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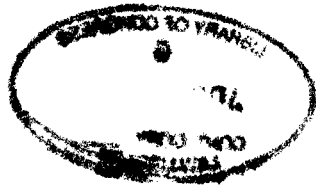
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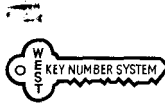
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41305(3).—Greenberg v. City of Bradford, 248 A.2d 51, 432 Pa. 611.—Mun Corp 65.

Tenn. 1939. Statute exempting property and bonds of housing authorities from all state, county and city taxation and assessments is not unconstitutional, since, as applied to Knoxville Housing Authority, Incorporated, property held by such housing authority is held by the City of Knoxville within constitutional provision authorizing Legislature to exempt property held by states, counties, "cities" or towns, and used exclusively for "public or corporation purposes." Pub.Acts 1937, c. 214; Const. art. 2, § 28.—Knoxville Housing Authority v. City of Knoxville, 123 S.W.2d 1085, 174 Tenn. 76.—Tax 193.

Wash. 1892. Const. art. 15, § 1, provides for the appointment of commissioners to establish harbor lines in navigable waters lying in front of "cities," and section 3 provides that "municipal corporations" shall have the right to extend their streets over the intervening tide lands, to and across the area reserved, "as herein provided." Held, that the word "cities" includes towns.—Stimson Mill Co. v. Board of Harbor Line Com'rs, 29 P. 938, 4 Wash. 6.—Mun Corp 719(1).

CITIES AND TOWNS

S.C. 1948. Constitutional provision that "cities and towns" may exempt manufactories from taxation by ordinance and subsequent amendments authorizing General Assembly to grant exemptions are not a limitation upon the right of the General Assembly to permit exemption of manufacturing establishments from county taxes for a reasonable period of time. Joint Resolution April 27, 1937, 40 St. at Large, p. 356; Const. art. 8, § 8.—Byrd v. Lawrimore, 47 S.E.2d 728, 212 S.C. 281.—Tax 195.

CITIES AND VILLAGES

Ill. 1898. Smith-Hurd Stats. c. 24, § 492 et seq., empowering "cities and villages" to maintain and repair drains, ditches, and plumbing works for drainage purposes by a special assessment on benefited property, does not include incorporated towns.—Gray v. Town of Cicero, 53 N.E. 91, 177 Ill. 459.

CITIES INCORPORATED UNDER THE GENERAL LAWS

Tex.Civ.App.—Dallas 1935. Home rule city held not authorized to recover penalty from gas company for failure to file report required by statutes applicable to "cities incorporated under the general laws" (Vernon's Ann.Civ.St. arts. 1119–1123, 1165 et seq.; Vernon's Ann.St.Const. art. 11, §§ 4, 5).—Municipal Gas Co. v. City of Sherman, 89 S.W.2d 436, affirmed 127 S.W.2d 193, 133 Tex. 324.—Gas 6.

CITIES, TOWNS AND VILLAGES

Wyo. 1957. In constitution subsection providing that any city, town or village may create an additional indebtedness not exceeding four per cent of the assessed value of the taxable property for pur-

pose of building sewerage therein, the terms "cities, towns and villages" embrace and are substantially synonymous with the term "municipalities". Const. art. 16, § 5.—In re West Highway Sanitary and Imp. Dist., 317 P.2d 495, 77 Wyo. 384.—Mun Corp 863; Towns 46(1).

CITIZEN

C.C.A.9 (China) 1928. In view of Act June 30, 1906 (22 U.S.C.A. § 191 et seq.), establishing the United States Court for China, with the jurisdiction previously exercised by United States consuls and ministers by law and by virtue of treaties between the United States and China, and providing for appointment by the President of district attorney and other officers for such court, and the Treaty with China of 1844, art. 21 (8 Stat. 596), providing that "citizens" of the United States committing crime in China shall be subject to be tried only by the consul or other public functionary of the United States, thereto authorized, according to the laws of the United States, and Rev.St. §§ 4083, 4084, 4086 (22 U.S.C.A. §§ 141, 142, 145), giving the ministers and consuls in China jurisdiction for such trial, jurisdictional facts are charged by information in such court, alleging that defendant was a duly appointed district attorney for such court, and as such feloniously disposed of documentary evidence coming into his possession as such officer, all of his acts being committed in China; he being by virtue of his office a "citizen," within the law and treaty, even if not strictly a citizen.—Husar v. U.S., 26 F.2d 847, certiorari denied 49 S.Ct. 27, 278 U.S. 625, 73 L.Ed. 545.

U.S.Ala. 1896. A foreign corporation is not a "citizen" within the meaning of the Constitution, and a state statute forbidding foreign insurance corporations from doing business within the state in violation of the state law does not conflict with the Constitution of the United States.—Noble v. Mitchell, 17 S.Ct. 110, 164 U.S. 367, 41 L.Ed. 472.

U.S.Cal. 1973. A state is not a "citizen" for purposes of the diversity jurisdiction. 28 U.S.C.A. § 1332.—Moor v. Alameda County, 93 S.Ct. 1785, 411 U.S. 693, 36 L.Ed.2d 596, rehearing denied 93 S.Ct. 2999, 412 U.S. 963, 37 L.Ed.2d 1012.—Fed Cts 283.

U.S.Cal. 1950. Prisoner who was confined in state prison and was subject to effect of state statute providing that one sentenced to imprisonment for a term of years is deprived of his civil rights for period of imprisonment, was a "citizen" within federal statute providing that any court of the United States may authorize commencement of a proceeding without prepayment of fees and costs or security therefor by a citizen who makes an affidavit that he is unable to pay. Pen.Code Cal. § 2600; Nationality Act of 1940, § 401, 8 U.S.C.A. § 801; 28 U.S.C.A. § 1915.—Roberts v. United States District Court for Northern District of California, 70 S.Ct. 954, 339 U.S. 844, 94 L.Ed. 1326.—Fed Civ Proc 2734.

