Subscribed and sworn to before me by the said George W. Eyerly this 19th day of January A.D. 1909.

Lloyd Talley.
Notary Public in and for said County.

NOTARIAL SEAL

District Court of U.S.) Amendment to Petition
to) in Bankruptcy.
Oscar M. Hartzell)

Filed for Record March 25th A.D. 1911 at 7,40 o'clock A.M.
(Recording fee $3.30
George Hill Recorder.
By Daisy Hill Deputy.

#946

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

In the matter of the)
Bankruptcy of) #1938 Bankruptcy. Amendment to Petition to
Oscar M. Hartzell.) sell Real Estate filed Nov. 28, 1910.

To the honorable Smith McPherson, Judge of the District Court of the United States for the Southern District of Iowa. The Trustees in above matter amending their petition filed herein Nov. 28, 1910, show to the court: That they ask that F.L. Groesbeck, be made a party to this proceeding, and state that the judgment procured by the Iowa Farmer Protective Mutual Hail Insurance Association set out in said petition is owned by one F.L. Groesbeck. That said Association became insolvent, and one Wm. Wilcoxen was by the District Court of Polk County, Iowa, appointed receiver thereof. That as such receiver, he, on or about the 22nd day of April 1910, sold and assigned said judgment to the said Groesbeck. That said judgment constitutes no lien on the land described in the petition herein for the reason that the same never was filed in Madison County, Iowa, until long after the adjudication in bankruptcy herein.
2. That question has been made as to the appearances to the proceedings resulting in the decree of this court of January 24th, 1911, and that it is advisable that a further finding and recitation be made in reference thereto.
3. That question has been made as to the sale to Joseph Meade made on the 20th day of Sept. 1910, being out out or held invalid by the decree of January 24, 1911. that in entering said decree of Jan. 24, 1911, it was not the intention to invalidate said sale, Your trustees therefore attach hereto a copy of said contract of sale marked Exhibit A, that the Court, if deemed advisable, may and should expressly order that the said sale, so evidenced by said contract, shall be held to be of the same force and effect as if made after said decree of Jan. 24, 1911, and is now ratified and confirmed in every particular. 4. That on the fourth day of February 1910, by order of the referee, hearing the matters in the bankruptcy of Oscar M. Hartzell, the following notice was sent by mail, in the official envelopes of such referee, to each of the creditors of said estate scheduled or having filed claims, to-wit:

" IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF IOWA".

In the matter of)
Oscar M. Hartzell) In Bankruptcy.
Bankrupt.)Notice of Sale of Property.

To the Creditors of the above named bankrupt.
Notice is hereby given that the undersigned, trustees of the estate of the above named bankrupt, under and by virtue of an order made by His Honor, Smith McPherson, Judge of the said Court, dated on the 31st day of December A.D. 1909, directing the sale of the real estate belonging to said estate, will offer for sale and sell at Public sale to the highest bidder for cash, free and clear of liens, the following described real estate situated in the County of Madison and State of Iowa, to-wit:
All of Section 14, except school house site, the East Half of Section 15; the Northeast Quarter of the Southwest Quarter and the South Half of the Southeast Quarter of Section 10, all in Township 77 north of range 26, West of the 5th P.M.
Said sale to be held at the office of the trustees. with Corn Belt Land & Loan Company, 2nd Floor Crocker Building, Des Moines, Iowa, on the 15th day of February A.D. 1910, at 2 o'clock in the afternoon. Said trustees will receive sealed bids at their office for said property as a whole, or for the 120 acre tract, or for any quarter section of said lands, up to the hour fixed for said sale, at which time said bids will be opened and an opportunity given to any person present to bid above the highest sealed bid filed for all or any portion of the said lands. All sales to be made subject to and with the approval of the Court. Dated at Des Moines, Iowa, this 4th day of February A.D. 1910.

Frank L. Hall)
A.P. Brown) Trustees of the
L.J. Klema) Estate of said
Bankrupt."

