

KYLE v. HAMMOND.

APPEAL FROM THE CIRCUIT COURT OF APPEALS FOR THE
FIRST CIRCUIT.

No. 972. Submitted March 11, 1912.—Decided March 18, 1912.

Under the saving clause of the act of June 7, 1878, 20 Stat. 99, c. 160, the review of the order in this case was not provided for by the Judiciary Act of 1891.

Mr. Hollis R. Bailey, for appellees, in support of motion to dismiss or affirm.

Mr. Warren Ozro Kyle, for appellants, in opposition thereto.

Per Curiam: Before the repeal of the Bankruptcy Act of 1867 the decision of the Circuit Court would have been final. *Wiswall v. Campbell*, 93 U. S. 347, 348, and cases cited; *Cleveland Ins. Co. v. Globe Ins. Co.*, 98 U. S. 366. In view of the saving clause of the repealing act of June 7, 1878, 20 Stat. 99, we are of opinion the review of such an order was not provided for by the Judiciary Act of 1891.

The decision in *Huntington v. Saunders*, 163 U. S. 319, is not to the contrary. There it was merely decided that if the act of 1891 authorized a review of analogous orders, the one sought to be reviewed did not involve the requisite jurisdictional amount.

The appeal is dismissed for want of jurisdiction.