U.S.Dist.Col. 1925. Rule as to inclusion of corporations within term "citizen" or "subject" stat-

ed.—*Swiss Nat. Ins. Co. v. Miller*, 45 S.Ct. 213, 267 U.S. 42, 69 L.Ed. 504.—Statut 199.

U.S. Dist. Col. 1925. Swiss corporation which did business in Germany, held not a “citizen” or “subject” of foreign nonenemy nation, within amendment providing for return of property.—*Swiss Nat. Ins. Co. v. Miller*, 45 S.Ct. 213, 267 U.S. 42, 69 L.Ed. 504.—War 12.

U.S. La. 1936. Corporation is not a “citizen” within privileges and immunities clause of the Fourteenth Amendment (Const. Amend. 14).—*Grosjean v. American Press Co.*, 56 S.Ct. 444, 297 U.S. 233, 80 L.Ed. 660.—Const Law 206(7), 210(2).

U.S. Minn. 1904. A state is not a “citizen,” within the meaning of the Constitution or the acts of Congress; hence the federal Circuit Court cannot take cognizance of a case instituted by a state against a corporation of another state as one presenting a controversy between citizens of different states.—*State of Minnesota v. Northern Securities Co.*, 24 S.Ct. 598, 194 U.S. 48, 48 L.Ed. 870.

U.S. N.Y. 1936. “Citizen” as used in treaty with France providing for mutually delivering up persons charged with specified offenses and that neither of contracting parties shall be bound to deliver up their own “citizens” held not included within term “persons,” as used in treaty, who could be delivered up, notwithstanding exception was contained in separate article. Treaty with France Jan. 6, 1909, arts. 1, 5, 37 Stat. 1527, 1530.—*Valentine v. U.S. ex rel. Neidecker*, 57 S.Ct. 100, 299 U.S. 5, 81 L.Ed. 5.—*Extrad 2*.

U.S. N.Y. 1931. Treaty requiring effects of deceased “citizen” or “subject” of contracting governments dying within territories of other to be delivered to consul held applicable regardless of decedent’s domicile.—*Santovincenzo v. Egan*, 52 S.Ct. 81, 284 U.S. 30, 76 L.Ed. 151.—*Treaties 11*.

U.S. N.Y. 1920. The New York Income Tax Law violates U.S.C.A. Const. art. 4, § 2, providing that the citizens of each state shall be entitled to all privileges and immunities of citizens in the several states, by granting to residents a personal exemption of \$1,000 in the case of single persons, etc., which is denied to nonresidents, notwithstanding the distinction between the terms “resident” and “citizen.”—*Travis v. Yale & Towne Mfg. Co.*, 40 S.Ct. 228, 252 U.S. 60, 64 L.Ed. 460.—Const Law 207(4).

U.S. Okla. 1912. A corporation originally incorporated in the Indian territory under the Arkansas statutes which were put in force therein by the act of Congress of February 18, 1901, 31 Stat. 794, c. 379, became an Oklahoma corporation when that state was admitted to the Union, and must be regarded for jurisdictional purposes as a “citizen” of that state.—*Shulthis v. McDougal*, 32 S.Ct. 704, 225 U.S. 561, 56 L.Ed. 1205.

U.S. Pa. 1934. A state is not a “citizen” within the purview of 28 U.S.C.A. §§ 1331 et seq., 1441, 1445, 1447, defining the jurisdiction of federal courts and permitting removal to them.—*City Bank*

Farmers’ Trust Co. v. Schnader, 54 S.Ct. 259, 291 U.S. 24, 78 L.Ed. 628.

U.S. Tenn. 1898. A foreign corporation is not a “citizen” within the meaning of U.S.C.A. Const. art. 4, § 2, entitling them “to all privileges and immunities” as such “in the several states.”—*Blake v. McClung*, 19 S.Ct. 165, 172 U.S. 239, 43 L.Ed. 432.—Const Law 207(7).

U.S. Wis. 1888. The term “citizen,” as used in the federal Constitution and statutes defining the jurisdiction of the federal courts, includes a corporation created by one of the states, when such corporation is regarded as a citizen of that state for the purpose of determining its residence.—*State of Wisconsin v. Pelican Ins. Co.*, 8 S.Ct. 1370, 127 U.S. 265, 32 L.Ed. 239.

U.S. Wyo. 1929. Suit between state and “citizen” or corporation of another state does not present case of diverse citizenship, within jurisdiction of federal courts, 28 U.S.C.A. § 1331 et seq.—*State Highway Commission of Wyoming v. Utah Const. Co.*, 49 S.Ct. 104, 278 U.S. 194, 73 L.Ed. 262.—*Fed Cts 274*.

C.A.11 (Ala.) 1999. State university was an instrumentality of the state, not a “citizen” of the state, for purposes of diversity jurisdiction; therefore removal of university’s civil action on diversity grounds was improper. 28 U.S.C.A. §§ 1332(a), 1441.—*University of South Alabama v. American Tobacco Co.*, 168 F.3d 405.—*Rem of C 41*.

C.A.5 (Ala.) 1969. State is not “citizen” for purpose of federal diversity jurisdiction. 28 U.S.C.A. § 1332.—*Centraal Stikstof Verkoopkantoor, N. V. v. Alabama State Docks Dept.*, 415 F.2d 452.—*Fed Cts 284*.

C.A.9 (Cal.) 2002. Unincorporated Indian tribe was not a “citizen” of any state, and thus, was not subject to diversity jurisdiction under section of diversity jurisdiction statute creating jurisdiction over actions involving citizens of different states. 28 U.S.C.A. § 1332(a)(1).—*American Vantage Companies, Inc. v. Table Mountain Rancheria*, 292 F.3d 1091, amended on denial of rehearing.—*Fed Cts 284; Indians 2*.

C.A.9 (Cal.) 2002. A “citizen” is a person who is a member of a political community, owing allegiance to the community and being entitled to enjoy all its civil rights and protections.—*American Vantage Companies, Inc. v. Table Mountain Rancheria*, 292 F.3d 1091, amended on denial of rehearing.—*Citiz 2, 10.1*.

