

Per Curiam.

216 U. S.

Federal court would have had no jurisdiction. Being relied on, the decree of the Circuit Court of Appeals was final.

*Appeal dismissed.*

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MOORE, COMMISSIONER OF PATENTS, *v.* UNITED STATES EX REL. NEWCOMB MOTOR COMPANY.

ERROR TO THE COURT OF APPEALS OF THE DISTRICT OF COLUMBIA.

No. 115. Argued March 1, 2, 1910.—Decided March 7, 1910.

A writ of error to the Court of Appeals of the District of Columbia dismissed for want of jurisdiction without opinion on the authority of *Frasch v. Moore*, 211 U. S. 1, and other cases cited.

Writ of error to review 33 App. D. C. 597, dismissed.

*Mr. Frederick P. Fish* and *Mr. Melville Church*, with whom *Mr. Albert G. Davis* was on the brief, for plaintiff in error.

*Mr. Robert N. Kenyon*, with whom *Mr. Walter F. Rogers* and *Mr. Charles H. Duell* were on the brief, for defendant in error.

*Per Curiam.* The writ of error is dismissed for want of jurisdiction. *Frasch v. Moore*, 211 U. S. 1; *Rousseau v. Browne*, 21 App. D. C. 73, 80; *Johnson v. Mueser*, 212 U. S. 284; *Atkins v. Moore*, 212 U. S. 285; *Gaines v. Knecht*, 212 U. S. 561; *Same v. Same*, 27 App. D. C. 530, 532; *Taylor v. Taft*, 203 U. S. 461; *United States v. Lynch*, 137 U. S. 280; *Baltimore & Potomac R. R. Co. v. Hopkins*, 130 U. S. 210, 226. The application for certiorari is also denied.