

Case No. 4,267.

ECKLE ET AL. V. FITZGERALD.

[4 Cranch, C. C. 90.]¹

Circuit Court, District of Columbia.

May Term, 1830.

INSOLVENT ACTS—DISCHARGE—PRISON-BOUNDS BOND.

1. What allegations are sufficient to prevent a discharge under the insolvent act of the District of Columbia.
2. Upon a verdict against the petitioner, he will not be ordered into close custody, if he is out upon a prison-bounds bond.

[Cited in *McClellan v. Plumsell*, Case No. 8,693.]

Fitzgerald petitioned the chief judge for a discharge under the insolvent law of the District of Columbia. Ecker and others, his creditors, opposed his discharge, and filed two allegations: 1. That he disposed of certain property (specified) with intent to defraud his creditors, by selling the same, and withholding the same from his creditors, and applying the proceeds to his own use. 2. That he disposed of the same property, with intent to defraud his creditors by secreting the same.

THE COURT (THRUSTON, Circuit Judge, absent) was of opinion that the allegations were sufficient.

Verdict. Guilty.

THE COURT made the same order as in *Plumsell's Case* [Case No. 8,693], at this term.

¹ [Reported by Hon. William Cranch, Chief Judge.]