C.A.9 (Cal.) 2002. Casino which was unincorporated arm of unincorporated Indian tribe was not a “citizen” of any state, and thus, was not subject to diversity jurisdiction under section of diversity jurisdiction statute creating jurisdiction over actions involving citizens of different states. 28 U.S.C.A. § 1332(a)(1).—*American Vantage Companies, Inc. v. Table Mountain Rancheria*, 292 F.3d 1091, amended on denial of rehearing.—*Fed Cts 284*.

C.A.9 (Cal.) 1983. Within definition of Fourteenth Amendment, foreign-born resident, who has

not been naturalized according to acts of Congress, is not a "citizen" of the United States or of a state. U.S.C.A. Const.Amend. 14.—*Kantor v. Wellesley Galleries, Ltd.*, 704 F.2d 1088.—Const Law 252.

C.A.9 (Cal.) 1955. Neither State of California nor school district, since it was a part of state government, was a "citizen" of California, for purpose of establishing complete diversity of citizenship between parties necessary to invoke federal diversity jurisdiction in action against school district and individual defendants. 28 U.S.C.A. 1331, 1332.—*Lowe v. Manhattan Beach City School District*, 222 F.2d 258.—Fed Cts 283.

C.A.11 (Fla.) 1995. Corporation is not "citizen" entitled to privileges and immunities secured by federal law for purposes of § 1983. 42 U.S.C.A. § 1983.—*L.S.T., Inc. v. Crow*, 49 F.3d 679.—Civil R 1329; Const Law 206(7).

C.A.5 (Fla.) 1969. Even if integrated Bar was suable under state law for libel, Bar as state agency was not "citizen" within meaning of provision under which United States District Court can acquire jurisdiction in cases of diversity of citizenship. 28 U.S.C.A. § 1332.—*Dacey v. Florida Bar, Inc.*, 414 F.2d 195, certiorari denied 90 S.Ct. 906, 397 U.S. 909, 25 L.Ed.2d 89.—Fed Cts 283.

C.A.5 (Ga.) 1979. Jail inmate was "citizen" within meaning of statute making it felony to conspire to interfere with citizen in free exercise or enjoyment of any constitutional or federal right despite fact that he was a convicted felon. 18 U.S.C.A. § 241.—*U.S. v. King*, 587 F.2d 209, rehearing denied 589 F.2d 1114, certiorari denied 99 S.Ct. 1536, 440 U.S. 972, 59 L.Ed.2d 789.—Consp 7.5(2).

C.A.7 (Ill.) 2003. Bermuda entity "limited by shares" under Bermuda law had legal attributes similar to corporation and thus was "citizen" of foreign state for purposes of diversity jurisdiction among parties, where entity was equivalent in all legally material respects to a corporation under state law and treated as independent of its equity investors. 28 U.S.C.A. § 1332(a)(3).—*Lear Corp. v. Johnson Electric Holdings Ltd.*, 353 F.3d 580.—Fed Cts 275.

C.A.7 (Ill.) 1978. Though corporation is not a "citizen" within meaning of the privileges and immunities clause, it is a "person" within the meaning of the equal protection and due process clauses of the Fourteenth Amendment. U.S.C.A.Const. art. 4, § 2; Amend. 14.—*Fulton Market Cold Storage Co. v. Cullerton*, 582 F.2d 1071, 50 A.L.R. Fed. 758, certiorari denied 99 S.Ct. 1033, 439 U.S. 1121, 59 L.Ed.2d 82.—Const Law 210(2), 252.

C.A.7 (Ill.) 1951. A loyal American resident, unable to secure citizenship, who resided temporarily in Japan for 29 years, but owed no allegiance to Japan and had no reciprocal rights to protection by Japan, and who had no right to exercise any of political or civil privileges of Japan, and was in no sense member of nation of Japan, was not a "citizen" of Japan within purview of executive order approved by Congress defining national as any citi-

zen or resident of foreign country, and therefore said loyal American resident was likewise not a "national" of Japan within purview of War Claims Act provision prohibiting return to Japanese nationals of property vested by any officer or agency of United States. Immigration Act of 1917, § 9 et seq., as amended by Immigration Act of 1924, § 26, 8 U.S.C.A. § 1322 et seq.; Trading with the Enemy Act, §§ 2, 7(c), 9(a), 32, 33, and § 39, as added by War Claims Act of 1948, § 12, 50 U.S.C.A.App. §§ 2, 7(c), 9(a), 32, 33, 39.—*Kaku Nagano v. McGrath*, 187 F.2d 759, certiorari granted 72 S.Ct. 47, 342 U.S. 809, 96 L.Ed. 611, affirmed 72 S.Ct. 363, 342 U.S. 916, 96 L.Ed. 685.—War 12.

C.A.8 (Iowa) 1950. A federal district court is without jurisdiction on ground of diversity of citizenship of a suit between state citizens of another state, since state is not a "citizen" for jurisdictional purposes. U.S.C.A. Const. Amend. 11.—*Chicago, R.I. & P.R. Co. v. Long*, 181 F.2d 295.—Fed Cts 283.

C.A.1 (Mass.) 1976. Commonwealth of Massachusetts was a "citizen" within meaning of the Federal Water Pollution Control Act and, hence, was authorized to bring suit under the Act charging United States Veterans Administration with violating conditions of its National Pollution Discharge Elimination System permit. Federal Water Pollution Control Act Amendments of 1972 (Clean Water Act), §§ 101 et seq., 402, 505(a), (a)(1), (f)(6), (g), 33 U.S.C.A. §§ 1251 et seq., 1342, 1365(a), (a)(1), (f)(6), (g).—*Com. of Mass. v. U.S. Veterans Administration*, 541 F.2d 119.—Environ Law 226.

C.A.5 (Miss.) 1976. Municipality which is independent in character and functions from the state may be considered a "citizen" for purposes of examining diversity jurisdiction. 28 U.S.C.A. § 1332.—*Reeves v. City of Jackson, Mississippi*, 532 F.2d 491, appeal after remand 608 F.2d 644.—Fed Cts 283.

