

## Miscellaneous Record, No. 24, Madison County, Iowa

U.S. District Court of Iowa      #2982      Notary Public in and for Madison County, Iowa.  
 To      Fee \$2.10      Filed for record the 29 day of October  
 Ruby Grocery et al      Pearl E. Shetterly, Recorder  
 A.D. 1945 at 10:08 o'clock A.M.

CLERK'S CERTIFICATE

IN THE DISTRICT COURT OF THE UNITED STATES  
 SOUTHERN DISTRICT OF IOWA  
 CENTRAL DIVISION

IN THE MATTER OF

RUBY GROCERY, a co-partnership,  
 and HELEN Y. RUBY and CLIFFORD  
 J. RUBY, as individuals, Patter-  
 son, Madison County, Iowa

No. \_\_\_\_\_  
 APPLICATION FOR AUTHORITY  
 TO SELL

**BANKRUPTS.**

Comes now Glen Pace, the duly appointed, qualified and acting Trustee in the above entitled Bankruptcy Matter, and states:

That as such Trustee he has received certain real and personal property formerly belonging to said bankrupts. That a part of said property has been set off to the Bankrupt Clifford J. Ruby, as exempt to him, and a part of said property has been returned to the Wolfe Wear-u-well Corporation of Minneapolis, Minnesota as their property.

That at the present time he has in his hands certain personal property consisting of a stock of goods, and the fixtures and equipment in a grocery store known as Ruby Grocery, Patterson, Iowa. That said stock of goods was appraised as being of the value of \$351.64. That the fixtures and equipment was appraised at \$777.70, but certain of those fixtures belong to other parties and the sum of \$28.00 should be deducted from this appraisal leaving a balance of \$749.70. That the total appraised value of the stock of goods and the fixtures and equipment is \$1101.34.

That the real estate involved in this bankruptcy matter consists of EAST 26 FEET OF LOT 7 and WEST 22 FEET OF LOT 8, ALL IN BLOCK 4, ORIGINAL TOWN OF PATTERSON, IOWA, which was appraised at the value of \$1200.00. This tract was purchased on contract and there is still a balance due under said contract of approximately \$670.00, leaving an equity in this tract and building thereon of \$530.00.

That the other piece of real estate involved in this case is a bare lot described as EAST 44 FEET OF LOT 8, IN BLOCK 4, ORIGINAL TOWN OF PATTERSON, IOWA, which was appraised at \$50.00, if sold with the building and other tract of land, and only \$40.00 if sold by itself.

That all of the above described real and personal property should be sold for the benefit of the bankrupt estate to the highest bidder at private sale, without notice to the creditors, but subject to the approval of the Court.

WHEREFORE, this Trustee prays the Court for an order authorizing and directing him to sell all of said property referred to hereinabove at private sale to the highest bidder, and without further notice to the creditors of said bankrupt, and subject to the approval of the Court, and for such other relief as to the Court may seem just and equitable.

(Sgd.) Glen Pace  
TRUSTEE

IN THE DISTRICT COURT OF THE UNITED STATES  
SOUTHERN DISTRICT OF IOWA  
CENTRAL DIVISION

In the Matter of  
Ruby Grocery, a co-partnership,  
and Helen Y. Ruby and Clifford  
J. Ruby, as individuals,  
Bankrupts.

No. 9485.  
ORDER AUTHORIZING TRUSTEE  
TO SELL,

Now on this 19th day of June, A.D., 1940, the Application of the Trustee in the above entitled bankruptcy matter, asking for authority to sell the assets belonging to said estate, came on for hearing before me and the Court being fully advised in the premises, finds, that said application should be granted.

IT IS THEREFORE, ORDERED, that Glen Pace, Trustee herein, be and he is hereby authorized and directed to sell the assets belonging to the above named bankruptcy estate, at private sale, to the highest bidder, free and clear of all liens and encumbrances, subject to the approval of this Court and without notice to creditors.

(Sgd.) Ray C. Fountain  
REFREE IN BANKRUPTCY.

IN THE DISTRICT COURT OF THE UNITED STATES  
SOUTHERN DISTRICT OF IOWA  
CENTRAL DIVISION

IN THE MATTER OF  
RUBY GROCERY, A Co-partnership,  
BANKRUPT.

RECOMMENDATION OF TRUSTEE  
TO REJECT PROPERTY

Comes now Glen Pace, Trustee in the above entitled Bankruptcy matter and respectfully states:

That included among the assets of the Bankrupt Estate of Ruby Grocery, a co-partnership, was the following described real estate, to-wit: East 26 feet of Lot 7 and West 22 feet of Lot 8, all in Block 4, in the original town of Patterson, Iowa.

That this property was being purchased by the Bankrupt for the sum of One Thousand Two Hundred dollars (\$1200.00), and the balance due on said contract at the time of the adjudication of the Bankrupt was Six Hundred Seventy dollars (\$670.00).

That the Trustee has made a diligent effort to dispose of said property but has been unable to do so for any amount over and above the balance due on said contract.

That your Trustee believes said property to be burdensome to the Estate of said Bankrupts and that it should be rejected.

