

Case No. 3,986a.

CASE OF DONNELL.<sup>1</sup>

District Court, D. Maine.

June, 1876.

BANKRUPTCY—SALES BY ASSIGNEE—CONFIRMATION.

[It is not the practice in the first circuit to confirm sales by assignees, as the rights of third parties are liable to be compromised thereby.]

[Cited in Re Alden, Case No. 151.]

In the matter of Thomas E. Knight, a bankrupt.

A sale of real estate was made, at public auction, after the notice by the assignee of said Knight, to William E. Donnell, of Portland. Said Donnell filed a petition to confirm said sale, upon which is endorsed in the handwriting of POX, District Judge, the following: "It appears not to have been the practice in the first circuit to confirm sales by assignees; and on account of rights of third parties being liable to be compromised thereby, I decline to adopt such practice, and refuse to pass upon the matter of the confirmation of the sale in this cause."

<sup>2</sup> [Reported by Charles Sumner, Esq.]