C.A.3 (N.J.) 1997. The unborn are not encompassed within meaning of terms "person" or "citizen" for purposes of § 1983, as the unborn are not persons within meaning of Fourteenth Amendment. U.S.C.A. Const.Amend. 14; 42 U.S.C.A. § 1983.—*Alexander v. Whitman*, 114 F.3d 1392, certiorari denied 118 S.Ct. 367, 522 U.S. 949, 139 L.Ed.2d 286.—Civil R 1331(1).

C.A.2 (N.Y.) 2004. For purposes of the Privileges and Immunities Clause, which provides that the citizens of each state shall be entitled to all privileges and immunities of citizens in the several States, the terms "citizen" and "resident" are used interchangeably. U.S.C.A. Const. Art. 4, § 2, cl. 1.—*Swedenburg v. Kelly*, 358 F.3d 223, certiorari granted in part 124 S.Ct. 2391, 158 L.Ed.2d 962, miscellaneous rulings 124 S.Ct. 2927, 159 L.Ed.2d 810, miscellaneous rulings 125 S.Ct. 459, 160 L.Ed.2d 315.—Const Law 207(1).

C.A.2 (N.Y.) 1987. Word "citizen" in statute prohibiting conspiracy to deprive United States citizens of their civil rights did not include aliens. U.S.C.A. Const.Amend. 14; 18 U.S.C.A. § 241.—*U.S. v. Gaggi*, 811 F.2d 47, certiorari denied 107

S.Ct. 3214, 482 U.S. 929, 96 L.Ed.2d 701, certiorari denied *Borelli v. United States*, 107 S.Ct. 3233, 483 U.S. 1007, 97 L.Ed.2d 739, certiorari denied *Ustica v. United States*, 107 S.Ct. 3233, 483 U.S. 1007, 97 L.Ed.2d 739, certiorari denied *Rendini v. United States*, 107 S.Ct. 3233, 483 U.S. 1007, 97 L.Ed.2d 739, certiorari denied *Turekian v. United States*, 107 S.Ct. 3233, 483 U.S. 1007, 97 L.Ed.2d 739, appeal after remand 847 F.2d 42.—*Consp* 29.5(2).

C.A.2 (N.Y.) 1984. Definition of “citizen” for purposes of citizen suit provision of Clean Water Act as person or persons having interest which is or may be adversely affected means those who can claim injury in fact which requires more than injury to cognizable interest, but rather, requires that party seeking review be himself among the injured. Federal Water Pollution Control Act Amendments of 1972, §§ 505(a, g), 33 U.S.C.A. §§ 1365, 1365(a, g); U.S.C.A. Const. Art. 3, § 1 et seq.—*Sierra Club v. SCM Corp.*, 747 F.2d 99.—*Environ Law* 226.

C.A.2 (N.Y.) 1967. Commonwealth of Puerto Rico by creating agency to engage in economic research, encourage and develop industrial growth and promote tourism did not become a “citizen” for the purpose of diversity jurisdiction. 28 U.S.C.A. § 1332.—*Krisel v. Duran*, 386 F.2d 179, certiorari denied 88 S.Ct. 1635, 390 U.S. 1042, 20 L.Ed.2d 303.—*Fed Cts* 283.

C.A.3 (Pa.) 1975. A state is not a “citizen” for purposes of diversity jurisdiction.—*Aldens, Inc. v. Packel*, 524 F.2d 38, certiorari denied 96 S.Ct. 1684, 425 U.S. 943, 48 L.Ed.2d 187.—*Fed Cts* 283.

C.A.3 (Pa.) 1969. Since neither a state nor its alter ego is a “citizen” for purposes of diversity jurisdiction, a suit between a state or its alter ego and a citizen of another state is not a suit between citizens of different states, and diversity jurisdiction does not exist.—*Harris v. Pennsylvania Turnpike Commission*, 410 F.2d 1332, certiorari denied 90 S.Ct. 558, 396 U.S. 1005, 24 L.Ed.2d 497.—*Fed Cts* 274.

C.A.5 (Tex.) 1997. For diversity purposes, corporation incorporated in United States with its principal place of business abroad is solely “citizen” of its “State” of incorporation; it is not “citizen” of foreign country in which its principal place of business is located. 28 U.S.C.A. § 1332(c)(1).—*Torres v. Southern Peru Copper Corp.*, 113 F.3d 540.—*Fed Cts* 300.

C.A.5 (Tex.) 1996. For purposes of diversity jurisdiction, person cannot be “citizen” of state unless she is also citizen of the United States. 28 U.S.C.A. § 1332.—*Coury v. Prot*, 85 F.3d 244.—*Fed Cts* 282.

C.A.3 (Virgin Islands) 1996. United States Territory cannot be considered “citizen” for purposes of establishing diversity jurisdiction, pursuant to well-established rule that state cannot be considered “citizen” for such purposes, since statute governing diversity jurisdiction specifically defines word “States” to include Territories. 28 U.S.C.A. §§ 1332, 1332(a, d).—*Brown v. Francis*, 75 F.3d

860, on remand *Government of Virgin Islands v. 0.459 acres of land*, 1999 WL 359185, affirmed 286 F.Supp.2d 501.—*Fed Cts* 283.

