

Case No. 6,231.

IN RE HAVENS.

{1 N. B. R. 485 (Quarto, 126).}³

District Court, D. New Jersey.

1868.

BANKRUPTCY—ASSIGNEE—RESIDENCE OF.

Where it is shown that an assignee, chosen by the creditors, resides out of the district in which proceedings are being carried on, the court will not confirm the choice.

The creditors of [James W. Havens], the said bankrupt, having on the 7th of April last chosen James Newton, of Middletown, New York, as assignee, Mr. Register Johnson refused to confirm the choice, on the ground that the assignee resided out of the district and was beyond the reach of process of the court, and referred the matter to the court.

FIELD, District Judge. For the reasons stated by the register, the choice of assignee is not approved. The assignee must reside in the district in which proceedings are being carried on.

³ [Reprinted by permission.]