

Case No. 7,166.

[1 Wkly. Notes Cas. 15.]

IN RE JACOBY.

District Court, E. D. Pennsylvania.

Oct., 1874.

POSTPONEMENT OF PROOF BY REGISTER—RESIDENT ASSIGNEE.

At the first meeting of creditors held in Norristown, the register (Chase) postponed certain proofs of debt until an assignee was chosen; some on account of informalities and others for objections made which threw a doubt on their validity. At said meeting George B. Snyder, of Philadelphia, was chosen assignee of the bankrupt, who resided and did business in Norristown. Exceptions were taken to the rulings of the register in regard to postponing said proofs, and to the election of an assignee not resident in the same place as the bankrupt. The proceedings were reported to the court, with the exceptions thereto.

J. V. Gotwaltz, for exceptant.

THE COURT held that a postponement of proof of a claim until an assignee is chosen is entirely within the discretion of the register, under the 23d section of the bankrupt act [of 1867 (14 Stat. 528)], and suggested that the parties should agree on a suitable person residing in Norristown to be associated with Mr. Snyder as co-assignee.