J U D G M E N T

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

On this 6 day of May 1959, the above-entitled action coming on for hearing, the plaintiff, appearing by Russell H. Smith, First Assistant U. S. Attorney for the Northern District of Oklahoma, and the defendant appearing not, the Court finds that defendant was duly served with summons herein more than twenty (20) days prior to this date, and having failed to appear or answer is and should be adjudged in default.

The Court further finds that all allegations of plaintiff's complaint are true; that defendant is indebted to plaintiff in the sum of \$398.90 after allowance of all just credits and set-offs.

The Court further finds that plaintiff has filed herein an affidavit stating that defendant is not in the military or naval service of the United States, and is not an infant, or an incompetent, which is found to be true.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECORDED by the Court that this plaintiff have judgment against the defendant, Morris D. Hamilton, for the sum of \$398.50, plus interest at the rate of six per cent (6%) per annum until paid, from date of judgment, and for the costs of this action.

ROYCE H. SAVAGE

United States District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Dan Raymond Walker,

Defendant.

Civil No. 4627

**FILED**

MAY - 6 1959

J U D G M E N T

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

On this 6 day of May 1959, the above-entitled action coming on for hearing, the plaintiff, appearing by Russell H. Smith, First Assistant U. S. Attorney for the Northern District of Oklahoma, and the defendant appearing not, the Court finds that defendant was duly served with summons herein more than twenty (20) days prior to this date, and having failed to appear or answer is and should be adjudged in default.

The Court further finds that all allegations of plaintiff's complaint are true; that defendant is indebted to plaintiff in the sum of \$951.52, plus interest, after allowance of all just credits and set-offs; that there remains a balance due, owing, and unpaid in the amount of \$951.52, plus interest of \$182.06, plus interest at the rate of four per cent (4%) from June 1, 1958, until paid, on the principal sum of \$951.52.

The Court further finds that plaintiff has filed herein an affidavit stating that defendant is not in the military or naval service of the United States, and is not an infant, or 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 defendant, Dan Raymond Walker, for the sum of \$951.52, plus interest of \$182.06, plus interest on the principal sum of \$951.52 at the rate of four per cent (4%) from June 1, 1958, until paid, and for the costs of this action.

ROYCE H. SAVAGE  
United States District Judge

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

Jack C. Farrell, )

... Plaintiff, )

vs. )

Safeway Stores, Inc., )

... Defendant. )

No. 4668 Civil

**FILED**  
IN OPEN COURT

MAY 8 - 1959

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

Comes now the plaintiff, Jack C. Farrell, and dismisses  
the above styled and numbered cause of action with prejudice to the bringing  
of a future action.

Dated this 7<sup>TH</sup> day of May, 1959.

Jack C. Farrell  
Plaintiff  
James O. Bass  
Attorney for Plaintiff

IT IS HEREBY ORDERED that the above styled and numbered  
cause of action be dismissed with prejudice this 8<sup>th</sup> day of May, 1959.

Royce H. Savage  
United States District Judge

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

IOWA MUTUAL INSURANCE COMPANY,  
a corporation,

Plaintiff,

-VS-

TRI-STATE INSURANCE COMPANY,  
ROBERT SMITH d/b/a ROBB SMITH  
TRUCKING COMPANY and AARON  
BLANKENSHIP,

Defendants.

No. 4606-Civil

FILED

MAY 11 1959

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

ORDER OF DISMISSAL

NOW on this 16<sup>th</sup> day of April, 1959, the Court, for good cause shown and upon stipulation of all parties to this action that they have reached an amicable settlement of the issues involved, does hereby order that this case be dismissed with prejudice to the filing of a future action.

DATED this 16<sup>th</sup> day of April, 1959.

W. R. Wallace  
W. R. WALLACE, JUDGE



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

WIANT BURNER COMPANY,  
Plaintiff,  
vs.  
M. W. KELLOGG COMPANY,  
Defendant. )

No. 4010

**FILED**

**MAY 12 1959**

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

ORDER DISMISSING ACTION

NOW on this the 8th day of May, 1959, there comes on to be heard in its regular order the Motion of the defendant to dismiss. The plaintiff appeared by its attorney, Clarence A. Warren, and the defendant appeared by its attorney, J. C. Pinkerton. The Court, after having heard the argument and statement of counsel, finds that the allegations contained in the Motion to Dismiss are true and correct and that this action should be dismissed without prejudice.

IT IS THEREFORE ORDERED AND DECREED that the above entitled cause be and the same is hereby dismissed without prejudice.

/s/ ROYCE H. SAVAGE  
Judge

APPROVED:

/s/ Clarence A. Warren  
Attorney for the Plaintiff

/s/ J. C. Pinkerton  
Attorney for the Defendant

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

Alvin Brassfield, )  
)  
Plaintiff, )  
)  
vs. )  
)  
St. Louis-San Francisco Railway )  
Company, a corporation, )  
)  
Defendant. )

No. 4634 Civil

**FILED**

MAY 12 1959

O R D E R

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

The above captioned coming on for hearing pursuant to plaintiff's Motion to Transfer the above captioned cause to the United States District Court for the Western District of Oklahoma parties being present by their counsel, and the Court being well and fully informed feels that plaintiff's motion should be sustained.

IT IS THEREFORE ORDERED that this case be transferred for trial to the United States District Court for the Western District of Oklahoma.

*Roger S. ...*  
U. S. District Judge

BY: *[Signature]*  
ATTORNEYS FOR PLAINTIFF

O.K.  
BY: *[Signature]*  
ATTORNEYS FOR DEFENDANT

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

PEGGY GAMEL,

Plaintiff,

-vs-

STEVE FERMON,

Defendant.

No. 4642

**FILED**

MAY 13 1959

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

ORDER OF DISMISSAL WITH PREJUDICE

Now on this 13 day of \_\_\_\_\_, 1959,

this cause comes on for hearing on plaintiff's request to dismiss the cause with prejudice. The court being fully advised in the premises finds that the cause and all issues herein have been fully settled and compromised as between the parties and the court further finds that the cause should be and is hereby dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED  
AND DECREED that this cause is dismissed with prejudice.

13/ Royce H. Savage  
Judge

Approved as to form:

[Signature]  
Attorney for Plaintiff

[Signature]  
Attorney for Defendant

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

Sallie J. Cantrell,

Plaintiff,

vs.

S. H. Kress & Company, Inc.,  
a corporation,

Defendant.

No. 4608 Civil

**FILED**

MAY 19 1959

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

ORDER DISMISSING CASE FOR FAILURE TO PROSECUTE

Pursuant to Rule 41 (b) of the Federal Rules of Civil Procedure,  
IT IS ORDERED that this action be and it is hereby dismissed for failure to  
prosecute, with costs to the plaintiff.

*L.S. Royce H. Savage*  
United States District Judge

Copy of the foregoing order dismissing case for failure to prosecute  
was this 18th day of May, 1959, mailed to John Hampton and Earl Howe, Court  
Arcade Building, Tulsa, Oklahoma, attorneys for plaintiff.

*L.S. Thomas P. Brett*

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

UNITED SUPPLY AND MANUFACTURING )  
COMPANY, a Corporation, )

Plaintiff, )

vs. )

OWEN DRILLING COMPANY, a )  
Corporation, )

Defendant )

No. 4206 Civil

**FILED**

MAY 20 1959

O R D E R

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

Now, on this 20th day of May, 1959, this cause comes on for hearing on the supplemental report of John A. Hendershot, Jr., Receiver for Owen Drilling Company, and it appearing to the Court that the Receiver has been unable to close his bank account due to the fact that one check has been outstanding in the amount of \$24.40 dated May 31, 1957, and it further appearing to the Court that due to this situation the Receiver has been charged by the bonding company an additional annual premium on his bond in the amount of \$125.00, and it further appearing to the Court that the Director of Internal Revenue has asserted a claim for interest and penalty against said Receiver in the amount of \$730.37 under date of September 10, 1958, which date is subsequent to the order of this Court of May 29th, 1958, directing the Receiver to disburse the funds then on hand which order approved the previous payment to the Director

of Internal Revenue of the principal amount of taxes due from the Receiver, and

It further appearing to the Court that upon the cancelling of the aforementioned check in the amount of \$24.44, the Receiver has on hand the sum of \$206.12, and

It further appearing to the Court that the Receiver has delivered to George M. Tyler, Trustee in Bankruptcy of Owen Drilling Company, a letter assignment of any interest in certain oil and gas leases described in the order of this Court dated May 29th, 1958;

NOW, THEREFORE, it is ordered by the Court that the Receiver is instructed to stop payment on the check in the amount of \$24.44 heretofore issued under date of May 31, 1957, to one L. L. Moore; that the receiver is instructed to pay to R. H. Siegfried Company the sum of \$125.00 in payment of final bond premium on the Receiver's bond, and that he is instructed to deliver to George M. Tyler, Trustee in Bankruptcy of Owen Drilling Company, check in the sum of \$81.12 and the M. L. Eneff and L. J. Thompson note and to take his receipts therefore.

It is further ordered by the Court that the payment to the Director of Internal Revenue of the principal amount of the claim heretofore filed with the Receiver and paid prior to the filing of the claim on September 10, 1958, in the amount of \$730.37 for interest and penalty for delayed payments of withholding taxes, is in full payment of said claim and that the claim of September 10, 1958, is denied.

It is further ordered by the Court that upon the filing of the receipts from George M. Tyler, Trustee in Bankruptcy of Owen Drilling Company, showing delivery of the

documents hereinabove specified and the receipt for the payment to R. H. Siegfried Company of the sum of \$125.00, final bond premium, that the said John A. Hendershot, Jr., and his bond be fully and completely discharged of and from any and all liability hereunder.

  
United States District Judge

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

RAYMOND INTERNATIONAL, INC.,  
Plaintiff,  
vs.  
W.C. BERRY and I.J. HENLEY,  
Defendants.

No. 4433 - Civil  
**FILED**

MAY 20 1959

J U D G M E N T

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

The above entitled action came on for trial before the Court without a Jury, on the 27th day of February, 1959, the plaintiff appearing by its attorneys, Holleman & Holleman of Tulsa, Oklahoma, and the defendants appearing in person and by their attorneys, Ungerman, Grabel, Ungerman, Leiter & Unruh, and John T. Gibson of Tulsa, Oklahoma, and testimony having been offered and briefs filed by both parties, and the Court having filed its Findings of Fact and Conclusions of Law, and Order of Judgment:

NOW, THEREFORE, pursuant thereto, it is determined by the Court that Plaintiff take nothing by this action and that judgment be rendered for the defendants for their costs expended herein.

