

## Case No. 11,211.

## IN RE PLATT.

{1 Ben. 534;<sup>1</sup> 1 Tomp. Nat. Bank. Cas. 181.}

District Court, S. D. New York. Nov., 1867.

RECEIVER OF A NATIONAL  
BANK—JURISDICTION—COMPROMISING DEBT.

The national banking act (13 Stat. 115), in the fiftieth section, provides that a receiver appointed under the act may compromise doubtful debts “on the order of a court of record of competent jurisdiction.” *Held*, that this court was such a court.

{In the matter of the petition of F. A. Platt receiver of the Farmers’ and Citizens’ National Bank.}

In this case a receiver, appointed under the national banking act, applied, on a petition, setting forth the circumstances, for leave to compromise a debt. The national banking act in the fiftieth section, provides that the receiver may compromise doubtful debts “on the order of a court of record of competent jurisdiction.” The question arose whether this court was a court of competent jurisdiction. The court, after consideration, decided that it had jurisdiction, and ordered the matter to be referred to a commissioner to take proof of the facts in the case, with his opinion thereon.

{For an action by the receiver against a debtor of the bank, see Case No. 11,215.}

<sup>1</sup> {Reported by Robert D. Benedict, Esq., and here reprinted by permission.}

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