

Case No. 17,209.  
[5 N. B. R. 350.]<sup>1</sup>

IN RE WARSHING ET AL.

District Court, S. D. New York.

May 24, 1871.

BANKRUPTCY—COUNSEL FOR ASSIGNEE—COMPENSATION.

Where the register is called on to certify as to what sum he deems right to be paid to the counsel for the assignee, and signifies three hundred and fifty dollars as the utmost limit, but certifies the question to the court for its opinion because counsel feels aggrieved at the inadequateness of the sum, the ruling of the register was sustained.

[Cited in Re Cook, 17 Fed. 329].

I, the undersigned register in bankruptcy, having charge of the above entitled matter, do hereby certify that I have been called upon by the assignee of the estate of the bankrupts above named [J. Warshing and S. Warshing] to tax and adjust the sum which his counsel shall be paid from the funds of said estate in his hands as assignee—or in other words to certify what sum I should think it right to allow him as paid to such counsel upon the final passing of the assignee's accounts. I have therefore entered upon an examination of the claim of the said counsel and have signified three hundred and fifty dollars as the utmost limit I should feel justified in allowing to him for such and as he is or may have been entitled to have from counsel in the discharge of his trust. I have stricken out several of the items as not allowable under the second and third subdivisions of the printed instructions heretofore approved by this honorable court, a copy of which is printed upon the

back of the assignment to the said assignee. I think it right further to certify, that the services of said counsel seems to me to have been faithful and well directed, and should the court think the amount allowed therefor too small, I shall, if so directed, cheerfully review my conclusion and allow a higher sum. I scarcely think that the present is a case which I am at liberty to certify to the court, but I do so as counsel seems aggrieved and desire the matter to be reviewed by the court.

I. T. WILLIAMS, Register.

BLATCHFORD, District Judge. I see no reason to believe that the sum allowed by the register is not an adequate sum.

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