Dated this Ten day of May, 1959.

By Roy A. Savage  
United States District Judge

APPROVED AS TO FORM:

HOLLEMAN & HOLLEMAN

By Willow J. Holleman Jr.  
Attorneys for Plaintiff

UNGERMAN, GRABEL, UNGERMAN, LEITER & UNRUH

JOHN T. GIBSON

By [Signature]  
Attorneys for Defendants

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Civil No. 4529

Richard D. Castello and  
Josephine L. Castello,

Defendants.

**FILED**

MAY 20 1959

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

J U D G M E N T

On this 20<sup>th</sup> day of May 1959, the above-entitled action coming on for hearing, the plaintiff, appearing by Russell H. Smith, First Assistant U. S. Attorney for the Northern District of Oklahoma, and the defendants appearing not, the Court finds that 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 defendants are indebted to plaintiff in the amount of \$395.93, plus interest of \$1.53, after allowance of all just credits and set-offs; that there is a balance due, owing, and unpaid in the sum of \$395.93, plus interest of \$1.53, plus interest at the rate of six per cent (6%) per annum from date of judgment on the principal sum of \$395.93, until paid.

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

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED by the Court that this plaintiff have judgment against the defendants, Richard D. Castello and Josephine L. Castello, in the amount of \$395.93, plus interest of \$1.53, plus interest at the rate of six per cent (6%) per annum from date of judgment on the principal sum of \$395.93, until paid, and for the costs of this action.

*12 Royce H. Savage*  
United States District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Civil No. 4674

Clarence Sissen,

Defendant.

**FILED**

MAY 20 1959

J U D G M E N T

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

On this 20<sup>th</sup> day of May 1959, the above-entitled action coming on for hearing, the plaintiff, appearing by Russell H. Smith, First Assistant U. S. Attorney for the Northern District of Oklahoma, and the defendant appearing not, the Court finds that defendant was duly served with summons herein more than twenty (20) days prior to this date, and having failed to appear or answer is and should be adjudged in default.

The Court further finds that all allegations of plaintiff's complaint are true; that defendant is indebted to plaintiff in the sum of \$792, plus interest, after allowance of all just credits and set-offs; that there remains a balance due, owing, and unpaid in the amount of \$792 with interest thereon at the rate of six per cent (6%) per annum from the date of judgment until paid.

The Court further finds that plaintiff has filed herein an affidavit stating that defendant is not in the military or naval service of the United States, and is not an infant, or 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 defendant, Clarence Sissen, for the sum of \$792 with interest thereon at the rate of six per cent (6%) per annum from the date of judgment until paid, and for the costs of this action.

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

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Civil No. 4675

B. W. Smith and Dorothy Smith,

Defendants.

**FILED**

MAY 20 1959

J U D G M E N T

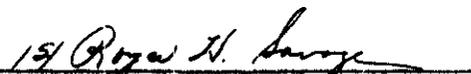
NOBLE C. HOOD  
Clerk, U. S. District Court

On this 20<sup>th</sup> day of May 1959, the above-entitled action coming on for hearing, the plaintiff, appearing by Russell H. Smith, First Assistant United States Attorney for the Northern District of Oklahoma, and defendants appearing not, the Court finds that 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 on December 31, 1951, for a valuable consideration and in accordance with provisions of the Federal Housing Administration Act, defendants did execute a written promissory note in the sum of \$1,570.09 to First National Bank, Grapevine, Texas; that defendants defaulted in the payments on the note, and in accordance with the provisions of the aforementioned Act, the note was assigned thereafter to this plaintiff; that there is now due and owing on the note the sum of \$1,239.17, plus interest of \$351.16 to February 20, 1959, plus six per cent (6%) interest per annum on the principal sum of \$1,239.17 from February 21, 1959, until paid, and for its costs.

The Court further finds that plaintiff has filed herein an affidavit stating that the defendants are not in the military, or naval, service of the United States, 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, B. W. Smith and Dorothy Smith, for the sum of \$1,239.17, plus interest of \$351.16, plus six per cent (6%) interest per annum on \$1,239.17 from February 21, 1959, until paid, and for its costs.

  
United States District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Libelant,

vs.

Civil No. 4258

One 1954 Ford, Motor No. U4DG202198, its  
tools and appurtenances, one 1954 Mercury,  
Motor No. 54WAS4959M, its tools and appur-  
tenances, and 66.80 wine gallons of assorted  
taxpaid liquors,

Respondents,

Clyde Winton Jenkins, Lois Morgan, Bertrum  
Motor Company, Tab Blue Jacket, and Eva Mae  
Clanton, Universal C.I.T. Credit Corpora-  
tion, and Associates Discount Corporation,

Claimants.

FILED

MAY 21 1959

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

ORDER OF DISMISSAL

Now on this 21st day of May, 1959, this matter coming on for  
hearing pursuant to mandate of the United States Court of Appeals for  
the Tenth Circuit filed herein on April 30, 1959, and the Court being  
advised that pending appeal of the Judgment entered herein on April 3,  
1958, the respondent 1954 Mercury vehicle was again seized by agents of  
the Alcohol Tobacco Tax Unit and forfeited and sold by administrative  
procedure, the Court finds that the issue involved in this action has  
become a moot question.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that this action  
as to the respondent 1954 Mercury vehicle, Motor No. 54WAS4959M, its  
tools and appurtenances is hereby dismissed.

(S) Royce H. Savage  
UNITED STATES DISTRICT JUDGE

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

BRYANT BAKER, also sometimes known  
as PERCY BRYANT BAKER,  
Plaintiff,

vs.

THE PETROLEUM PUBLISHING CO., an  
Oklahoma Corporation, THE NATIONAL BANK  
OF TULSA, a National Banking Corporation,

Defendants,

GIBBONS ADVERTISING AGENCY,  
et al., and BOB McCORMACK,

Third Party  
Defendants,

STATE OF OKLAHOMA, ex rel. The  
Oklahoma Planning and Resources Board,

Intervenor.

No. 4522  
Civil

**FILED**

MAY 21 1959

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

ORDER OF DISMISSAL

This matter coming on to be heard upon motion of plaintiff in the above captioned cause as Appellant on appeal to the United States Circuit Court of Appeals Tenth Circuit, to dismiss said appeal, and it appearing to the Court that due and proper notice has been given appellees as required by Rule 73 of the Federal Rules of Civil Procedure; and it appearing to the Court that said motion to dismiss should be allowed;

NOW, THEREFORE, the appeal of Percy Bryant Baker, plaintiff appellant be and the same is hereby dismissed and the judgment of this Court entered herein on the 17th day of April, 1959 be and the same is in all things confirmed and declared final.

*151 Royce H. Savage*  
U. S. District Judge Royce H. Savage

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

RICHARD C KING,  
PLAINTIFF,

VS

OIL AND GAS PROPERTY MANAGEMENT  
INC., GEORESEARCH, INC., and  
CANUCK OIL CORPORATION,

DEFENDANTS.

Civil Action  
No. 4573

**FILED**

MAY 21 1959

ORDER OF DISMISSAL

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

Upon Motion of plaintiff for dismissal with prejudice  
at cost of the plaintiff, and the defendants having consent-  
ed thereto, and pursuant to Rule 28 of the Court.

IT IS ORDERED that this action be and it is dismissed  
with prejudice at cost of the plaintiff.

Dated at Tulsa, Oklahoma, this 21st day of May, 1959.

Noble C. Hood, Clerk

By *M. M. Ewing*  
Deputy

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

TULSA CITY LINES, INC.,

Plaintiff,

-vs-

DIVISION NO. 892, AMALGAMATED  
ASSOCIATION OF STREET, ELECTRIC  
RAILWAY AND MOTOR COACH  
EMPLOYEES OF AMERICA,

Defendant.

No. 4619 Civil.

**FILED**

MAY 22 1959

ORDER DENYING MOTION NOBLE C. HOOD  
TO RECONSIDER JUDGMENT Clerk, U. S. District Court

This matter coming on for hearing this 8th day of May, 1959, plaintiff appearing by its counsel, Harry M. Crowe, and the defendant appearing by its counsel, William K. Powers of Dyer, Powers & Gotcher, upon the motion of the plaintiff to reconsider the judgment rendered herean on the 30th day of March, 1959. Upon statements and argument of counsel and the Court, being otherwise fully advised in the premises, finds that said motion to reconsider the judgment should be and the same is hereby overruled.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that plaintiff's motion to reconsider the judgment filed herein be and the same is overruled and denied and the said action is dismissed.

12 Royce H. Savage  
United States District Judge.

Approved as to Form:

(S) Harry M. Crowe, Jr.  
Harry M. Crowe,  
Attorney for Plaintiff

(S) Wm. K. Powers  
William K. Powers.

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

Harold Lorne Cherot,

Plaintiff, )

vs )

Orville Lester Carter,

Defendant. )

Civil Action  
No. 4368

**FILED**

MAY 25 1959

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

ORDER OF DISMISSAL

Settlement of this action having been announced by the parties.

IT IS ORDERED that this action be dismissed with prejudice, subject to being reopened if settlement is not effected.

Dated at Tulsa, Oklahoma, this 25th day of May, 1959.

ROYCE H. SAVAGE  
Judge.

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

CITIES SERVICE GAS COMPANY,  
a corporation,

Plaintiff,

v.

J. M. HUBER CORPORATION,  
a corporation,

Defendant.

Civil Action  
No. 4555

**FILED**

MAY 25 1959

JOURNAL ENTRY OF JUDGMENT

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

Pursuant to the Findings of Fact and Conclusions of Law filed herein on the 25 day of May 1959, it is ORDERED, ADJUDGED AND DECREED BY THE COURT that plaintiff's action herein should be and same is hereby dismissed at plaintiff's costs without prejudice to the filing of another action when such cause of action has accrued within the terms of such Findings of Fact and Conclusions of Law.

Dated this 25 day of May 1959.

