

Case No. 6,039.

IN RE HANSEN.

{2 N. B. R. 211 (Quarto, 75).}¹

District Court, S. D. New York.

1869.

BANKRUPTCY—DISCHARGE—SPECIFICATIONS OF FRAUD.

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

John T. Wilson, Alexander Simpson and James W. Emery, trading under the firm name of John T. Wilson & Company, of 73 Fulton street in the city and county of New York and state of New York, creditors, having proved their debt against the estate of said Hans J. Hansen a bankrupt, and having received notice of his petition for a discharge from his debts, do hereby oppose the granting of said discharge, and for the grounds of such opposition do file the following specification: First That said bankrupt has wilfully sworn falsely in his affidavit annexed to his petition, schedule and inventory in relation to a material fact concerning his estate, in swearing that said schedule contains a true statement of the property owned by him, and that he has no property not mentioned in said schedule; the fact being that said bankrupt has real estate not mentioned in said schedule, which is owned in trust for him and liable for his debts, and to be sold for the benefit of his creditors. Second. That he has concealed a part of his estate, namely, said real estate. Third. He has been guilty of fraud in delivery of his property to his assignee. Fourth. That he has made fraudulent preferences.

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

¹ [Reprinted by premission.]