Notice of the sale of February 15, 1910, was also given by publication in a number of newspapers in general circulation in various parts of the country; that sale was not made of said real estate of bankrupt on the said date fixed February 15th, 1910, by reason of the lack of a sufficient bid, and the said sale was adjourned from day to day until Sept. 20, 1910, when the sale was made to Joseph Meade by the acceptance of his proposal attached hereto as Exhibit A. Wherefore your trustees would ask and over pray that this Court make an order that F.L. Groesbeck be made a party to this proceeding; that the court fix a time for a further hearing thereon as to the claim of the Iowa Farmers Protective Mutual Hail Association, and a notice to be given said Groesbeck of time and place of such hearing; that the court also make further decree as to the matters and things set out in this petition in reference to an order entered by this court in this matter on the 24th day of January 1911; and for such other and further relief which may be equitable.

(Signed) J.M. Parsons,
Attorneys for Trustees.

State of Iowa Polk County SS:
A.P. Brown being sworn, deposes and says he is one of the trustees in the above entitled matter; that he has read the foregoing amendment to the petition and knows the contents thereof and the matters and things therein set out are true, as he

verily believes. (Signed) A.F. Brown.

Subscribed and sworn to before me this 3" day of March A.D. 1911.

(Notarial Seal) (Signed) Howard L. Bump.
Notary Public.

Exhibit "A".

Des Moines, Iowa, Sept. 19, 1910.

Frank L. Hall, L.J. Klemm and A.F. Brown,
Trustees in Bankruptcy of the Estate of O.M. Hartzell, Bankrupt.
Gentlemen:

I have examined Sec. 14 and the East Half of Sec. 15, Tp. 77 Range 26, West of the 5th P.M. Iowa and make the following offer subject to the school right of one acre in Sec. 14. I will give Sixty Four Thousand and Two Hundred and Fifty Three Dollars ($64,253.00) for this tract of land; $3000.00 of which I have this day deposited with the trustees and which is already acknowledged by them and the balance of Sixty One Thousand and Two Hundred and Fifty-three Dollars ($61,253.00) to be paid on or before March 1, 1911. Said trustees are to furnish abstract showing clear title to the date of the transfer. The same to be free and clear of all liens and encumbrances and all taxes to be paid up to and including the taxes for the year 1910. It is fully understood and agreed by the aforesaid parties that the sale shall be submitted to the Judge of the U.S. Court of the Southern District of Iowa, at once, and should he decline to approve and confirm this bid the trustees hereby to return the $3000.00 paid them by the said Joseph Meade within ten days. Property to be turned over to purchaser March 1, 1911, in as good repair as the same is now except the natural wear and tear and destruction by fire or other unavoidable accident.

Joseph Meade.

Frank L. Hall)
L.J. Klemm.) Trustees.
A.F. Brown.)

Witness. Joseph Harkin.

(Endorsed) Filed March 7/11 Wm. C. McArthur, Clerk.

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

In the matter of)
Oscar M. Hartzell) #1938 Bankruptcy.
Bankrupt) ORDER AND DECREE.

BE IT REMEMBERED that the above entitled matter came on for hearing before the Court on the 7th day of March A.D. 1911, on the amendment to the petition to sell real estate, said petition having been filed by the trustees on the 28th day of November, 1910, and that the court being fully advised in the premises finds in reference thereto:

That at the time of the entry of the decree by this Court, on the 24th day of January, 1911 that Robt. Moodey & Son, appeared personally in open court by Thos. F. Moodey a member of said firm, and by Mulvaney & Mulvaney and S.F. Prouty, attorneys of record for said firm. That the said R.A. Crawford as the Administrator of the estate of Emma G. Johnson, appeared in person. That Century Savings Bank appeared by Dale & Harvison, its attorneys of record, Simon Cassady & Company appeared by Henry & Henry, attorneys of record, for said firm; and the Farmers Mutual Hail Insurance Association of Iowa appeared by E.C. Corey, its attorney of record. That each of said parties so appearing by their attorneys and said Robt. Moodey & Son and said R.A. Crawford, consented to the entry of the said order and decree of January 24th, 1911, and to all the recitals therein. The Court further finds that on the 4th day of February, 1910, by order of the referee having a hearing of the bankrupt matters of Oscar M. Hartzell, notice was sent by mail in the official envelope of said referee to each of the creditors of said estate scheduled or having claims filed therein, said notices being as follows to-wit:

" IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF IOWA.

