

Case No. 17,992. WOODS v. FORSYTH.  
[2 West. Jur. 348; 16 Pittsb. Leg. J. 234.]

Circuit Court, D. Missouri.

Oct. Term, 1868.

BANKRUPT ACT—JURISDICTION OF CIRCUIT COURT.

The circuit court has not jurisdiction of suits brought by the assignee of the bankrupt, simply to collect the assets assigned.

[Cited in *Goodall v. Tuttle*, Case No. 5,533; *Smith v. Crawford*, Id. 13,030.]

Suit by the assignee of Tesson & Co., bankers, to collect a debt due by the defendant to the bankrupts prior to the bankruptcy. Pleas: general issue and set off. Demurrer to special pleas.

Before TREAT and KREKEL, District Judges.

PER CURIAM. The circuit court has not concurrent original jurisdiction given it by the bankrupt act [of 1867 (14 Stat. 517)] for the collection of the debts due the bankrupt, and the settlement of his estate. The concurrent jurisdiction conferred by the second section of the act is confined to cases in which there is a disputed title or claim to property; to suits in which some title or claim to the property or assets adverse to that of assignee is set up. As this court has no jurisdiction, the suit will be dismissed without passing upon the demurrers. Suit dismissed.