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NOTES.

STATE LAW IN FEDERAL COURTS IN CASES OF DIVERSE CITIZENSHIP.—In exercising their constitutional jurisdiction over suits involving a diversity of citizenship, the federal courts have always been required to act under the Congressional Statute stating that "the laws of the several states . . . shall be regarded as rules of decisions in trials at common law in the courts of the United States."¹ The reason underlying this rule is found in the fact that diversity of citizenship was made a cause of federal jurisdiction simply to avoid the possible effects of local prejudice in the application of state law; and if the federal courts, therefore, provide the medium for the impartial application of such law, the purpose of the jurisdiction is entirely fulfilled.² In following out this principle, in certain classes of cases the federal courts have always applied the law of the state, without question. Thus, in the construction of state constitutions and

¹U. S. Stat. at Large, 92.

²Polk's Lessee v. Wendell (1820) 5 Wheat. 293.