When an action is brought in the district court of a State, the courts would ordinarily determine whether none, all, or one of the parties to the action is a citizen of the United States Judicial Circuit in which the action is brought, and provided a new answer.

I. REMOVAL

Prior to the 1948 United States Supreme Court decision in Hand v. Portland, a suit could be “fully determined” by the district court, if none of the parties to the action was a citizen of the State in which the action was brought but both parties were citizens of the same State. The Court’s decision in Hand v. Portland, 347 U.S. 170, 74 S. Ct. 425 (1954), held that such a suit was removable to the district court if it was shown that the suit was in the nature of a “controversy.”

1. The two most important cases in which the district courts were asked to determine whether the Constitution, treaties, or other laws of the United States would provide a new answer to the question of whether the parties were citizens of the same State, and the whole suit was in the nature of a “controversy,” were both decided in the same year, 1948.

2. The Court held that, under its interpretation of the Constitution, the district court had no jurisdiction to hear the case, and that the case should be removed to the district court of the United States for the Southern District of New York. The Court also held that the district court had no jurisdiction to hear the case, and that the case should be removed to the district court of the United States for the Southern District of New York.

3. The Court held that, under its interpretation of the Constitution, the district court had no jurisdiction to hear the case, and that the case should be removed to the district court of the United States for the Southern District of New York. The Court also held that the district court had no jurisdiction to hear the case, and that the case should be removed to the district court of the United States for the Southern District of New York.