Approved as to Form

Royce H. Savage  
United States District Judge

Conrad C. Mount  
Conrad C. Mount

Charles V. Wheeler  
Charles V. Wheeler

Attorneys for Plaintiff

Thos. O. Murrey  
Raymond Coulson  
Attorneys for Defendant

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

Gertrude Phillips,

Plaintiff,

vs

Sears, Roebuck and Company,  
a corporation,

Defendant.

Civil Action

No. 4609

**FILED**

MAY 25 1959

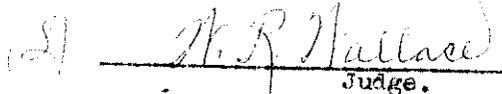
ORDER OF DISMISSAL

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

Settlement of this action having been announced by the parties.

IT IS ORDERED that this action be dismissed with prejudice, subject to being reopened if settlement is not effected.

Dated at Tulsa, Oklahoma, this 25<sup>th</sup> day of May, 1959.

  
\_\_\_\_\_  
Judge.

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

Betty Hillhouse, individually, )  
etc., )  
Plaintiff, )  
vs )  
Woodrow O'Bar, )  
Defendant. )

Civil Action  
No. 4662

**FILED**

MAY 25 1959

ORDER OF DISMISSAL

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

Settlement of this action having been announced by the parties.

IT IS ORDERED that this action be dismissed with prejudice, subject to being reopened if settlement is not effected.

Dated at Tulsa, Oklahoma, this 25<sup>th</sup> day of May, 1959.

**ROYCE H. SAVAGE**

Judge.

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

Mary C. Thornton, individually, )  
etc., )  
Plaintiff, )  
vs )  
Woodrow O'Bar, )  
Defendant. )

Civil Action  
No. 4663

**FILED**

MAY 25 1959

ORDER OF DISMISSAL

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

Settlement of this action having been announced by the parties.

IT IS ORDERED that this action be dismissed with prejudice, subject to being reopened if settlement is not effected.

Dated at Tulsa, Oklahoma, this 25<sup>th</sup> day of May, 1959.

ROYCE H. SAVAGE  
Judge.

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

Marguerite Moore,  
Plaintiff,

vs.

Campbell Sixty Six Express, Inc.,  
a corporation,  
Defendant.

Civil No. 4477

**FILED**

MAY 27 1959

JUDGMENT

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

This action came on for trial before the court and a jury, the Honorable William R. Wallace presiding, and the issues having been duly tried and the jury on May 26, 1959 having rendered a verdict for the plaintiff to recover of the defendant damages in the amount of Twenty-two Thousand, Three Hundred Twenty (\$22,320.00) Dollars,

IT IS ORDERED AND ADJUDGED that the plaintiff, Marguerite Moore, recover of the defendant, Campbell Sixty Six Express, Inc., a corporation, the sum of Twenty-two Thousand Three Hundred Twenty (\$22,320.00) Dollars, with interest thereon at the rate of 6% per annum from the date hereof until paid, and its cost of action.

Dated at Tulsa, Oklahoma, this 26th day of May, 1959.

NOBLE C. HOOD, CLERK

By *Elen B. Ballen*  
Deputy Clerk

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

Don Rusk,

Plaintiff,

vs.

Floyd Lee Rogers,

Defendant,

Civil  
No. 4582

FILED

MAY 27 1959

ORDER

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

Upon plaintiff's motion for leave and permission to dismiss and discontinue this action and causes of action it is ordered that the complaint be dismissed with prejudice to the bringing of another action concerning any of the matters involved therein, with costs to be taxed against the defendant herein.

Dated this 27 day of May, 1959.

APPROVED:

Rayce H. Savage  
DISTRICT JUDGE

Richard M. Miller  
Attorneys for the Plaintiff.

Charles L. Chesnut  
Attorneys for the Defendant.

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

Don Rusk,

Plaintiff,

vs.

Floyd Lee Rogers,

Defendant,

Civil  
No. 4582

**FILED**

MAY 27 1959

ORDER

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

Upon defendant's motion for leave to discontinue this action as to his counterclaim it is ordered that the counterclaim be dismissed without prejudice to the bring<sup>ing</sup> of another action concerning any of the matters involved therein, with costs to be taxed against the defendant herein.

Dated this 27 day of May, 1959.

*W. Rayett Savage*  
DISTRICT JUDGE

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

THE PRUDENTIAL INSURANCE COMPANY )  
OF AMERICA, A CORPORATION, )

Plaintiff, )

vs. )

A B A APTS., INC., A CORPORATION, )  
ET AL., )

Defendants. )

No. 4589

**FILED**

MAY 27 1959

ORDER APPROVING SALE

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

Now, on this 27 day of May, 1959, this matter coming on for hearing upon the motion of the plaintiff in the above-entitled cause for confirmation of the sale of real estate and personal property made by the United States Marshal for the Northern District of Oklahoma to The Prudential Insurance Company of America on the 4th day of May, 1959, under a judgment entered in the above cause on the 9th day of March, 1959, said sale being of and conveying the following-described real estate situate in Osage County, Oklahoma, to-wit:

Lots One (1) and Two (2), Block Two (2), Osage Hills, an Addition to the City of Tulsa, Osage County, State of Oklahoma, according to the recorded plat thereof, as recorded in Book Two (2) of Plats, on pages 27 and 28, in the Office of the County Clerk, Osage County, Oklahoma.

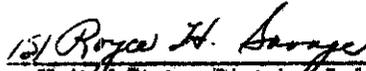
together with personal property therein contained and more particularly described in said judgment; and the court, having examined the proceedings herein and the proceedings of said Marshal and his return thereof under the judgment herein, finds that the same have been performed and done in all respects in conformity with the law; that said bid is the highest and best bid

that could be obtained; and that said sale was made after due and legal notice of the time and place of sale.

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

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by the court that the said sale and all the proceedings herein be and the same hereby are approved and confirmed in all respects; and, upon the request of The Prudential Insurance Company of America in open court, said Marshal is hereby directed to make and execute a good and sufficient deed for said lands, tenements, and personal property to Julian H. Zimmerman, Federal Housing Commissioner, Washington, D. C., his successors and assigns, whom the said purchaser at said sale, The Prudential Insurance Company of America, has designated to be the grantee in said deed.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by the court that said deed be made and executed as of June 1, 1959; and that the Receiver herein retain said property under his control and direction, as provided by previous order of this court, until said date of June 1, 1959, at which time said Receiver shall file a final report herein, and said final report is set for hearing on the said date of June 1, 1959, at the hour of 9:30 a.m., and, as soon as the proceeds in the hands of the Receiver are credited upon the plaintiff's judgment, then the proceeds of the sale shall be so applied.

  
United States District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Civil No. 4653

Earl L. Fifer and  
Peggy G. Fifer,

Defendants.

**FILED**

MAY 27 1959

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

J U D G M E N T

On this 27 day of May 1959, the above-entitled action coming on for hearing, the plaintiff, Russell H. Smith, First Assistant U. S. Attorney for the Northern District of Oklahoma, and the defendants appearing not, the Court finds that 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. On May 7, 1956, for a valuable consideration and in accordance with provisions of the Federal Housing Administration Act, defendants executed a written promissory note in the sum of \$1,300.42 to First Bancredit Corporation. Defendants defaulted in the payments on the note, and, in accordance with provisions of the aforementioned Act, the note was assigned thereafter to plaintiff. There is now due and owing on the note the sum of \$1,031.60, with interest thereon at the rate of six per cent (6%) per annum from July 7, 1956, plus costs in the amount of \$18.80.

The Court further finds that plaintiff has filed an affidavit herein stating that the defendants are not in the military, or naval, service of the United States, and that neither is an infant, nor an incompetent.

The Court further finds that the note was given for the purpose of paying for permanent improvements on property owned by defendants located at South 15th Street, Collinsville, Oklahoma, and by reason thereof, plaintiff is entitled to levy execution upon the premises for the collection of the judgment.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED by the Court that this plaintiff have judgment against the defendants, Earl L. Fifer and Peggy G. Fifer, for the sum of \$1,031.60, with interest thereon at the rate of six per cent (6%) per annum from July 7, 1956, plus costs of \$18.80 and further costs of this action, and for further judgment directing the levying of execution upon the above-described premises.

*151 Roger H. Savage*  
United States District Judge

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

BETTY HILLHOUSE, individually and  
as the surviving spouse of CLARENCE  
C. HILLHOUSE, Deceased,

Plaintiff,

vs.

WOODROW O'BAR,

Defendant.

No. 4662

FILED

MAY 27 1959

ORDER OF DISMISSAL

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

NOW, on this 27 day of May, 1959, there came on for hearing, pursuant to regular assignment, the oral motion of all parties for the Court to dismiss the above-captioned matter with prejudice. The Court finds that the plaintiff, Betty Hillhouse, is the sole and only dependent of the deceased and the sole and only person under the statutes of the State of Oklahoma entitled to sue on behalf of the deceased spouse. The Court further finds that no administrator was appointed on behalf of the deceased, but that the plaintiff herein is the next of kin and heir at law under the statutes of the State of Oklahoma entitled to pursue said action. The plaintiff herein also represents that the deceased died without regaining consciousness and did not in any manner suffer any conscious pain and suffering, either mental or physical. That all the funeral expenses and expenses incurred by reason of the accident have been paid. The plaintiff herein further represents to the Court that the estate of her deceased spouse does not have a cause of action or actions against the defendant.

The parties herein further represent to the Court that there was an unknown third vehicle involved in the accident which has not been identified by any of the parties hereto. That it is the intent of the settlement of this cause that the plaintiff reserve any and all causes of action against the unknown third party, and that the plaintiff, by accepting sums of money herein, does not in any manner release, acquit or discharge the unknown driver of the third vehicle.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Complaint in its entirety be dismissed with prejudice, and that any and all claims which the plaintiff herein has against the unknown third vehicle, or any other firm, person or corporation is reserved unto herself.

The order dated May 25, 1959, is hereby vacated and this order substituted in lieu thereof.

