

Case No. 17,047.
[8 Ben. 423.]¹

IN RE WAITZFELDER ET AL.

District Court, S. D. New York.

May, 1876.

EXAMINATION OF BANKRUPT—POWER OF REGISTER.

On a meeting of creditors in composition proceedings, while the register may fix a day before which the vote shall not be taken, he has not the power, while the debtor is under examination and the inquiries made of him are not irrelevant, to limit the inquiry, or to prescribe a time at which it must be terminated.

[In the matter of Ezekiel Waitzfelder and others, bankrupts.]

The register certified to the court, in this case, that, in the proceedings, which were in composition, and in which the first meeting was called and continued by several adjournments, several days being occupied in taking the examination of one of the debtors, he had been requested to terminate the inquiry or to state

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to the examining creditor that the inquiries proposed to be submitted by him to the debtors must be concluded by a certain day; and he gave his opinion, that, while he might fix a day before which the vote would not be taken, he had not any authority, so long as the inquiries made of the debtor under examination were not irrelevant, to limit the inquiry or to prescribe a time at which it must be terminated.

BLATCHFORD, District Judge. I concur in the views of the register.

{See Case No. 17,048.}

¹ [Reported by Robert D. Benedict, Esq., and Benj. Lincoln Benedict, Esq., and here reprinted by permission.]