

Case No. 9,265.

[2 Wkly. Notes Cas. 479.]

IN RE MASTBAUM.

District Court, E. D. Pennsylvania.

June 23, 1875.

BANKRUPTCY—LAST EXAMINATION—EXEMPTION—14TH SECTION OF ACT.

The exemption under 14th section of bankrupt act [of 1867 (14 Stat. 522)], not allowable until after bankrupt has passed his last examination.

This was an issue certified to the court upon an exception to the ruling of the register (Davis).

The bankrupt applied to the assignee for the exemption provided for in the 14th section of the bankrupt act. The assignee refused to allow the exemption on the ground that the bankrupt had not yet made a satisfactory surrender of his property.

The question having been submitted to the register, he reported the fact to the court, together with his opinion thereon, to which the bankrupt excepted.

Mr. Cutler for exceptant, argued that the bankrupt had been very fully and extensively examined, although he had not yet passed his last examination.

Mr. Huey, contra.

THE COURT (CADWALADER, District Judge), dismissed the exception, holding that the bankrupt was not entitled to the exemption allowed in the 14th section of the bankrupt act until after he had passed his last examination, where a doubt existed as to whether he had made full disclosures of all his property in his schedules.