151 Royce H. Savage  
U. S. DISTRICT JUDGE

A. M. Smith  
Attorney for the Plaintiff

Robert B. King  
Attorney for the Defendant

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

MARY C. THORNTON, individually )  
and as surviving spouse of Lucius )  
A. Thornton, deceased, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
 )  
WOODROW O'BAR, )  
 )  
Defendant. )

No. 4663

FILED

MAY 27 1959

ORDER OF DISMISSAL

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

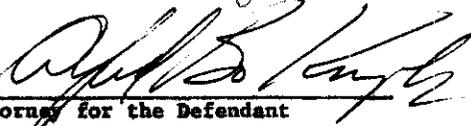
NOW, on this 27 day of May, 1959, there came on for hearing, pursuant to regular assignment, the oral motion of all parties for the Court to dismiss the above-captioned matter with prejudice. The Court finds that the plaintiff is the sole and only dependent of the deceased and the sole and only person under the statutes of the State of Oklahoma entitled to sue on behalf of the deceased spouse. The Court further finds that no administrator was appointed on behalf of the deceased, but that the plaintiff herein is the next of kin and heir at law under the statutes of the State of Oklahoma entitled to pursue said action. The plaintiff herein also represents that the deceased died without regaining consciousness and did not in any manner suffer any conscious pain and suffering, either mental or physical. That all the funeral expenses and expenses incurred by reason of the accident have been paid. The plaintiff herein further represents to the Court that the estate of her deceased spouse does not have a cause of action or actions against the defendant.

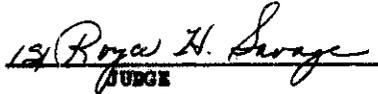
The parties herein further represent to the Court that there was an unknown third vehicle involved in the accident which has not been identified by any of the parties hereto. That it is the intent of the settlement of this cause that the plaintiff reserve any and all causes of action against the unknown third party, and that the plaintiff, by accepting sums of money herein, does not in any manner release, acquit or discharge the unknown driver of the third vehicle.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Complaint in its entirety be dismissed with prejudice, and that any and all claims which the plaintiff herein has against the unknown third vehicle, or any other firm, person or corporation, is reserved unto herself.

The order dated May 25, 1959, is hereby vacated and this order substituted in lieu thereof.

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

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

  
\_\_\_\_\_  
JUDGE

IEU:lg  
5/18/59

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

TRANSPORT WORKERS UNION OF AMERICA,  
AFL-CIO, LOCAL NO. 514, A. R. DOLLE,  
J. OSBORN, and J. C. PETERS,

Plaintiffs

vs.

AMERICAN AIRLINES, INC., a corporation,

Defendant

TRANSPORT WORKERS UNION OF AMERICA,  
INTERNATIONAL, AFL-CIO,

Additional Defendant  
on Counterclaim

CIVIL ACTION  
No. 4672

FILED  
IN OPEN COURT

MAY 27 1959

ORDER DISMISSING PLAINTIFF'S  
CASE OF ACTION

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

Now on this 27 day of May, 1959, there having  
been presented to the undersigned United States District Judge the Dismissal  
heretofore filed herein by the plaintiffs of the original petition filed  
herein and the Court having considered the same finds that an Order of  
Dismissal should be entered thereon:

IT IS THEREFORE ORDERED BY THIS COURT that the plaintiff's  
cause of action as filed herein be and the same is hereby dismissed without  
prejudice.

W. R. Wallace  
United States District Judge

APPROVED AS TO FORM:

UNGERMAN, GRABEL, UNGERMAN, LEITER & UNRUH

By St. Irvine E. Ungerman  
Attorneys for plaintiff and Additional  
defendant on counterclaim

CONNER, WINTERS, RANDOLPH & BALLAINE

By Hess Crumland  
Attorney for defendant,  
American Airlines, Inc.

LAW OFFICES  
UNGERMAN,  
GRABEL,  
UNGERMAN,  
LEITER &  
UNRUH  
  
SIXTH FLOOR  
WRIGHT BUILDING  
TULSA, OKLAHOMA

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

TRANSPORT WORKERS UNION OF AMERICA,  
AFL-CIO, LOCAL NO. 514, A. R. DOLLE,  
J. OSBORN and J. C. PETERS,

Plaintiffs,

vs.

AMERICAN AIRLINES, INC.,  
a Corporation,

Defendant,

TRANSPORT WORKERS UNION OF AMERICA,  
INTERNATIONAL, AFL-CIO,

Additional Defendant  
on Counterclaim

CIVIL ACTION  
No. 4672

**FILED**  
IN OPEN COURT

MAY 27 1959

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

PERMANENT INJUNCTION

Now on this 27 day of May, 1959, there came on for hearing before the undersigned United States District Judge the application of the defendant, AMERICAN AIRLINES, INC., a corporation, seeking a preliminary injunction herein; the said plaintiffs appearing herein by their counsel, Ungerman, Grabel, Ungerman, Leiter & Unruh, and the defendant appearing by its counsel, Conner, Winters, Randolph & Ballaine, and the additional defendant on counterclaim appearing by its counsel, Ungerman, Grabel, Ungerman, Leiter & Unruh, and the parties having in open Court advised the Court that the hearing herein at this time may be deemed a hearing on defendant's application for a permanent injunction; thereupon the defendant introduced the testimony of witnesses sworn and examined in open Court and having rested its cause, and no further testimony being taken in the matter, the Court finds that a permanent injunction should be entered as hereinafter set forth for the reason that otherwise defendant will suffer irreparable loss, damage and injury:

RESTRAINING AND ENJOINING ALL PERSONS COVERED  
BY THE CONTRACT COVERING STOCK CLERK AND LEAD  
STOCK CLERK EMPLOYEES OF AMERICAN AIRLINES,  
INC., DATED OCTOBER 1, 1958, AND EACH OF THEM  
AND ALL PERSONS ACTING IN CONCERT WITH OR

PARTICIPATING WITH THEM FROM CAUSING, CONDUCTING OR ENGAGING IN OR ATTEMPTING TO INDUCE OTHERS TO ENGAGE IN ANY STRIKING, PICKETING, WORK STOPPAGE, SLOW DOWN, CURTAILMENT OF WORK, CONCERTED REFUSAL TO ACCEPT OVERTIME WORK ASSIGNMENTS AS DIRECTED BY THE COMPANY IN ACCORDANCE WITH ARTICLE 6 OF THE SAID CONTRACT, OR OTHER ILLEGAL CONCERTED INTERFERENCE WITH THE NORMAL OPERATION OF DEFENDANT'S ACTIVITIES FOR THE PURPOSE OF COERCING OR ATTEMPTING TO COERCE, AMERICAN AIRLINES, INC. TO NEGOTIATE OR REOPEN NEGOTIATIONS CONCERNING SAID CONTRACT.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THIS COURT, that all persons covered by the Contract covering Stock Clerk and Lead Stock Clerk Employees of American Airlines, Inc., dated October 1, 1958, and each of them and all persons acting in concert or participating with them be and they are hereby permanently enjoined and restrained from causing, conducting or engaging in or attempting to induce others to engage in, any striking, picketing, work stoppage, slow down, curtailment of work, or any concerted refusal to accept overtime work assignments as directed by the Company in accordance with Article 6 of said contract, or other illegal concerted interference with the normal operation of defendant's activities for the purpose of coercing or attempting to coerce American Airlines, Inc., to negotiate or reopen negotiations concerning said contract.

*W. R. Wallace*

United States District Judge

APPROVED AS TO FORM:

UNGERMAN, GRABEL, UNGERMAN, LEITER & UNRUH  
Wright Building, Tulsa Oklahoma

By *[Signature]*  
Attorneys for plaintiffs and additional  
Defendant on Counterclaim

CONNER, WINTERS, RANDOLPH & BALLAINE  
1107 First National Bldg., Tulsa, Oklahoma

By *[Signature]*  
Attorneys for defendant  
American Airlines, Inc.

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

Arillus McDowell, )  
 )  
Plaintiff, )  
 )  
vs )  
 )  
F. W. Woolworth Co., )  
 )  
Defendant, )

Civil Action  
No. 4656

**FILED**

MAY 28 1959

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

J U D G M E N T

This action came on for trial before the Court and a jury, Judge Royce H. Savage presiding, and the issues having been duly tried and the jury on May 28, 1959, having rendered a verdict for the defendant,

IT IS ORDERED AND ADJUDGED that plaintiff take nothing, that the action is dismissed on the merits, and that the defendant recover of the plaintiff its costs of action.

Dated at Tulsa, Oklahoma, this 28th day of May, 1959.

Noble C. Hood, Clerk

By *H. M. [Signature]* Deputy

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Civil No. 4459

FILED

Raymond G. Eisenhower, Nellie M.  
Eisenhower, Oscar M. Gray, and  
Doris A. Gray,

Defendants.

MAY 28 1959

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

ORDER CONFIRMING REPORT AND DISCHARGING RECEIVER

Now on this 28th day of May, 1959, there came on for hearing the Report of Charles B. Ogden, receiver, appointed by the Court in the captioned action, The United States being present by Assistant United States Attorney Hubert A. Marlow and the defendant appearing not.

The Court, having duly considered such Report and there being no objections made thereto, finds that the Report should be confirmed. The Court further finds that the receiver, Charles B. Ogden, has in all respects, managed the property placed in his charge in a competent and efficient manner and has fully and faithfully discharged his duties as such receiver, and that he is entitled to be discharged and his bondsmen released from further liability.

The Court further finds that such receiver is entitled to compensation in the sum of \$60.00 as his receiver's fee and to reimburse him for his expense of his receiver's bond premium in the amount of \$10.00.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Report of Charles B. Ogden, receiver herein, be and the same is hereby approved and he is hereby discharged as such receiver and the sureties on his bond are released from further liability.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the \$60.00 for receiver's fee and expense of his receiver's bond premium be paid by the Federal Housing Administration, and that amount be deducted from the credit, derived from the sale of the instant property, given the defendants, Raymond G. Eisenhower and Nellie M. Eisenhower, upon the judgment rendered against them herein.

APPROVED:

Hubert A. Marlow  
UNITED STATES DISTRICT JUDGE

HUBERT A. MARLOW, Assistant U.S. Attorney

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

THE PRUDENTIAL INSURANCE COMPANY  
OF AMERICA, A CORPORATION,

Plaintiff,

vs.

A B A APTS., INC., A CORPORATION,  
ET AL.,

Defendants.

