

Case No. 1,697.

IN RE BOUND.

[4 N. B. R. (1871) 510 (Quarto, 164).]¹

District Court, S. D. New York.

BANKRUPTCY—DISCHARGE—FAILURE TO KEEP PROPER BOOKS OF ACCOUNT.

Where it appears from the evidence that a bankrupt has failed to keep proper books of account, the case is one in which, under [Act 1867 (14 Stat. 531)] section 29, a discharge cannot be granted.

{In bankruptcy.}

S. J. Crooks, for bankrupt.

J. F. Roberts, for creditor.

BLATCHFORD, District Judge. The first specification, in so far as it charges that since the passing of the bankrupt act, the bankrupt being a tradesman within the meaning thereof, has not kept proper books of account in his business, is sustained by the evidence, and a discharge is refused on the ground that such allegation is equivalent

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to an allegation that the bankrupt being a tradesman has not, subsequently to the passage of said act, kept proper books of account, and that the case is, therefore, one in which, under section 29, a discharge cannot be granted.

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