C.A.9 (Wash.) 1998. State of Washington was not “citizen” for purposes of proviso of Stevens Treaties between United States and western Washington Indian tribes, prohibiting tribes from taking shellfish “from any beds staked or cultivated by citizens.” Treaty with the Nisquallys, Art. I et seq., 10 Stat. 1132; Treaty with the Dwamish Indians, Art. I et seq., 12 Stat. 927; Treaty with the S’Klallams, Art. I et seq., 12 Stat. 933; Treaty with the Makah Tribe, Art. I et seq., 12 Stat. 939; Treaty with the Qui-nai-elt, Art. I et seq., 12 Stat. 971.—*U.S. v. State of Wash.*, 157 F.3d 630, certiorari denied *Washington v. U.S.*, 119 S.Ct. 1376, 526 U.S. 1060, 143 L.Ed.2d 535, certiorari denied *Puget Sound Shellfish Growers v. U.S.*, 119 S.Ct. 1377, 526 U.S. 1060, 143 L.Ed.2d 535, certiorari denied 26 *Tideland & Upland Private Property Owners v. U.S.*, 119 S.Ct. 1377, 526 U.S. 1060, 143 L.Ed.2d 535, certiorari denied *Alexander v. U.S.*, 119 S.Ct. 1377, 526 U.S. 1060, 143 L.Ed.2d 535.—*Indians* 32.10(4).

C.C.A.2 1941. An appeal from order dismissing habeas corpus application by member of Six Nations of Indians, for discharge from United States Army, on ground that member was not “citizen” within Selective Training and Service Act of 1940, but was member of independent nation by virtue of treaties between United States and the Six Nations, would not be disposed of on narrow ground that member’s failure to claim exemption before local draft board and to appeal from its decision in manner prescribed by regulations issued pursuant to such Act, might have justified district court’s order, but would be decided on merits, inasmuch as question presented was certain to arise with respect to other members of Six Nations. Selective Training and Service Act 1940, § 1 et seq., and § 10(a)(2), 50 U.S.C.A.App. § 301 et seq., and § 310(a)(2).—*Ex parte Green*, 123 F.2d 862, certiorari denied *Green v. McLaren*, 62 S.Ct. 1035, 316 U.S. 668, 86 L.Ed. 1744.—*Hab Corp* 841.

C.C.A.2 1941. Under Nationality Act of 1940, conferring citizenship on Indians, an Onondaga Indian, who was member of tribe which was a part of Six Nations of Indians, or Iroquois Confederacy, was a “citizen” subject to Selective Training and Service Act of 1940. Selective Training and Service Act 1940, § 1 et seq., and § 3(a), 50 U.S.C.A.App. § 301 et seq., and § 303(a); Nationality Act 1940, § 102 et seq., 8 U.S.C.A. § 1101 et seq.—*Ex parte Green*, 123 F.2d 862, certiorari denied *Green v. McLaren*, 62 S.Ct. 1035, 316 U.S. 668, 86 L.Ed. 1744.—*Armed S* 20.4(1).

C.C.A.5 (Ala.) 1940. The word “citizen” in statute prohibiting conspiracy to injure or oppress, threaten or intimidate citizen in free exercise of right or privilege secured to him by Constitution or laws of United States means citizen of the United States and not a person generally or a citizen of a state. Cr.Code § 19, 18 U.S.C.A. § 241.—*Powe v. U.S.*, 109 F.2d 147, certiorari denied 60 S.Ct. 717, 309 U.S. 679, 84 L.Ed. 1023.—*Consp* 7.5(1), 28(3).

C.C.A.9 (Alaska) 1931. Appellant, having merely filed declaration of intention to become citizen after long residence in Alaska, held not "citizen," and therefore not entitled to prosecute appeal in forma pauperis. 28 U.S.C.A. § 832.—Johnson v. Nickoloff, 52 F.2d 1074, 5 Alaska Fed. 595.—App & E 389(1).

C.C.A.9 (Cal.) 1942. A state suing to collect taxes from a citizen of another state is not a "citizen" of itself or of any other state, and hence is not entitled to invoke jurisdiction of federal courts on the ground of diversity of citizenship. 28 U.S.C.A. § 1331 et seq.—People of State of California ex rel. McColgan v. Bruce, 129 F.2d 421, 147 A.L.R. 782, certiorari denied 63 S.Ct. 157, 317 U.S. 678, 87 L.Ed. 544, rehearing denied 63 S.Ct. 255, 317 U.S. 710, 87 L.Ed. 566.—Fed Cts 283.

C.C.A.10 (Kan.) 1939. A child or a naturalized alien who did not become naturalized citizen by virtue of citizenship of parent and did not apply for or obtain naturalization through any other means was an "alien" and not a "citizen" of the United States. 8 U.S.C.A. § 8.—Bufalino v. Irvine, 103 F.2d 830.—Citiz 9.

C.C.A.1 (Mass.) 1928. Children of secondary wives are not legitimate, and therefore cannot be born citizens of the United States, if born abroad, although father was an American citizen, since 8 U.S.C.A. § 6, relative to citizenship of children born out of limits and jurisdiction of the United States, applies to legitimate children only, and determines status of child as of the time of his birth, and declares him to be a "citizen," provided his father is a citizen of the United States and shall have resided therein.—Mason ex rel. Chin Suey v. Tillinghast, 26 F.2d 588.

C.C.A.8 (Minn.) 1941. Organized county of the state of Minnesota was a "citizen" of that state for purpose of federal court jurisdiction based on diversity of citizenship.—Pettibone v. Cook County, Minn., 120 F.2d 850.—Fed Cts 283.

C.C.A.9 (Mont.) 1944. A state is not a "citizen" and, absent a federal question, federal District Courts are not possessed of jurisdiction of suits by or against a state. Jud. Code Sec. 24(1) as amended, 28 U.S.C.A. 41(1).—Broadwater-Missouri Water Users' Ass'n v. Montana Power Co, 139 F.2d 998.—Fed Cts 264.1, 283.

C.C.A.8 (Neb.) 1927. State is not a "citizen", within federal statutes relating to suits by citizens of different states. A state is not a "citizen," under the judiciary acts of the United States relating to suits by citizens of different states.—O'Connor v. Slaker, 22 F.2d 147, appeal dismissed 49 S.Ct. 158, 278 U.S. 188, 73 L.Ed. 258.—Fed Cts 283.

C.C.A.8 (Neb.) 1927. State is not a "citizen," within federal statutes relating to suits by citizens of different states.—O'Connor v. Slaker, 22 F.2d 147, appeal dismissed 49 S.Ct. 158, 278 U.S. 188, 73 L.Ed. 258.—Fed Cts 283.

