

IN RE MCDUFFEE.

Case No. 8,778.

[2 Hask. 76;¹ 14 N. B. R. 336; 9 Chi. Leg. News, 40.]

District Court, D. Maine.

Aug. 24, 1876.

BANKRUPTCY—NOTARIES—ACKNOWLEDGMENT OF CREDITOR.

Notaries public have authority to take the acknowledgment of creditors to their powers of attorney.

Question certified by Mr. Register Fessenden. Can notaries public lawfully take the acknowledgment of creditors to their powers of attorney relative to bankrupt proceedings?

FOX, District Judge. Upon this question there is a conflict of authority, the later opinion being that of Brown, J., in *Re Butterfield*, [Case No. 2,248], sustaining such an acknowledgment. This opinion meets with my approval; but in order that there shall be an uniformity of practice in the first circuit, I have conferred with Mr. Justice Clifford, and am authorized to say that he concurs with Judge Brown. The power of attorney is accepted and ordered to be filed.

¹ [Reported by Thomas Hawes Haskell, Esq., and here reprinted by permission.]