

Case No. 8,370.

LINGAN v. BAYLEY.

[1 Cranch, C. C. 112.]¹

Circuit Court, District of Columbia.

Dec. Term, 1802.

BANKRUPTCY—IMPRISONMENT OF BANKRUPT DURING EXAMINATION.

The court will not commit a bankrupt for want of bail, who has surrendered to the commissioners, and whose examination is not closed, although the forty-two days have expired.

The bail surrendered the defendant, and the plaintiff prayed that he might be committed.

The defendant was declared bankrupt, on the 21st of August, 1802, and on the 2d of September he surrendered himself to the commissioners. The examination is not yet closed, although the forty-two days have expired. Bayley has appealed from the decision of the commissioners.

THE COURT refused to commit the defendant.

Cooper's Bankr. Law, pp. 175, 343, was cited.

¹ [Reported by Hon. William Cranch, Chief Judge.]