C.C.A.3 (N.J.) 1928. "Citizen," for purpose of determining jurisdiction of federal courts, means "inhabitant." Word "citizen," as used in regard to

jurisdiction of federal courts, is synonymous with "inhabitant," and includes the idea of domicile.—Steidle v. Reading Co., 24 F.2d 299, certiorari denied 49 S.Ct. 13, 278 U.S. 609, 73 L.Ed. 535.—Fed Cts 71.

C.C.A.3 (N.J.) 1928. "Citizen," for purpose of determining jurisdiction of federal courts, means "inhabitant."—Steidle v. Reading Co., 24 F.2d 299, certiorari denied 49 S.Ct. 13, 278 U.S. 609, 73 L.Ed. 535.—Courts 12(1); Fed Cts 71.

C.C.A.2 (N.Y.) 1943. A Jew born in Austria of native citizens thereof, taking up his abode in France before invasion of Austria by Germany, and never electing to accept invader's sovereignty, never became "citizen" of Germany within Alien Enemy Act, or, if he became such citizen by German law, such citizenship was terminated by German executive order depriving non-resident Jews of their German citizenship. Alien Enemy Act, 50 U.S.C.A. § 21.—U S ex rel D'Esquiva v. Uhl, 137 F.2d 903.—War 11.

C.C.A.2 (N.Y.) 1943. The word "citizen", in Alien Enemy Act, must be construed in light of accepted right of subjugated country's subjects, residing elsewhere at time of its annexation by another country, to retain their nationality, so that Austrian citizen, fleeing from Austria to United States for permanent residence before German conquest of Austria, did not become citizen of Germany within such act, in absence of showing that he consented to accept invader's sovereignty. Alien Enemy Act, 50 U.S.C.A. § 21.—U.S. ex rel. Schwarzkopf v. Uhl, 137 F.2d 898.—War 11.

C.C.A.2 (N.Y.) 1943. A Jewish citizen of Austria, residing in United States when Germany annexed Austria, lost his German citizenship, if acquired by such annexation and subsequent German decree granting German citizenship, to all Austrian citizens, or promulgation of German executive order depriving Jews residing abroad of their German citizenship, and hence was not a "citizen" of Germany within Alien Enemy Act. Alien Enemy Act, 50 U.S.C.A. § 21.—U.S. ex rel. Schwarzkopf v. Uhl, 137 F.2d 898.—War 11.

C.C.A.2 (N.Y.) 1934. Corporation held not "citizen" within statute authorizing permission to citizens to sue in forma pauperis. 28 U.S.C.A. § 1915.—Quittner v. Motion Picture Producers & Distributors of America, 70 F.2d 331.—Fed Cts 662.1.

C.C.A.6 (Ohio) 1940. National bank which had its office and place of business in Ohio was a "resident" and "citizen" of that state for jurisdictional purposes.—Atwood v. National Bank of Lima, 115 F.2d 861.—Fed Cts 301.

C.C.A.10 (Okla.) 1940. An Oklahoma resident, going to California with present intention and purpose of remaining and establishing his residence there, was "citizen" of such state at time of his subsequent institution of suit against Oklahoma corporation in federal court for Oklahoma district within statute giving federal court jurisdiction of suits between citizens of different states. Jud.

Code Sec. 24(1), 28 U.S.C.A. 41(a).—Mid-Continent Pipe Line Co. v. Whiteley, 116 F.2d 871.—Fed Cts 282.

C.C.A.10 (Okla.) 1936. State is not “citizen” for purpose of constituting requisite diversity of citizenship to authorize removal of cause from state to federal court. Jud.Code § 28, 28 U.S.C.A. §§ 1441, 1445, 1447.—State of Okl. ex rel. Williams v. Oklahoma Natural Gas Corp., 83 F.2d 986.—Rem of C 26.

C.C.A.10 (Okla.) 1936. Municipal subdivision of state, such as county, city, town, or school district, having separate corporate entity, is “citizen” for purpose of constituting requisite diversity of citizenship to authorize removal of cause from state to federal court. Jud.Code § 28, 28 U.S.C.A. §§ 1441, 1445, 1447.—State of Okl. ex rel. Williams v. Oklahoma Natural Gas Corp., 83 F.2d 986.—Rem of C 26.

C.C.A.6 (Tenn.) 1940. Under Tennessee statute constituting Secretary of State an agent for acceptance of service of processing any action brought by a resident of the state against a nonresident for injuries resulting from operation of a motor vehicle by nonresident, a nonresident who has qualified as administratrix of the estate of deceased resident must be considered a “citizen” or “resident” of Tennessee for purpose of obtaining service through agency of Secretary of State upon nonresident tortfeasor. Code Tenn.1932, §§ 8148, 8671; Williams’ Code Tenn. § 8236.—Hunt v. Noll, 112 F.2d 288, certiorari denied 61 S.Ct. 71, 311 U.S. 690, 85 L.Ed. 446.—Autos 235(1).

N.D.Ala. 1992. Limited partnership is not in its own right a “citizen” of state that created it, within meaning of federal diversity jurisdiction statute. 28 U.S.C.A. § 1332.—Muscle Shoals Associates, Ltd. v. MHF Ins. Agency, Inc., 792 F.Supp. 1224.—Fed Cts 302.

N.D.Ala. 1978. For purposes of diversity jurisdiction in suits involving corporations, a “principal office” is not necessarily the same as the “principal place of business”; likewise, concepts of “inhabitant” and “resident” do not have the same meaning as the word “citizen.” 28 U.S.C.A. § 1332(c).—Monsanto Co. v. Tennessee Valley Authority, 448 F.Supp. 648.—Fed Cts 282, 300.

S.D.Ala. 1992. Alien who was nonimmigrant temporary worker was not “citizen” of Alabama for diversity purposes, even though alien resided in Alabama, since alien was not admitted to United States for permanent residence. 28 U.S.C.A. § 1332(a), (a)(4).—Miller v. Thermarite Pty. Ltd., 793 F.Supp. 306.—Fed Cts 275.