In the matter of)
Oscar M. Hartzell) IN BANKRUPTCY.
Bankrupt) NOTICE OF SALE OF PROPERTY.

To the Creditors of the above named bankrupt:

Notice is hereby given that the undersigned, trustees of the estate of the above named bankrupt, under and by virtue of an order made by His Honor, Smith McPherson, Judge of the said Court, dated on the 31st day of December, A.D. 1909. directing the sale of the real estate belonging to said estate, will offer for sale and sell at Public sale to the highest bidder for cash, free and clear of liens, the following described real estate situated in the County of Madison and State of Iowa, to-wit:

All of Section 14, except school house site, the East Half of Section 15, the Northeast Quarter of the Southwest Quarter and the South Half of the Southeast Quarter of Section 10, all in Township 77 North of Range 26, West of the 5th P.M. Said sale to be held at the office of the trustees, with Corn Belt Land & Loan Company, 2nd Floor Crocker Building, Des Moines, Iowa, on the 15th day of February A.D. 1910, at 2 o'clock in the afternoon. Said trustees will receive sealed bids at their office for said property as a whole or for the 120 acre tract, or for any quarter section of said lands, up to the hour fixed for said sale, at which time said bids will be opened and an opportunity given to any person present to bid above the highest sealed bid filed for all or any portion of the said lands. All sales to be made subject to and with the approval of the Court.

Dated at Des Moines, Iowa, this 4th day of February, A.D. 1910.

Frank L. Hall) Trustees of the
A.F. Brown) Estate of said
L.J. Klemm) Bankrupt."

That notice of the said sale of February 15, 1910, was also given by publication in a number of newspapers of general circulation in various parts of the Country.

That no sale of the real estate of the bankrupt situated in Madison County, Iowa, was made on February 15, 1910, by reason of the lack of a sufficient bid, but said sale was adjourned from day to day until the 20th day of Sept. 1910, when a sale was made to Joseph Meade by the acceptance of a proposal by the said Joseph Meade, dated the 19th day of Sept. 1910,

and the said sale to the said Joseph Meade made thereunder is hereby decreed to be a valid and binding sale of the same force and effect as if made after entry of said decree, and is now hereby ratified and confirmed in every part. It is further ordered by the Court that F.L. Groesbeck be made a party to this proceeding. That notice of the filing of the amendment to the petition for sale of said real estate be given to the said F.L. Groesbeck. That the hearing thereon be fixed for the 21st day of March A.D. 1911, at the court room of the United States District Court in the City of Des Moines, Iowa, at 9 o'clock A.M. That ten days notice of the time and place of said hearing be given to said F.L. Groesbeck, the same to be served by the United States Marshal or his Deputy for the Southern District of Iowa.

(Signed) Smith McPherson, Judge.

(Endorsed) Filed March 7/11
Wm. C. McArthur, Clerk.

UNITED STATES OF AMERICA SOUTHERN DISTRICT OF IOWA:
CENTRAL DIVISION.

THE PRESIDENT OF THE UNITED STATES:
To F.L. Groesbeck of Des Moines, Iowa.

We command that you appear before the Judge of the District Court of the United States, Southern District of Iowa, at Des Moines, on Tuesday, March 21st, A.D. 1911, at the Court room of the United States District Court, in the City of Des Moines, Iowa, at nine o'clock A.M. to answer to the amended petition to sell real estate, filed March 7th, 1911, in the matter of the bankruptcy of Oscar M. Hartzell, #1938, and then there to receive and abide by such judgment and decree as shall then and thereafter be made, upon pain of judgment being pronounced against you by default.

