

## IN RE O'FALLON.

{2 Dill. 548.}<sup>1</sup>

Circuit Court, E. D. Missouri.

1873.

SALE OF PROPERTY BY ASSIGNEE IN  
BANKRUPTCY—APPROVAL BY COURT.

S. W. Dooley, for purchaser.

S. S. Boyd, for assignee.

PER CURIAM. Where a public sale of the real estate is made by the assignee in bankruptcy under the order of the bankruptcy court, and the property is struck off to the highest bidder, such sale is subject to the approval of the court, which has a discretion to refuse to confirm it for mere inadequacy of price. It is not necessary that there should be fraud or such gross inadequacy of price as to be evidence of fraud.

<sup>1</sup> [Reported by Hon. John F. Dillon, Circuit Judge, and here reprinted by permission.]

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