

Case No. 17,418.
[Pet C. C. 45.]²

WESCOTT v. FAIRFIELD TP.

Circuit Court, D. New Jersey.

Oct. Term, 1811.

JURISDICTION OF CIRCUIT COURTS—CITIZENSHIP.

A citizen of the District of Columbia is not entitled to sue in the circuit courts of the United States. [Cited in *Barney v. Baltimore*, 6 Wall. (73 U. S.) 288; *Cissel v. McDonald*, Case No. 2,729. Cited in brief in *McMurdy v. Connecticut Gen. Life Ins. Co.*, Id. 8,903.]

The declaration is in the name of Den, a citizen of the District of Columbia, on the demise of Wescott, also a citizen of the same district, against the inhabitants, &c., citizens of the state of New Jersey. The plaintiff moved for a rule on the defendants, to appear by the next court and confess lease, &c. This was objected to by Leake for the defendants, on the ground that the court could not take jurisdiction of the cause, the plaintiff being a citizen of the District of Columbia, and therefore not within the provision of the act of congress, giving jurisdiction to the circuit court. He cited *Ash v. Hayman* [Case No. 572].

BY THE COURT. The case cited is conclusive; and of course, the plaintiff can take nothing by his motion.

² [Reported by Richard Peters, Jr., Esq.]