TO THE MARSHAL OF THE SAID SOUTHERN DISTRICT OF IOWA:
Returnable on or before Tuesday, March 21st, A.D. 1911.

Witness the Honorable Smith McPherson, sole Judge of the District Court of the United States, Southern District of Iowa, at Des Moines, in said District, this 7th day of March, A.D. 1911, and of the Independence of the United States the 135th.

(Signed) Wm. C. McArthur, Clerk of said Court.

(U.S. District Court Seal)

(Endorsed) #1938 Bankruptcy. Central Division, In re Oscar M.Hartzell Bankrupt, Notice to F.L. Groesbeck to answer amended petition. Filed this 9th day of March, A.D. 1911.

(Signed) Wm. C. McArthur, Clerk,
By Hattie Blank, Deputy.

Marshal's Return.

United States of America) SS;
Southern District of Iowa)

This writ came into my hands for service March 8th, 1911 at Des Moines, Iowa, and I executed same by delivering a copy thereof to F.L. Groesbeck at Des Moines, Iowa, March 9th, 1911.

Frank B. Clark, U.S. Marshal.
I.H. Hammond, Deputy.

Service $2.00
Mileage .06

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

In the matter of)
Oscar M. Hartzell)1938 Bankruptcy.
Bankrupt) Order and decree.

BE IT REMEMBERED that the above entitled matter came on for hearing on the 21st day of March, 1911, on the amendment to petition to sell real estate. filed by the trustees on March 7th 1911, and in which they ask that F.L. Groesbeck, the assignee and owner of the certain judgment obtained in the district Court of Polk County, Iowa, by the Iowa Farmers Protective Mutual Hail Insurance Association, against said bankrupt, transcripted to Madison County, Iowa, be made a party to this proceeding, and the Court being fully advised in the premises, finds that said F.L. Groesbeck has been duly and legally served by the United States Marshal for the Southern District of Iowa, ten days prior to the 21st day of March, 1911. With a sufficient notice to appear before the Court in response to said notice; that said F.L. Groesbeck failed to file answer with the Clerk of this Court by or before March 21st, 1911, and he is by the Court adjudged to be in default for want of answer and such default is ordered entered of record. The Court further finds that the allegations contained in said amendment to petition are true and that said judgment is no lien upon any part of the land described in the original petition of said trustee. It is therefore ordered and decreed by the Court that the said Judgment of the Iowa Farmers Protective Mutual Hail Insurance Association be decreed to be no lien upon any part of the real estate described in the Original petition of said trustees filed in this Court and that said F.L. Groesbeck, assignee thereof, be and he is forever barred and estopped from having,claiming, or asserting any lien thereon whatever.

(Endorsed)

(Signed) Smith McPherson, Judge.

Filed March 23, 1911.
Wm. C. McArthur, Clerk.
By Hattie Blank, Deputy.

UNITED STATES OF AMERICA, SOUTHERN DISTRICT OF IOWA SS:

I, Wm. C. McArthur, Clerk of the District Court of the United States for the Southern District of Iowa, hereby certify that the above and foregoing is a full, true and complete copy of the Amendement to Petition to sell Real Estate filed November 28, 1910, Order and Decree on said amendment to petition, notice to F.L. Groesbeck with Marshal's return on said notice, and Order and Decree of the Court that the judgment of the Iowa Farmers Protective Mutual Hail Insurance Association be decreed to be no lien upon any part of the real estate described in the original petition of the trustees, and barring

F.L. Groesbeck from claiming, having or asserting any lien thereon whatever, in the case of Oscar M. Hartzell, Bankrupt, #1938 Central Division, as full, true and complete as the originals thereof now on file and of record in my office in the City of Des Moines, in said District.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of said Court, this 23rd day of March, A.D. 1911.

Wm. C. McArthur, Clerk.
By Hattie Blank, Deputy.

United States District Court. Seal.