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Statement of the case.

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ship of the parties. Nor does it sufficiently appear in any other way that both parties were not citizens of Louisiana. The plaintiff, indeed, when he moved for the transfer of the case into the Circuit Court, suggested that the defendant was an alien, but the suggestion was not made in the Provisional Court. No proof of it was offered, and the alleged alienage was subsequently denied. It is clear, therefore, that the case was not one of which the Circuit Court could entertain jurisdiction under the laws of the United States, and that it was never legally transferred to that court. It follows that the order dismissing the cause was correct.

We are to be understood as deciding only what is before us. We express no opinion respecting the regularity or effect of the injunction which was obtained in the Provisional Court.

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JUDGMENT AFFIRMED.

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THE PATAPSCO.

Upon a decree in the Circuit Court for a sum less than \$2000, "with interest from a date named," an appeal lies here under the statute which gives an appeal "where the sum in dispute . . . exceeds \$2000," provided that the sum for which the decree is given and the interest added to it together exceed \$2000.

BOYCE filed a libel in the District Court for the Southern District of New York, against the steamer Patapsco, claiming \$1724. That court dismissed the libel; but, on appeal, the Circuit Court reversed the decree and sent the case to a master, to report the amount due. The master, on the 15th July, 1868, reported \$1982. The Circuit Court confirmed the report, and on the 11th February, 1870, decreed in favor of the libellant for the amount reported, *with interest from the date of the report*. Adding the one year, six months, and twenty-six days' interest to the amount given by the report the sum was \$2200 and upwards.

## Statement of the case.

On this state of facts, *Mr. Orville Horwitz, for the appellee,\** moved to dismiss, on the ground that the \$2000 necessary to give this court jurisdiction did not exist, unless by adding interest to the amount claimed, or to that reported due.

The statute, it will be remembered, gives an appeal "where the sum in dispute, exclusive of costs, exceeds \$2000."

*Mr. Donohue, contra.*

The CHIEF JUSTICE: The decree of the Circuit Court was for the amount reported due the libellant on the 15th July, 1868, \$1982, and interest from the date of the report. We think that interest to the date of the decree must be computed as a part of the sum for which the decree was rendered. The sum thus computed exceeds \$2000, and the motion must, therefore, be

DENIED.

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HALL v. ALLEN, ASSIGNEE.

A question relating to the adjustment of priorities and conflicting interests in a bankrupt's estate in his assignee's hands, arising on motion before the register, was taken, by means of a case and question agreed on, into the District Court. The decision of that court was in turn taken by appeal to the Circuit Court, which reversed the decision. The action of the Circuit Court herein, *held* to have been under the 2d section of the Bankrupt Act and only in the exercise of its superintending and revisory jurisdiction, and hence, on the authority of *Morgan v. Thornhill*, 11 Wallace, 65, not capable of being brought by further appeal here.

MOTION to dismiss, for want of jurisdiction, an appeal from the Circuit Court for Missouri: the case being thus:

The act to establish a uniform system of bankruptcy† gives to the District Courts exclusive original jurisdiction in matters of bankruptcy, including "the adjustment of the

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\* Citing *Udall v. Ohio*, 17 Howard, 17, and *Olney v. Falcon*, Ib. 19.

† 14 Stat. at Large, 518.