

Case No. 3,995.

IN RE DOODY.

[2 N. B. R. 201 (Quarto, 74).]¹

District Court, S. D. New York.

Oct. 19, 1868.

BANKRUPTCY—DISCHARGE OF DEBTOR.

Opposition to discharge grounded upon the fact of debt being fraudulently created is insufficient.

Warren S. Wilkey, a creditor of the said Michael Doody, having presented his claim against the said Doody, and the same having been duly substantiated according to law, comes in his proper person, and says: That the said Michael Doody ought not to be discharged of and from his said debt due by him to this said protestant, for the reason that the said debt did not arise upon contract. That the said indebtedness, by reason of the said Michael Doody having fraudulently, wrongfully and contrary to law, took, carried away and converted to his own use the personal property of this protestant, and for the taking, carrying away and the conversion thereof, this protestant recovered the judgment, transcript whereof has been submitted to and filed with Isaac Dayton, Esq., commissioner in bankruptcy for the district, state of New York.

W. S. Wilkey, in pro. per.

BLATCHFORD, District Judge. The specification filed, even if true, furnishes no ground for withholding a discharge. A discharge is granted.

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