

Case no. 4,082.

IN RE DREYER.

[2 N. B. R. 212 (Quarto 76).]¹

District Court, S. D. New York.

Oct 3, 1868.

BANKRUPTCY—DISCHARGE—FRAUD.

Vague and general specifications reciting fraud, &c, will not be received in opposition to discharge.

[Cited in *Be Carrier*, 47 Fed. 440.]

I, Thaddeus Smith, of North Hadley, Massachusetts, having proved my judgment and claim against the estate of said Frederick A. Dreyer, bankrupt, and having received notice of his petition for discharge from his debts, do hereby oppose the granting of said discharge; and for grounds of such opposition, file the following specifications: First That the debts and each and every one of them which the judgment and claim proved before the register, Isaac Dayton, Esq., were created by the fraud, of said Frederick A.

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Dreyer. Second. That said bankrupt has wilfully sworn falsely in his affidavit annexed to his schedule and inventory of his property. Third. That said bankrupt has concealed part of his estate and effects. Fourth. That said Frederick A. Dreyer has given fraudulent preference to his brother (or other relative), Dreyer and others, contrary to the provisions of the act under which the discharge is sought Fifth. That said Frederick A. Dreyer, since the passage of said act, has destroyed, mutilated, and altered his books, documents, papers, writings, and other securities, and has made false and fraudulent entries in his books of account and other documents, with intent to defraud his creditors. Sixth. That the said Frederick A. Dreyer has made a fraudulent transfer or assignment of part of his property to one—Dreyer, and others, for the purpose of preferring said persons, and for the purpose of preventing his property from being distributed under the said act in satisfaction of his debts. Seventh. That said Frederick A. Dreyer has wilfully and fraudulently omitted a number of his creditors from his schedules in his application for his discharge herein. Eighth. That the said Frederick A. Dreyer has, in contemplation of becoming bankrupt made prepared pledges, absolutely or conditionally with said Thaddeus Smith, and other creditors herein, for the purpose of preventing his property from coming into the hands of the assignee, and of being distributed under this act, in satisfaction of his debts. Thaddeus Smith, per N. Millard. Attorney.

BLATCHFORD, District Judge. The specifications filed in opposition to a discharge are altogether too vague and general to be triable. A discharge is granted.

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