S.D.Ala. 1985. State is not “citizen” for purposes of diversity jurisdiction statute. 28 U.S.C.A. § 1332(a)(1).—State of Ala. ex rel. Galanos v. Star Service & Petroleum Co., Inc., 616 F.Supp. 429.—Fed Cts 283.

D.Alaska 1993. State is not “citizen” of state, for purposes of establishing diversity jurisdiction in federal court.—State of Alaska for Use and Benefit

of Redoubt Plumbing & Heating v. General Ins. Co. of America, 826 F.Supp. 308.—Fed Cts 283.

D.Ariz. 1972. The county corporation which is liable to suit in its corporate name under state law may be sued as a “citizen” under diversity action on a contract executed by the county in its own name.—Universal Sur. Co. v. Lescher and Mahoney, Architects and Engineers, 340 F.Supp. 303.—Fed Cts 283.

E.D.Ark. 1996. For purposes of diversity jurisdiction, corporation that is licensed to do business or domesticated in second state, or corporation that is incorporated by compulsion in second state, is not treated as “second” corporation; however, if corporation voluntarily reincorporates in second state, it is treated as “citizen” of that second state for diversity purposes. 28 U.S.C.A. § 1332.—Missouri Pacific R. Co. v. 55 Acres of Land Located in Crittenden County, Ark., 947 F.Supp. 1301.—Fed Cts 297.

E.D.Ark. 1996. Delaware railroad corporation that was required to file its articles of incorporation with Arkansas Secretary of State in order to do business in that state was not “citizen” thereof for diversity jurisdiction purposes; railroad did not incorporate in Arkansas, but rather, it was merely domesticated to avail itself of rights and privileges of Arkansas corporations. 28 U.S.C.A. § 1332; A.C.A. § 23–3–108(a)(1).—Missouri Pacific R. Co. v. 55 Acres of Land Located in Crittenden County, Ark., 947 F.Supp. 1301.—Fed Cts 297.

E.D.Ark. 1996. Arkansas statute that required foreign railroad to file its articles of incorporation with Arkansas Secretary of State in order to avail itself of rights and privileges of Arkansas corporations was merely “domestication statute,” and did not render railroad “citizen” of Arkansas for purposes of federal court diversity jurisdiction. 28 U.S.C.A. § 1332; A.C.A. § 23–3–108(a)(1).—Missouri Pacific R. Co. v. 55 Acres of Land Located in Crittenden County, Ark., 947 F.Supp. 1301.—Fed Cts 297.

E.D.Ark. 1948. A state cannot be a “citizen” of any state, and hence a suit between a state and citizens is not one between citizens of different states and cannot be removed from a state to a federal court on ground of diverse citizenship. Jud. Code, § 28, 28 U.S.C.A. § 71.—Arkansas State Game & Fish Commission v. W.R. Wrape Stave Co., 76 F.Supp. 323.—Fed Cts 283; Rem of C 26.

W.D.Ark. 1995. United States is not “citizen” of any state for diversity purposes.—Blackmon Auctions, Inc. v. Van Buren Truck Center, Inc., 901 F.Supp. 287.—Fed Cts 283.

W.D.Ark. 1950. Where Missouri railroad filed suit in federal district court to enjoin Commissioner of Revenue of Arkansas allegedly acting on behalf of the state from collecting certain income taxes; suit was in effect one against the state which was not a “citizen” for purpose of establishing jurisdiction of federal court on grounds of diversity of citizenship. Ark.Stats. §§ 84–2001 to 84–2048; 28

U.S.C.A. § 1341.—Kansas City Southern Ry. Co. v. Morley, 88 F.Supp. 300.—Fed Cts 283.

N.D.Cal. 1942. A person of the Japanese race born within the United States, is a “citizen”, and, if otherwise qualified, is entitled to register as voter.—Regan v. King, 49 F.Supp. 222, affirmed 134 F.2d 413, certiorari denied 63 S.Ct. 1168, 319 U.S. 753, 87 L.Ed. 1706.—Citiz 3; Elections 61.

N.D.Cal. 1942. A child born in the United States of alien parentage becomes a “citizen” of the United States.—Regan v. King, 49 F.Supp. 222, affirmed 134 F.2d 413, certiorari denied 63 S.Ct. 1168, 319 U.S. 753, 87 L.Ed. 1706.—Citiz 3.

N.D.Cal. 1942. In action instituted in state court by California Toll Bridge Authority, in determining whether federal court had jurisdiction based on diversity of citizenship, the Authority was not to be treated as a “citizen” of California but was to be classified as an “agency” and “representative” of the state of California so that federal court could not take jurisdiction on ground of “diversity of citizenship”. St.1929, p. 1489 (repealed. See Streets and Highways Code, § 30000 et seq.)—California Toll Bridge Authority v. Interurban Electric Ry. Co., 46 F.Supp. 315.—Rem of C 26.

N.D.Cal. 1941. A state is not a “citizen” so as to give federal court jurisdiction, on basis of diversity of citizenship, of action against state by a citizen of another state.—Fowler v. California Toll-Bridge Authority, 46 F.Supp. 299, affirmed 128 F.2d 549.—Fed Cts 283.

N.D.Cal. 1941. State is not a “citizen,” within federal statutes relating to suits by citizens of different states.—Fowler v. California Toll-Bridge Authority, 46 F.Supp. 299, affirmed 128 F.2d 549.—Fed Cts 283.

S.D.Cal. 1986. For purpose of diversity of citizen jurisdiction, person is “citizen” of state if he or she is domiciled in that state and if he or she is citizen of United States. 28 U.S.C.A. § 1332(a)(1, 2).—Guinto v. Marcos, 654 F.Supp. 276.—Fed Cts 282.