No. 4589

**FILED**

JUN -1 1959

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

ORDER APPROVING RECEIVER'S REPORT  
AND DISCHARGING RECEIVER

On this 1st day of June, 1959, there coming on for hearing the final report of O. B. Johnston, Receiver herein, and the Court, having read said report and being sufficiently advised in the premises, finds that said Receiver has in all respects managed the property placed in his charge according to the orders and directions of this Court, and said final report should be confirmed.

IT IS, THEREFORE, ORDERED AND DECREED that the Final Report of the Receiver herein be and the same is hereby approved.

IT IS FURTHER ORDERED that said Receiver be allowed the sum of \$ 500<sup>00</sup> as his fee herein, together with an attorney's fee to G. Ellis Gable in the amount of \$ 500<sup>00</sup> for legal representation of such Receiver, the same to be paid out of the funds in his hands.

IT IS FURTHER ORDERED AND DECREED that the balance on hand after payment of the above fees, in the amount of \$ 2967<sup>16</sup>, less any amounts due and to be paid by the Receiver for utilities or bank charges to this date, be disbursed to the judgment creditor herein to apply on its judgment, and that, thereafter, the proceeds of the sale of the property be applied as a credit on the judgment heretofore rendered herein.

IT IS FURTHER ORDERED AND ADJUDGED that, upon said Receiver's carrying out the terms of this order and furnishing receipt therefor, he stand discharged and his bondsmen released from further liability.

18/ Royce H. Savage  
United States District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

911.83 Acres of Land, More or Less,  
Situate in Rogers County, Oklahoma,  
and Ira O. Andrews, et al, and  
Unknown Owners,

Defendants.

Civil Action No. 4559

**FILED**

JUN -2 1959

J U D G M E N T

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

As To Tracts Nos. D-405, D-406 and J-1044

On May 26, 1959, this cause, as to Tracts Nos. D-405, D-406, and J-1044, came on for jury trial at Tulsa, Oklahoma, before the Honorable Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma. The plaintiff, United States of America, appeared by Robert S. Risley, United States Attorney, and Hubert A. Marlow, Assistant United States Attorney, for the Northern District of Oklahoma. The defendant owner of Tracts Nos. D-405 and D-406 appeared by her attorney, Mr. Curtis P. Harris, and the defendant owners of Tract No. J-1044 appeared by their attorney, Mr. Ralph B. Bralnard.

A jury was impaneled and sworn, opening statements were made, evidence was introduced by both sides, final arguments were made, and the Court instructed the jury. Whereupon the jury retired for deliberation, and on May 27, 1959, returned its verdict awarding just compensation as follows:

For the surface estate in Tracts Nos. D-405 and  
D-406, as such Tracts are described in the  
Declaration of Taking herein, the sum of \$4,900.00.  
For the surface estate in Tract No. J-1044, as such  
tract is described in the Declaration of Taking  
herein, the sum of \$4,250.00.

Thereupon the Court finds:

I

The Court has jurisdiction of the parties and the subject matter of this action.

## II

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in Tracts Nos. D-405, D-406 and J-1044.

## III

The Acts of Congress set out in paragraph II of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the land described in Schedule A attached to such Complaint. Pursuant thereto, on August 1, 1958, the United States of America has filed its Declaration of Taking of such described land, and title thereto should be vested in the United States of America.

## IV

On August 1, 1958, there was deposited in the Registry of this Court as estimated compensation for the taking of Tracts Nos. D-405, D-406, and J-1044, certain sums of money as set out in paragraph I below. All of these deposits have been disbursed to the landowners entitled thereto.

## V

The verdict of the jury should be approved.

## VI

Certain deficiencies exist between the amounts deposited as estimated just compensation and the amounts fixed by the jury verdict as just compensation. These deficiencies are set out in paragraph I below.

## VII

The persons named in paragraph I as recipients of the awards of just compensation are found by the Court to be the only defendants asserting any interest in the estates condemned herein, all other defendants having either disclaimed or defaulted; the named defendants are the owners of the respective tracts as designated, and as such, are entitled to distribution of just compensation therefor.

VIII

The landowners and the United States of America have stipulated herein that Mr. Wayne Swearingen, mineral witness for the United States, would testify to a value of \$300.00 for the mineral estate condemned in Tracts Nos. D-405 and D-406, and to a value of \$400.00 for the mineral estate condemned in Tract No. J-1044, and that both parties agree such sums shall be adjudged just compensation for the mineral estates condemned in such tracts.

IX

It is therefore ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use, Tracts Nos. D-405, D-406 and J-1044, as such tracts are described in Schedule A attached to the Complaint and Declaration of Taking filed herein, and such tracts, to the extent of the estate indicated and for the uses and purposes described in the Declaration of Taking filed herein, are condemned and title thereto is vested in the United States of America, and all defendants herein and all other persons interested in such tracts are forever barred from asserting any claim thereto.

X

It is further ORDERED, ADJUDGED, AND DECREED that the right to just compensation for the respective estates taken herein is vested in the defendants whose names appear below in this paragraph; the jury's verdict; and the stipulation as to mineral values set out in paragraph VIII herein, are hereby confirmed and the sums therein fixed are adopted as just compensation for each tract as set out in the following schedule:

TRACTS NOS. D-405 and D-406

Owner: Emma Minnie Grewinger.		
Jury Verdict for Surface Estate:	\$4,900.00	
Stipulation for Mineral Estate:	<u>300.00</u>	
Total Just Compensation:		\$5,200.00
Deposited as Estimated Compensation:		<u>3,740.00</u>
Deficiency:		\$1,460.00

TRACT NO. J-1044

Owners: Tim Sharp, an undivided 2/3rds interest		
Edna S. Swart, an undivided 1/3rd interest		
Jury Verdict for Surface Estate:	\$4,250.00	
Stipulation for Mineral Estate:	<u>400.00</u>	
Total Just Compensation:		\$4,650.00
Deposited as Estimated Compensation:		<u>2,460.00</u>
Deficiency:		\$2,190.00

XI

It is Further ORDERED, ADJUDGED AND DECREED, that the plaintiff, United States of America, shall pay into the Registry of this Court for the benefit of the named landowners the deficiency amounts shown in paragraph I, together with interest thereon at the rate of 6% per annum from August 1, 1958, until the date of deposit of such deficiency amounts into the Registry of this Court. Upon deposit of such deficiency amounts, the Clerk of the Court shall make distribution thereof to the owners of these tracts as their interest appears in paragraph I.

*Thos. G. Sarge*

UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*  
\_\_\_\_\_  
HUBERT A. MARLOW  
Assistant United States Attorney

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

Rose Marie Harrison, )  
 )  
Plaintiff, )  
 )  
vs. ) No. 4887 Civil  
 )  
T. E. Mercer Trucking Company, Bill )  
William Quinn and The American Fidelity )  
and Casualty Company, ) **FILED**  
 )  
Defendants. ) JUN -5 1959

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

STIPULATION FOR DISMISSAL

It is hereby stipulated and agreed by and between the parties to this action that the plaintiff, Rose Marie Harrison, may and she does hereby dismiss the above styled and numbered action with prejudice to the bringing of a future action.

Dated this 1st day of June, 1959.

Rose Marie Harrison  
Plaintiff

RUCKER, TABOR & COX

By Robert J. Rucker  
Attorneys for Plaintiff

R. D. Johnson  
Attorney for Defendants

IT IS HEREBY ORDERED that the above styled and numbered action be dismissed with prejudice, this 5<sup>th</sup> day of June, 1959.

Noble C. Hood  
U. S. District Judge  
NOBLE C. HOOD, CLERK  
By W. M. Hamilton  
Deputy

rdh/mrh

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

T. E. Walker and  
Edna Mae Walker,

Defendants.

Civil No. 4676

FILED

JUN - 8 1959

ORDER OF DISMISSAL

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

Upon motion of the plaintiff, United States of America, for dismissal without prejudice, and the defendant, T. E. Walker, having consented thereto, and pursuant to Rule 28 of the Court,

IT IS ORDERED that this action be and it is dismissed without prejudice.

Dated at Tulsa, Oklahoma, this 8th day of June 1959.

18/ Noble C. Hood  
Noble C. Hood  
Clerk

18/ B. H. Hamilton  
Deputy

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

JUN - 8 1959

United States of America, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
Edna Mae Walker, )  
 )  
Defendant. )

NOBLE C. HOOD  
Clerk, U. S. District Court  
Civil No. 4676

J U D G M E N T

On this 9<sup>th</sup> day of June 1959, the above-entitled action coming on for hearing, plaintiff, by Russell H. Smith, First Assistant U. S. Attorney for the Northern District of Oklahoma, and defendant appearing not, the Court finds that defendant was duly served with summons herein more than twenty (20) days prior to this date, and having failed to appear or answer is and should be adjudged in default.

The Court further finds that all allegations of plaintiff's complaint are true. On June 23, 1955, for a valuable consideration and in accordance with provisions of the Federal Housing Administration Act, defendant executed a written promissory note in the sum of \$1,724.70 to First Bancredit Corporation. Defendant defaulted in the payments on the note, and in accordance with provisions of the aforementioned Act, the note was assigned thereafter to plaintiff. There is now due and owing on the note the sum of \$1,016.66, plus \$34.59, interest to Feb. 13, 1957, plus 6% interest on \$1,016.66 from Feb. 13, 1957, until paid.

The Court further finds that plaintiff has filed an affidavit herein stating the defendant is not in the military or naval service, and is not an infant or 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 defendant, Edna Mae Walker, for the sum of \$1,016.66, plus interest of \$34.59, to and including February 13, 1957, plus interest at the rate of six per cent (6%) per annum on the principal sum of \$1,016.66, from February 14, 1957, until paid, and for its costs.

Dated this 9<sup>th</sup> day of June 1959.

18 Royce H. Savage  
United States District Judge

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

R. W. Means and Lloyd Sublette,  
Plaintiffs,

vs.

Walter Moore, Jr., O. R. Jones  
and Sprayline Manufacturing  
Company, a corporation,

Defendants. )

Civil No. 4670

**FILED**

JUN 10 1959

**ORDER OF DISMISSAL**

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

This cause came on for pre-trial conference before Judge Royce H. Savage, on June 10, 1959, and the court found that it lacked jurisdiction as there was not complete diversity of citizenship between the parties.

