IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DIVISION OF THE NORTHERN DISTRICT OF ALABAMA

IN THE MATTER OF

P. J. Kroell, Bankrupt.)

In Bankruptcy

No. 35198

At Birmingham, Alabama, in said District, on the 12 day of January, 1932.

Before EMDUMD H. DRYER, Referee in Bankruptcy:

Comes the trustee in this proceeding and showeth unto the court that on April 6, 1931, the bankrupt and his wife executed to A. C. Galloway, Sr. a first mortgage for \$5240.00, payable March 28, 1932, covering the Si of Lot 22 of the original plat of the town of Montevallo, Alabama, which mortgage was filed for record in the Probate Office of Shelby County, Alabama on April 7, 1931 and recorded therein in Volume 155 of Mortgages, at page 361, and that the said indebtedness secured by the said mortgage is still owing and unpaid; that on the 6th day of April, 1931, the bankrupt and his wife executed to M. A. Creagh that certain mortgage filed for record in said Propate Office on the 7th day of April, 1931, and recorded therein in Volume 155 of Mortgages, at page 360, covering the same land and also the following personal property:

One drug store outfit, bought from Doster Drug Company, of Birmingham, Alabama, now stored in warehouses number 1, 2 and 3 of P. J. Kroell, at Montevallo, and consisting of the following:

50 feet wall cases; 1 wall tobacco case; 1 Back bar and counter; 2 cigar and tobacco floor cases; 2 plate glass candy cases; 18 ft floor show cases; 1 heater; 1 coffee urn; 5 round top tables; 20 chairs; 1 onyx top; soda Count; and 16 ft counters,

which said last mentioned mortgage was and is, according to its terms, second to the said mortgage first hereinabove mentioned; that under order of court this day made the trustee in bankfuptcy has paid to W. H. Bennett Tin Shop \$80.00 in full payment of the lien claim of the said W. H. Bennett Tin Shop on the building upon the said land, with the understanding that thereby the trustee in bankruptcy has become subrogated to the said lien of the said W. H. Bennett Tin Shop.

The trustee further reports to the court that the said M. A. Creagh has offered to purchase the said real and personal property described in the said mortgage to him for the gross price of \$10,320.00, plus the assumption to pay also 1932 taxes, as if so much money received and disbursed by the trustee in bankruptcy in this proceeding, of which total sum of \$10,320.00, \$80.00 is paid in cash in settlement of the said lien of the said W. H. Bennett Ten Shop, to which the trustee in bankruptcy is subrogated, as aforesaid, and the balance of \$10,240.00 plus taxes for 1932 is paid as if so much money received and disbursed by the trustee in this proceeding by full payment and satisfaction of the said mortgage for \$6500.00 with accrued interest amounting to \$400.00 and assumption by the said M. A. Creagh to pay the said \$3240.00 secured by the said mortgage, as aforesaid, when the same shall become due; and the trustee further reports to the court that he has been anable to find a purchaser for a higher price, and that the said price of \$10,320.00 for the subject matter of the sale is the full, fair and reasonable value thereof, and that it is to the best interest of this estate that the said offer be accepted.

It is thereupon upon the motion of the trustee in bankruptcy, no adverse interest appearing, by the court CONSIDERED, ORDERED AND DECREED that the said sale, upon the terms hereinabove set forth, is ratified and confirmed; and the trustee in bankruptcy will executed to the said M. A. Creagh a good and sufficient deed accordingly.

M. A. Creagh,
Montevallo, Alabama
A. C. Galloway,
Montevallo, Alabama

Edmond H. Dryer

Referee in Bankruptcy.

Cdpy to:
Harry Gordon, Trustee, Columbiana, Ala.
Sen. L. H. Ellis, Atty., Columbiana, Ala.

ENDORSED: Filed in office January 12, 1932.

Edmund H. Dryer, Referee in Bankruptcy.

Under Section 21 of the Acts of Congress relating to Bankruptcies, I hereby certify that the foregoing is a true and correct copy of the order confirming the sale by the trustee in bankruptcy of the real and person all property therein described to M. A. Creagh, as the same remain of record, in these preceedings.

Given this the 6th day of June, 1936.

Edmund H. Dryer,

Referee in Bankruptcy.

Filed for record in this of fice the 10th day of June, 1936 at 9:30 A. M. and recorded in Deed Record #101, page 47, and examined.

L. C. Walker, Judge of Probate, Shelby County, Ala.