WHEREFORE, your Trustee prays the court to order the above described real estate to be rejected by the Trustee as being burdensome to the said Bankrupt Estate.

STATE OF IOWA MADISON COUNTY )SS;  
(Sgd.) Glen Pace Trustee

I, Glen Pace, being first duly sworn on oath depose and say that I am the Trustee named in the above and foregoing recommendation to reject property; that I have read said recommendation and know the contents thereof; that the statements and allegations therein contained are true as I verily believe.

(Sgd.) Glen Pace

Subscribed and sworn to before me on this 27 day of November, A.D., 1940.

(SEAL)

(Sgd.) Jno. N. Hartley Notary Public  
in and for Madison County, Iowa

IN THE DISTRICT COURT OF THE UNITED STATES  
SOUTHERN DISTRICT OF IOWA  
CENTRAL DIVISION

In the Matter of  
Ruby Grocery, a co-partnership  
and Helen Y. Ruby and Clifford J.  
Ruby as individuals,  
Bankrupts.

No. 9485  
ORDER ON PETITION FOR LEAVE  
TO REJECT AND ABANDON,

## Miscellaneous Record, No. 24, Madison County, Iowa

Now on this 29th day of November, A.D., 1940, this matter coming on for hearing on the Trustee's petition and recommendation for leave to disclaim and abandon title to certain property belonging to said estate, and no adverse interest appearing,

The Court finds that Glen Pace is the duly appointed, qualified and acting Trustee herein; that a portion of the bankrupt's estate consists of the following real estate:

East 26 feet of Lot 7 and West 22 feet of  
Lot 8, all in Block 4, in the original town  
of Patterson, Iowa.

that was being purchased by the Bankrupt for the sum of One Thousand Two Hundred and no/100 (\$1,200.00) Dollars and the balance due on said contract at the time of the adjudication in bankruptcy was Six Hundred Seventy and No/100 (\$670.00) Dollars.

The Court further finds that the Trustee has made a diligent effort to dispose of said property and that he has been unable to find a buyer that is willing to pay any amount over and above the balance due under said contract.

The Court further finds that it will be to the benefit of this estate that the title of said property be disclaimed and abandoned.

IT IS THEREFORE ORDERED, that the Trustee be and he is hereby directed to disclaim title and abandon the aforescribed property.

(Sgd.) Ray C. Fountain  
REFEREE IN BANKRUPTCY.

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE SOUTHERN DISTRICT OF IOWA  
CENTRAL DIVISION.

In the Matter of

Ruby Grocery, a partnership  
and Helen Y. Ruby and  
Clifford J. Ruby as  
individuals,  
Bankrupts.

No. 9485-Bankruptcy.  
CLERK'S CERTIFICATE.

UNITED STATES OF AMERICA,  
SOUTHERN DISTRICT OF IOWA.

SS,

I, N. F. Reed, Clerk of the United States District Court for the Southern District of Iowa, hereby certify that in the files and records in my office at Des Moines, Iowa, I find a voluntary petition in bankruptcy was filed there on May 21st, 1940, by the Ruby Grocery, a partnership, and Helen Y. Ruby and Clifford J. Ruby as individuals, and that the said partnership and individuals were adjudicated bankrupts on May 21st, 1940, No. 9485-Bankruptcy, Central Division.

I further certify that in Schedule F-1 of Clifford J. Ruby individually, "Statement of all Property of Bankrupt--Real Estate", attached to bankrupts' petition, the following item regarding a contract for purchase of real estate is shown:

"Has contract with J. W. Casper of Winterset, Ia.  
for the purchase of East 26 ft. of Lot 7 and  
West 22 feet of Lot 8 all in Block 4, in the  
original town of Patterson, Iowa. Purchase  
price \$1200., paid down \$150., balance due  
approximately \$670. Estimated value of debtor's  
interest \$770.00".

I further certify that the files and records in the above case show that Glen Pace of Patterson, Iowa, was appointed trustee of said estate on May 31st, 1940, and that he qualified to said office by the filing of the required bond in the sum of \$1000.00, which bond was approved by an order entered in the record on June 5th, 1940, by Ray C. Fountain, then acting referee in bankruptcy.

I further certify that the attached copies of Trustee's application for Authority to Sell, Referee's Order Authorizing Trustee to Sell, Recommendation of Trustee to Reject Property, and Referee's Order on Petition for Leave to Reject and Abandon are true copies of those documents as contained in the files of this bankruptcy matter and are hereby made a part of this certificate.

## Miscellaneous Record, No. 24, Madison County, Iowa

U. S. DISTRICT COURT, DES MOINES, IOWA

I further certify that Orders of Discharge were issued to the above and foregoing bankrupts on July 10th, 1940, and that said estate was closed on December 17th, 1940.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of said court at my office in Des Moines, in said District, this 23rd day of October, A.D. 1945.

(U.S. DISTRICT COURT SEAL) COMPANED

N. F. Reed, Clerk U. S. District Court.  
By Lela Sampson Deputy Clerk.

William H. Cook