It is therefore ordered that this cause be and it is dismissed for lack of jurisdiction.

Dated at Tulsa, Oklahoma, this 10th day of June, 1959.

**NOBLE C. HOOD, CLERK**

By

*(S) M. M. Ewing*

Chief Deputy

FILED

JUN 11 1959

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

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

THEODORE WILSON,  
OSAGE ALLOTTEE NO. 367,

)  
:  
Plaintiff, )

vs.

) Civil Case  
No. 4682  
:  
)

CLARA WILSON, ET AL.,

)  
:  
Defendants. :

FINDINGS OF FACT AND JUDGMENT

Now on this 8th day of June, 1959 the above styled cause came on for trial, plaintiff appearing by his attorney, Matthew J. Kane, the defendant, Edmund K. Wilson, Jr., appearing by his guardian ad litem, L. M. Colville, and the balance of the defendants appearing by their attorney, L. M. Colville.

FINDINGS OF FACT

1. That this court has jurisdiction of this cause and of the parties hereto.

2. That the plaintiff is a full blood member of the Osage tribe of Indians and does not now and has never had a certificate of competency and as such is under the guardianship of the United States of America and supervision of the Osage Indian Agency.

3. That on January 21, 1921 there was purchased for the said Theodore Wilson the following described property situated in Osage County, Oklahoma, to wit:

Lot 6, Block 6, in the Original Townsite of Pawhuska, Oklahoma.

4. That at the time of the said purchase the said Theodore Wilson was under guardianship and the said property was purchased for and on his behalf by his guardian with funds which were his funds by reason of his Indian blood; that by an act of Congress which became effective on February 27, 1925 (43 Stat. L. 1009) re-

restrictions against alienation, sale, disposal or assignment of the said property, without the approval of the Secretary of the Interior were imposed.

5. That on May 3, 1948 judgment was entered in the District Court of Osage County, Oklahoma, in which was inserted the language which appears in the complaint herein that the said judgment of the District Court of Osage County, Oklahoma, was not approved by the Secretary of the Interior or any of his authorized representatives.

#### CONCLUSION OF LAW

1. That by reason of the restrictions upon alienation, sale or disposal of the said property imposed by the act of Congress mentioned, the said judgment of the District Court of Osage County, Oklahoma, insofar as the same attempted to alienate the above described property without the consent of the Secretary of the Interior is concerned, was a void judgment.

#### JUDGMENT

The court therefore concludes, as a matter of law, that the plaintiff is entitled to the judgment prayed for herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff, Theodore Wilson, have judgment decreeing that the defendants, Clara Wilson, Edmund K. Wilson, Adeline M. Wilson, Edmund K. Wilson, Jr., and the unknown and unborn heirs of the bodies of Edmund K. Wilson and Adeline M. Wilson have no right, title or interest in the above described real estate.

IT IS FURTHER ORDERED that guardian ad litem fee, in the amount of \$125.00, be paid to L. M. Colville.

Royce H. Savage  
(Royce H. Savage)

District Judge

C. K.

Wm. S. Hamilton  
(Wm. S. Hamilton)

O. K.

~~Matthew J. Kane~~  
~~(Matthew J. Kane)~~

Attorneys for Plaintiff

~~L. M. Colville~~  
~~(L. M. Colville)~~

Guardian ad Litem for  
Edmund K. Wilson, Jr.

~~L. M. Colville~~  
~~(L. M. Colville)~~

Attorney for Balance of  
the Defendants

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

PITTSBURGH PLATE GLASS COMPANY,  
A Corporation,

Plaintiff,

vs.

NO. 4439

STANDARD INSURANCE COMPANY, an  
Oklahoma corporation, and  
H. P. SANTEE and A. F. SCUDDER,  
Individually and as Partners  
doing business as SANTEE  
CONSTRUCTION COMPANY,

Defendants.

FILED

JUN 12 1959

DEGREE AND JUDGMENT

A decree in the above styled cause is hereby entered in  
conformance with the findings of fact and conclusions of law  
made by the court on the 11th day of June, 1959.

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

It is further ordered that judgment be entered against  
H. P. Santee in the sum of \$935.69 and in favor of A. F. Scudder  
on behalf of the Santee Construction Company, a partnership  
composed of H. P. Santee and A. F. Scudder, now dissolved,  
with said judgment, when collected, to be applied in reduction  
of the \$3,588.35 judgment debt of the partnership to the  
Standard Insurance Company, an Oklahoma corporation, under the  
main cause of action herein.

SIGNED this 12th day of June, 1959.

by Royert H. Savan  
U. S. DISTRICT JUDGE



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

BUFFALO FORGE COMPANY, A  
Corporation,

Plaintiff,

vs.

MARTIN SUPPLY COMPANY, A  
Corporation, REX A. MARTIN, and  
MARION MARTIN,

Defendants.

No. 4661

**FILED**

JUN 12 1959

ORDER FOR SUMMARY JUDGMENT

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

On the 12th day of June, 1959, this cause came on to be heard on motion of plaintiff for a summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure, and the court, having considered the pleadings in the action, the affidavits of plaintiff, and having found that there is no genuine issue as to any material fact and no controversial question of fact to be submitted to the trial court; having concluded that plaintiff is entitled to judgment as a matter of law.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the said plaintiff do have and recover ~~the~~ from the said defendants, Martin Supply Company, A Corporation, and Rex A. Martin, and each of them, the sum of \$9,648.01, with interest at 10% per annum from the 4th day of February, 1959 until paid and the further sum of \$936.70 as attorney's fees, together with the costs of this action, accrued and accruing. That the note herein sued upon be merged and cancelled in judgment.

IT IS FURTHER ORDERED AND ADJUDGED by the court that in case the said defendants fail for 10 days from the date of the entry of this judgment to pay the said plaintiff the said sum of \$9,648.01, with interest, attorney's fees, and the costs of this action, an order of sale shall issue to the marshal of this court commanding him to advertise, levy and sell, according to law, with appraisal, the lands and tenements described in the mortgage filed herein and foreclosed herewith, to-wit:

Lot Five (5), of Play Haven, a subdivision of a portion of the Northeast Quarter of the Southeast Quarter (NE/4 SE/4) of Section Twenty (20) Township Twenty-four (24) North, Range Twenty-two (22) East, as shown by the recorded plat thereof.

situated in the county of Delaware, within the Northern District of the state of Oklahoma, and to apply the proceeds arising from said sale as follows:

1. In payment of the costs of said sale and of this action.
2. In payment of taxes due.
3. In payment to the said plaintiff of the said sum of \$9,648.01, the amount of the judgment, together with interest thereon at 10% per annum from the 4th day of February, 1959 and attorney's fees of \$936.70.
4. That the residue, if any, be paid to the clerk of this court to wait the further order of the court.

If the amount derived from said sale is insufficient to satisfy the said judgment, interest, attorney's fees and costs, let execution issue against said defendants for the remainder unpaid.

IT IS FURTHER ORDERED AND ADJUDGED by this court that from and after the sale of said real property under and by virtue of this judgment and decree, said defendants, including the defendant, Marion Martin, and each of them, and all persons claiming under them, or either of them, since the filing of the petition herein be, and they are forever barred and foreclosed of and from any and every lien upon right, title, interest, estate or equity of, in, or to said real estate or any part thereof.

/s/ ROYCE H. SAVAGE  
DISTRICT JUDGE

O. K. AS TO FORM:

/s/ WM. J. THREADGILL  
Attorney for Plaintiff

UNGERMAN, GRABEL, UNGERMAN, LEITER & UNRUH  
/s/ By James Unruh  
Attorney for Defendant

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

H. D. YOUNGMAN CONTRACTOR, INC.,  
a corporation, H. D. YOUNGMAN,  
INC., a corporation, and EMPLOYERS'  
LIABILITY ASSURANCE CORPORATION, LTD.,

Plaintiffs,

vs.

PAT DISIDORE, ALTHEA MONTGOMERY,  
MUSKEGEE CONSTRUCTION COMPANY,  
a corporation, BURBANK ROCK  
COMPANY, a corporation, and  
PHOENIX ASSURANCE CO. OF NEW  
YORK, a corporation,

Defendants.

No. 4600

FILED

JUN 16 1959

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

J U D G M E N T

NOW, on this 16<sup>th</sup> day of June, 1959, there came on for trial, pursuant to regular assignment, the above-captioned matter. The plaintiffs appeared by and through their attorney, Alfred B. Knight, and the defendants, Pat Disidore and Althea Montgomery appeared by John B. Baumert; defendants, Muskegee Construction Company and Burbank Rock Company appeared by their attorney, Frank Mahan; and defendant, Phoenix Assurance Company of New York, appeared by and through their attorney, Thomas Palmer.

Now on the findings of fact and conclusions of law heretofore made in this cause, the Court finds that the following should be entered, and the Clerk is ordered and directed to enter the same:

IT IS ORDERED, ADJUDGED AND DECREED by the Court that the defendants, Muskegee Construction Company and Burbank Rock Company, have the duty and obligation to defend and pay any further expenses, judgments and costs in the case of Pat Disidore d/b/a Pat's Drive-In, No. 24978 in the District Court of Pittsburg County, State of Oklahoma; further, they have the duty and obligation to defend and pay any further expenses, judgments and costs in the case of Althea Montgomery, No. 25083 in the District Court of Pittsburg County, State of Oklahoma.

IT IS FURTHER ORDERED, in accordance with the terms and provisions of the certain insurance policy, that Phoenix Assurance Company of New York, defend and pay any judgments and costs in the Aithes Montgomery cause, and indemnify and hold harmless Burbank Rock Company, in accordance with the terms and provisions of the certain policy of insurance; Phoenix Assurance Company of New York has no obligation or policy of insurance covering and including the action of Fat Disiders above mentioned.

