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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." 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. 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.