

United States of America  
Western District of South Carolina,  
In the District Court.

In the Matter of  
James Robert Martin  
Bankrupt.

B-1525  
Order Confirming Sale of Real Estate.

( )

This matter comes before the Court upon the petition for sale of real estate filed by H. K. Tomnes, Trustee in bankruptcy of the above bankrupt estate, the order of sale by the Referee, the report of sale by the trustee, and the Referee's recommendation on said sale.

It appears that among the assets of the bankrupt estate was the real estate hereinafter described. Homestead was set off to the bankrupt in other property. The real estate hereinafter described was covered by a first mortgage to the Metropolitan Life Insurance Company, and by a second mortgage to C. G. Haynsworth. Petition was filed by the Trustee praying that these mortgages be foreclosed and that said property be sold and that the liens of the mortgages be transferred to the proceeds of sale. Upon this petition a reference was held before S. M. Blythe, Referee in bankruptcy, April 8th, 1935, and thereafter the said Referee filed his report and order directing the sale of the said property, free of liens. Pursuant to said order the said property was advertised for sale as required by law and in accordance with the terms of said advertisement was sold at public auction on May 6th, 1935, at 11:00 o'clock A. M. before the United States Court House at Greenville, S. C., in this District, to Metropolitan Life Insurance Company, for Thirty-Three Thousand, Five Hundred (\$33,500.00) Dollars, said company being at that price the highest bidder therefor. Thereafter at a meeting of creditors held on the same date, after notice as required by law, a resolution was unanimously adopted approving said sale.

It appears from the report of the Trustee, approved by the Referee, that said property will not sell for enough to pay the aggregate of the mortgage debts and the Trustee and the Referee recommend that the sale as made to the Metropolitan Life Insurance Company be approved and confirmed.

It is, therefore, ordered that the sale of the property hereinafter described to Metropolitan Life Insurance Company for the sum of Thirty-Three Thousand, Five Hundred (\$33,500.00) Dollars, as reported by the Trustee, be, and the same hereby is, approved and confirmed and that upon compliance by the purchaser with the terms of sale the Trustee do make and deliver to the said purchaser Metropolitan Life Insurance Company, his deed conveying the property hereinafter described, free of liens and claims of every sort, except for taxes for the year 1935.

It is further ordered that out of the proceeds of sale the Trustee do pay the taxes now due on said property as follows:-

Greenville City taxes, Six Hundred Fifty & 87/100 (\$650.87) Dollars;  
County and State taxes, Eight Hundred Seventy-Eight & 66/100 (\$878.66);

and do pay the agreed commissions of One Hundred (\$100.00) Dollars to the trustee, and One Hundred (\$100.00) Dollars to the Referee, and the cost of any documentary stamps required to be placed on the deed, and do pay over the balance to the Metropolitan Life Insurance Company, as hold of the first mortgage.

It is further ordered that the referee do mark satisfied and cancelled of record the mortgage given by the bankrupt to Metropolitan Life Insurance Company dated August 23rd, 1928, and recorded in the R. M. C. office for Greenville County in Mortgages Book 124, at page 106, and also the mortgage given by the bankrupt to C. F. Haynsworth, dated January 2nd,

248