F O O

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

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

UNITED STATES FIDELITY & GUARANTY CO., )  
a corporation, and STANDARD INDUSTRIES, )  
INC., a corporation, )  
Plaintiffs, )  
vs. )  
THE AETNA CASUALTY & SURETY CO., and )  
EVERY DENTIS, )  
Defendants. )

No. 4591 Civil

**FILED**

JUN 22 1959

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

ORDER OF DISMISSAL

NOW, on this 1st day of April, 1959, there came on for hearing pursuant to regular assignment the above-captioned matter for argument and decision. Plaintiffs appeared by and through their attorney, Alfred B. Knight, and defendants appeared by and through their attorney, W. E. Green. After oral argument, and the Court being fully advised in the premises, the Court finds certain issues of fact and conclusions of law. Such findings of fact and conclusions of law have been heretofore entered in said cause.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the above-captioned matter be dismissed without prejudice to the rights of the parties; after the proximate cause of the accident and injuries has been determined in the case of Dentis versus Standard Industries, Inc., No. 95034 in the District Court of Tulsa County, State of Oklahoma, either of the parties hereto may refile an action to determine their rights in accordance with the findings of fact and conclusions of law entered herein.

  
U. S. DISTRICT JUDGE

\_\_\_\_\_  
Attorney for the Plaintiffs

\_\_\_\_\_  
Attorney for the Defendants



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

CYRIL R. and LOUISE TUMA,  
Plaintiffs,  
vs.  
UNITED STATES OF AMERICA,  
Defendant.

Civil Action  
No. 4628

**FILED**

JUN 25 1959

ORDER OF DISMISSAL

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

Pursuant to stipulation of the parties, it is hereby  
ordered that the above entitled action be and the same is hereby  
dismissed, with prejudice, each party to bear its respective  
costs.

DATED this 24 day of June, 1959.

Rayce H. Savage  
United States District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

CIVIL NO. 4633

Joe Ray Smith; Board of County Commissioners of Pawnee County, State of Oklahoma; Mildred Grubb, County Treasurer, and Ralph Decker, County Assessor, of Pawnee County, State of Oklahoma,

Defendants.

**FILED**

JUN 29 1959

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

J U D G M E N T

NOW, on this 26<sup>th</sup> day of June, 1959, the above cause coming on for hearing pursuant to regular assignment, the plaintiff, United States of America, appearing by Robert S. Rizley, United States Attorney, and Frederick S. Nelson, Assistant United States Attorney, for the Northern District of Oklahoma, and the defendants appearing not in person or by attorney, the court finds that this is a suit to quiet title to certain lands located in Pawnee County, Oklahoma, within the Northern Judicial District of Oklahoma.

The court further finds that due and legal personal service of summons has been made upon the defendants Joe Ray Smith, Board of County Commissioners of Pawnee County, State of Oklahoma; Mildred Grubb, County Treasurer and Ralph Decker, County Assessor, of Pawnee County, State of Oklahoma, requiring that they answer the complaint filed herein not more than twenty (20) days after the date of service of summons, and the court further finds that the defendant Joe Ray Smith, has filed a disclaimer as to the lands involved herein, and the defendant Ralph Decker, County Assessor of Pawnee County, Oklahoma, filed an answer herein, but has otherwise failed to appear in person or by attorney and is in default, and that the other defendants have failed and neglected to answer or otherwise plead to the complaint, and said defendants are therefore adjudged in default and the court being fully advised finds that all of the allegations in the complaint of the plaintiff are true.

The court further finds that on January 15, 1937, the plaintiff, United States of America, purchased an undivided one-third (1/3) interest in the East Half of Southeast Quarter of Section 12, Township 22 North, Range 5 East, Pawnee County, Oklahoma, in trust for Annie Eustis Knife Chief, a full-blood Pawnee Indian, Allottee No. 87, said conveyance being accepted by Oscar L. Chapman, Assistant Secretary of the Interior, on February 15, 1937.

The court further finds that said real estate was purchased by the plaintiff, United States of America, pursuant to the terms of Section 1, of the Act of June 26, 1936 (49 Stat. 1967; 25 U.S.C.A., Sec. 501), and that by virtue of the terms of said Act such real estate so conveyed became non-taxable except as to gross production tax upon oil and gas produced from said lands.

The court further finds that there was erroneously assessed taxes against said real estate for the years 1937 through 1958 and that the County Treasurer's Resale Deed to the defendant, Joe Bay Smith, issued on May 11, 1943, covering said real property for the nonpayment of taxes for the years 1936 through 1942 is void and of no effect.

The court further finds that Annie Eustis Knife Chief died intestate on April 5, 1938, leaving as her sole heir, Charles Knife Chief, her husband. That Charles Knife Chief died intestate on March 30, 1941, leaving as his sole heirs:

Maudie New Rider, wife, Pawnee No. 759  
Dennis Knife Chief, son, unallotted Pawnee  
John A. Knife Chief, son, unallotted Pawnee  
Mammal Knife Chief, son, unallotted Pawnee  
Mamie Grant Morgan, daughter, unallotted Pawnee

and that the property herein described is still in the hands of the United States of America in trust for the heirs of Annie Eustis Knife Chief.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** by the court that

An undivided 1/3 interest in the East Half of Southeast Quarter of Section 12, Township 22 North, Range 5 East, Pawnee County, Oklahoma,

is held in trust by the United States of America for the heirs of Annie Eustis Knife Chief, Pawnee Indian Allottee No. 87, and that such real estate is non-taxable for the years 1937 through 1958 and succeeding years so long as so held by the United States of America, or until Congress otherwise directs and that the taxing officials of Pawnee County are ordered, directed and adjudged to strike and cancel said real estate from the assessment rolls of said county.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the County Treasurer's Resale Deed dated May 11, 1943, covering an undivided one-third interest in the East Half of Southeast Quarter of Section 12, Township 22 North, Range 5 East, Pawnee County, Oklahoma, is void and of no effect.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the defendants and each of them and all persons claiming under them be and they are forever barred from claiming any right, title, interest, estate or equity of, in or to such real estate, or any part thereof.

ROYCE H. SAVAGE

---

U. S. DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Ralph S. Bivins and Norma A. Bivins,

Defendants.

CIVIL NO. 4636

FILED

JUN 29 1959

J U D G M E N T

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

NOW, on this 29th day of June, 1959, the above cause coming on for hearing pursuant to regular assignment, the plaintiff, United States of America, appearing by Robert S. Risley, United States Attorney, and Frederick S. Nelson, Assistant United States Attorney, for the Northern District of Oklahoma, and the defendants appearing not in person or by attorney, the court finds that this is a suit on a promissory note and for foreclosure of a mortgage on real estate securing the note, which real estate is located in the County of Ottawa, State of Oklahoma, within the Northern Judicial District of Oklahoma.

The court further finds that due and legal personal service of summons has been made upon the defendants, Ralph S. Bivins and Norma A. Bivins, requiring that they answer the complaint filed herein not more than twenty (20) days after the date of service of summons, and the court further finds that the defendants have failed and neglected to answer or otherwise plead to the complaint, and the defendants and each of them are therefore adjudged in default and the court being fully advised, finds that all of the allegations and averments in the complaint of the plaintiff are true.

The court further finds that the defendants, Ralph S. Bivins and Norma A. Bivins, on November 27, 1956, for a valuable consideration, made, executed and delivered to Norman P. Mason, Federal Housing Commissioner, his successors and assigns, their certain mortgage note in the principal sum of \$5,700.00, with interest thereon at the rate of  $4\frac{1}{2}\%$  per annum; that on November 27, 1956, as part of the same transaction and for the purpose of securing payment of the mortgage note, the defendants, Ralph S. Bivins and Norma A. Bivins, made, executed and delivered to Norman P. Mason, Federal Housing Commissioner, his successors and assigns, a certain written mortgage covering the following described real estate, to-wit:

Lot Eight (8), Block Six (6), in Nancy Lee Addition to the City of Miami, Ottawa County, State of Oklahoma, according to the amended plat thereof.

The mortgage was duly recorded on December 4, 1956, in Book 259, page 214 of the records of the Office of the County Clerk of Ottawa County, Oklahoma, after the required mortgage tax was paid.

The court further finds that the defendants, Ralph W. Bivins and Norma A. Bivins, made default in payment of the above described mortgage note in that they failed to pay the note according to its terms and there is now and owing on the note an unpaid balance of \$5,822.17, with interest thereon at the rate of \$.68616 per day from September 5, 1958 to date of judgment herein, together with interest on the judgment at the rate of 6% per annum from the date judgment is entered herein until paid, together with the costs of this action, accrued and accruing.

The court further finds and adjudges that the plaintiff has a first and prior lien upon the real estate and premises described in its complaint, and described above, by virtue of the mortgage held as security for the payment of such indebtedness, interest and costs.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that plaintiff have and recover judgment against the defendants, Ralph S. Bivins and Norma A. Bivins, for the sum of \$5,822.17, with interest at the rate of 4½% per annum, or \$.68616 per day from September 5, 1958 to date of judgment herein, together with interest on the judgment at the rate of 6% per annum from the date judgment is entered herein until paid, together with the costs of this action accrued and accruing.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that if this judgment remain unpaid after the expiration of six (6) months from the date of this judgment, 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 appraisalment, the lands and tenements described in the mortgage, to-wit:

Lot Eight (8), Block Six (6), in Nancy Lee Addition to the City of Miami, Ottawa County, State of Oklahoma, according to the amended plat thereof,

and apply the proceeds as follows:

- (1) In payment of the costs of the sale and of this action;
- (2) In payment of any unpaid taxes due;
- (3) In payment to the plaintiff of the sum of its judgment herein;
- (4) The residue, if any, to be paid to the Clerk of this Court to await the further order of the court.

If the amount derived from such sale is insufficient to satisfy plaintiff's judgment, interest and costs, that execution issue against the defendants, Ralph S. Bivins and Norma A. Bivins, for the remainder unpaid.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that from and after the sale of the real estate, under and by virtue of this judgment and decree, the defendants and each of them and all persons claiming under them, or any of them, since the filing of the complaint herein, be and they are forever barred and foreclosed of and from any and every lien upon, right, title, interest, estate or equity of, in or to such real estate, or any part thereof.

12 Royce H. Savage  
U. S. DISTRICT JUDGE

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

WILLIAM E. ESFELD and  
FRANCES A. ESFELD, d/b/a  
ESFELD DIRT CONSTRUCTION,

Plaintiffs,

vs.

BILL WARD and JOE WARD,  
d/b/a WARD GENERAL OIL FIELD  
CONSTRUCTION COMPANY,

Defendants.

No. 4574 Civil.

**FILED**

JUN 30 1959

NOBLE C. HOOD

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

On this 29th day of June, 1959, pursuant to agreed Findings  
of Fact and Conclusions of Law rendered and on file in this case,

IT IS ADJUDGED that plaintiffs William E. Esfeld and Frances  
A. Esfeld, d/b/a Esfeld Dirt Construction, have and recover the  
sum of \$3,274.10 from defendants Bill Ward and Joe Ward, d/b/a  
Ward General Oil Field Construc<sup>tion</sup>/ Company, with interest at six  
per cent. per annum from this date, for which let execution issue.

19 Royce H. Savage  
District Judge.

O.K.

Robert W. Reynolds  
Robert W. Reynolds,  
Attorney for Defendants.

Thomas M. Finney  
Thomas M. Finney,  
Attorney for Plaintiffs.

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Civil No. 4673

Thomas J. Hill,

Defendant.

**FILED**

JUN 30 1959

J U D G M E N T

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

On this 30 day of June 1959, the above-entitled action coming on for hearing, the plaintiff, appearing by Russell H. Smith, First Assistant U. S. Attorney for the Northern District of Oklahoma, and the defendant appearing not, the Court finds that defendant was duly served with summons herein more than twenty (20) days prior to this date, and having failed to appear or answer is and should be adjudged in default.

The Court further finds that all allegations of plaintiff's complaint are true; that defendant is indebted to plaintiff in the sum of \$590, plus interest, after allowance of all just credits and set-offs; that there remains a balance of \$590, plus interest of \$6.40, due, owing, and unpaid, plus six per cent (6%) per annum from the date of judgment on the principal sum of \$590, until paid.

The Court further finds that plaintiff has filed herein an affidavit stating that the defendant is not in the military or naval service of the United States, and is not an infant, or 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 defendant, Thomas J. Hill, for the sum of \$590, plus interest of \$6.40, plus interest at the rate of six per cent (6%) per annum from the date of judgment on the principal sum of \$590, until paid, and for costs of this action.

  
United States District Judge

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

M. F. Appisby, Inc. . . . Plaintiff,

vs.

~~Company, Inc.~~ . . . Defendant.

}  
} No. 4536 Civil

FILED

JUL - 1 1969

JUDGMENT

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

Case came on for trial on May 28, 1969, plaintiff appearing  
represented by counsel, G. C. Spillers, Jr., and Jack R. Givens, and  
defendant appearing by its counsel, R. D. Hudson and Perry Dorman.  
All parties having announced ready for trial and a jury having been impaneled,  
the parties as the first above mentioned started the introduction of evi-  
dence. The trial having not been concluded, the matter was adjourned until  
the 27th day of May, 1969, and the evidence having  
been introduced, the plaintiff announced he rested his case. Whereupon, the  
defendant moved for judgment as a matter of law for the reason that  
the evidence offered by plaintiff was insufficient to establish  
the facts to warrant the court and jury granting the relief prayed  
for. The motion for judgment as a matter of law was by the court overruled. The defendant then  
rested its case and all of the evidence having been introduced and the  
plaintiff having announced they rested, the defendant renewed its motion to dis-  
miss the case and direct a verdict and render judgment in favor of  
the defendant on the ground all of the evidence introduced disclosed plaintiff  
was not entitled to the relief sought herein, which motion  
was by the court overruled.  
Whereupon the cause was argued by respective counsel and the court  
instructed the jury after which the jury in open court returned its verdict in

favor of the plaintiff and against the defendant, fixing the amount of plaintiff's recovery at the sum of \$20,000.00.

Now on the 23rd day of June, 1959, the matter comes on before the court for decision upon defendant's motion for judgment notwithstanding the verdict. The parties appeared by their respective counsel. The court having considered the briefs herein filed by the respective parties, and being fully advised in the premises, finds and concludes that the plaintiff in the transaction herein complained of was, as a matter of law, acting as a broker representing the defendant corporation; that while so doing he was attempting to secure for himself a secret profit in the transaction without the knowledge or consent of the defendant and that he was in said transaction acting as the agent of one Pringle and at the same time acting as agent for the defendant without disclosing to the defendant his agency with Pringle. The court therefore concludes that defendant's motion for judgment notwithstanding the verdict should be sustained and judgment entered in favor of the defendant, at plaintiff's cost.

IT IS THEREFORE ADJUDGED AND DECREED that defendant's motion for judgment notwithstanding the verdict be, and the same is hereby sustained and judgment be entered in favor of the defendant and against the plaintiff.

IT IS FURTHER ORDERED that defendant pay judgment for its costs herein expended, all of which the plaintiff in open court objects.

  
U. S. District Judge

Approved as to form

SPILLERS & SPILLERS

By   
Attorneys for Plaintiff

  
  
Attorneys for Defendant

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Civil No. 4506

Sinclair Crude Oil Company,

and

Canadian Oil & Gas Company,

Defendants.

FILED

JUL -2 1959

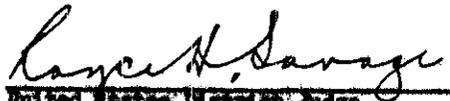
NOBLE C. HOOD  
Clerk, U. S. District Court

SUMMARY JUDGMENT

This cause came on to be heard this 10th day of June 1959, on motions of defendants, Sinclair Crude Oil Company and Canadian Oil & Gas Company, for judgment on the pleadings, and the United States of America, being represented by Russell H. Smith, First Assistant U. S. Attorney, for the Northern District of Oklahoma, and the defendant, Sinclair Crude Oil Company, being represented by Angus A. Davidson, Cecil R. Backles, and Miriam Lashley, and Canadian Oil & Gas Company, being represented by William J. Holloway, Jr., which motions are hereby considered to be motions for summary judgment, the Court, having considered the pleadings in the action, having heard oral arguments, having found there is no genuine issue as to any material fact and no controverial question of fact to be submitted to the trial court, and that the motions of defendants should be sustained,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the plaintiff, United States of America, recover nothing of the defendant, Sinclair Crude Oil Company.

IT IS FURTHER ORDERED that the defendant, Canadian Oil & Gas Company, recover of defendant, Sinclair Crude Oil Company, the sum of \$1,012.82 without interest thereon and without costs.

  
United States District Judge

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

JOHN M. WINTERS, JR. and  
MARIAN M. WINTERS,

Plaintiffs,

v.

THE UNITED STATES OF AMERICA,

Defendant.

CIVIL NO. 4199

**FILED**

JUL - 9 1959

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

JUDGMENT

On remand of this case from the Court of Appeals for the Tenth  
Circuit, and pursuant to the mandate of the Court of Appeals, it is hereby

ORDERED, ADJUDGED AND DECREED that plaintiffs recover of defendant  
\$296.05, plus interest as allowed by law.

*Royce H. Savage*

UNITED STATES DISTRICT JUDGE

Approved

Roger S. Randolph  
Horace D. Ballaine  
Attorneys for Plaintiff

(5) *Frederick S. Nelson*  
Frederick S. Nelson  
Assistant U.S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

1,663.10 Acres of Land, More or Less,  
Situate in Nowata and Rogers Counties,  
Oklahoma, and Katherine J. Steil, et al,  
and Unknown Owners,

Defendants.

Civil Action No. 4643

FILED

JUL -9 1959

J U D G M E N T

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

As To Tract No. O-1586E

This cause comes on for disposition on the stipulation of the parties as to Tract No. O-1586E on this 9<sup>th</sup> day of July 1959. The Court, having been advised by Hubert A. Marlow, Assistant United States Attorney, for the Northern District of Oklahoma, finds that:

I

This Judgment applies only to Tract No. O-1586E.

II

The Court has jurisdiction of the parties and the subject matter of this action.

III

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in Tract No. O-1586E.

IV

The Acts of Congress, set out in Paragraph II of the Complaint filed herein, give the United States of America the right, power, and authority to condemn for public use, Tract No. O-1586E, as described in Schedule "A" attached to such Complaint. Pursuant thereto, on February 19, 1959, the United States of America has filed its Declaration of Taking of such described tract, and title thereto should be vested in the United States of America.

V

On February 19, 1959, there was deposited in the Registry of this Court as estimated compensation for the taking of Tract No. O-1586E, the sum of \$915.00, and all of this deposit has been disbursed to the landowners entitled thereto.

VI

On the date of taking, fee simple title to Tract No. O-1586E, as such tract is described in the Declaration of Taking, was vested in Roy R. McGill and Dorothy McGill, husband and wife, and such parties being the owners of this tract, are entitled to distribution of just compensation therefor.

VII

The defendants, Roy R. McGill and Dorothy McGill, and the Plaintiff, United States of America, have entered into a stipulation as to just compensation for Tract No. O-1586E wherein the parties have agreed that the sum of \$1600.00, plus the building by the Government a lawful fence on the boundary line between the McGill property and the subject tract, shall be just compensation for the estate as described in the Declaration of Taking, taken by the Government in Tract No. O-1586E, and such stipulation should be approved.

VIII

A deficiency in the amount of \$685.00 now exists between the amount deposited as estimated compensation for the estate taken in Tract No. O-1586E and the amount fixed by the stipulation of the parties as just compensation.

It is Therefore ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power and authority to condemn for public use, Tract No. O-1586E, as such tract is described in Schedule "A" attached to the Complaint and Declaration of Taking filed herein, and such tract, to the extent of the estate indicated and for the uses and purposes described in the Declaration of Taking filed herein, is condemned and title thereto is vested in the United States of America, and all defendants herein and all other persons interested in such tract are forever barred from asserting any claim thereto.

It Is Further ORDERED, ADJUDGED AND DECREED that the right to just compensation for the estate taken herein in Tract No. G-1536E, is vested in Roy R. McGill and Dorothy McGill; the stipulation as to just compensation for the estate taken in the subject tract referred to in Paragraph VII herein is hereby confirmed; and the award therein fixed is adopted as just compensation for such tract.

It Is Further ORDERED, ADJUDGED AND DECREED that the Plaintiff, United States of America, shall pay into the Registry of this Court for the benefit of the landowners, the deficiency amount of \$685.00. Upon deposit of such deficiency, the Clerk of this Court shall make distribution thereof to Roy R. McGill and Dorothy McGill.

*Royce R. Savage*

UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*

HUBERT A. MARLOW  
Assistant United States Attorney