S.D.Cal. 1946. Where plaintiff was a Nevada corporation and defendant was a California county, requisite diversity of citizenship existed, since county was a “citizen” of California. 28 U.S.C.A. §§ 1331, 1332, 1341 et seq., 1354, 1359; U.S.C.A.Const. art. 3, § 2.—Merced Dredging Co. v. Merced County, 67 F.Supp. 598.—Fed Cts 297.

D.Colo. 2000. For purposes of statute authorizing diversity jurisdiction, a natural person is a “citizen” of the state in which they are domiciled. 28 U.S.C.A. § 1332.—Hale v. MasterSoft Intern. Pty. Ltd., 93 F.Supp.2d 1108.—Fed Cts 282.

D.Conn. 1944. The statute authorizing a judgment declaring a plaintiff to be a “national” of the United States does not confer upon District Court jurisdiction to declare plaintiff a “citizen”, since the term “national” is broader than “citizen”. Nationality Act of 1940, §§ 101(a, b), 503, 8 U.S.C.A. §§ 501(a, b), 903.—Brassert v. Biddle, 59 F.Supp. 457, affirmed 148 F.2d 134.—Citiz 9.3.

D.Conn. 1931. Delaware corporation is “citizen” of Delaware for purposes of federal jurisdiction and venue. 28 U.S.C.A. §§ 1332, 1391.—Hurley v. Wells-Newton Nat. Corp., 49 F.2d 914.—Corp 665(1); Fed Cts 297.

D.Del. 1987. A state or its alter ego is not “citizen” for purposes of diversity; hence, diversity jurisdiction is absent in suit between state or its alter ego and citizen of another state. 28 U.S.C.A. § 1332.—Levinson v. Continental Ins. Services, Inc., 655 F.Supp. 275.—Fed Cts 283.

D.Del. 1954. In common usage, term “citizen” does not include overreign itself.—U S V.Tanker Lake George, 123 F.Supp. 216, appeal dismissed United States v. the Lake George, 224 F.2d 117.—Citiz 2.

D.D.C. 1985. A “State” is not a “citizen” for purposes of federal diversity jurisdiction. 28 U.S.C.A. § 1332(a).—Acord v. McLaughlin Const. Management Corp., 621 F.Supp. 971.—Fed Cts 283.

D.D.C. 1985. District of Columbia government is not a “citizen” within meaning of diversity jurisdiction statute [28 U.S.C.A. § 1332].—Barnes v. District of Columbia, 611 F.Supp. 130.—Fed Cts 283.

M.D.Fla. 1993. Corporation was not “citizen” for purposes of privileges and immunities clause and, thus, lacked standing to bring action for deprivation of rights arising thereunder. 42 U.S.C.A. § 1983; U.S.C.A. Const. Art. 4, § 2, cl. 1.—L.S.T. Inc. v. Crow, 834 F.Supp. 1355, reversed 49 F.3d 679.—Const Law 42.3(1), 207(1).

S.D.Fla. 1956. The Florida Turnpike Authority is an arm or alter ego of the State and, therefore, not a “citizen” within diversity of citizenship concept; and, accordingly, Federal District Court would have no jurisdiction, on diversity grounds, of condemnation suit brought by such authority against nonresident defendants. F.S.A. 340.02, 340.03, 340.05.—Florida State Turnpike Authority v. Van Kirk, 146 F.Supp. 364.—Fed Cts 270.

N.D.Ga. 1972. A state is not a “citizen” for diversity purposes.—McDevitt & Street Co. v. Georgia Bldg. Authority, 343 F.Supp. 1238.—Fed Cts 283.

D.Hawai'i 1966. A corporation is not a “citizen” as that word is used in the Constitution.—Honolulu Lumber Co. v. American Factors, Limited, 265 F.Supp. 578.—Corp 1.1(3).

E.D.Ill. 1941. “Citizens”, within federal constitution, mean those who are entitled, upon terms prescribed by institutions of the state, to all the rights and privileges conferred by those institutions upon the highest class of society, and, to be a “citizen”, it is necessary that one should be entitled to enjoyment of those privileges and immunities upon same terms upon which they are conferred upon other citizens.—Austin v. U.S., 40 F.Supp. 777.—Citiz 2.

E.D.Ill. 1941. A convict in Illinois state penitentiary, in pursuance of a judgment of conviction for

murder of her husband, was not a fully qualified "citizen" under constitution and laws of Illinois, and therefore was not entitled to prosecute her appeal, in an action on an insurance policy on life of husband in which she was beneficiary, to the United States Circuit Court of Appeals as a poor person. 28 U.S.C.A. 832; Smith-Hurd Stats. Ill. c. 38, Sec. 587.—Austin v. U.S., 40 F.Supp. 777.—Fed Cts 651.

N.D.Ill. 1979. Sawmill products corporation was not "citizen" within meaning of privileges and immunities clause, but the corporation was "person" for purposes of equal protection and due process clauses of Fourteenth Amendment, and thus corporation had standing to bring action under civil rights statutes. U.S.C.A.Const. Amend. 14; 42 U.S.C.A. §§ 1983, 1985(3).—Sawmill Products, Inc. v. Town of Cicero, Cook County, Ill., 477 F.Supp. 636, 53 A.L.R. Fed. 732.—Civil R 1329, 1331(1).

N.D.Ill. 1949. To be a "citizen" of a state so as to sue or be sued in courts of the United States, person must have a domicile in such state. 28 U.S.C.A. 1332.—Alla v. Kornfeld, 84 F.Supp. 823.—Fed Cts 282.

N.D.Iowa 1995. State is not "citizen" for purposes of diversity jurisdiction. 28 U.S.C.A. § 1332.—Iowa Comprehensive Petroleum Underground Storage Tank Fund Bd. 990C80656 v. Amoco Oil Co., 883 F.Supp. 403.—Fed Cts 283.

N.D.Iowa 1995. Multifactor test is used to determine whether "political subdivision" of state is arm or "alter ego" of state, so that it does not qualify as "citizen" of state for diversity purposes, involving consideration of whether entity has power to sue and be sued in its own name and to enter into contracts, degree of autonomy over its operations, whether entity is performing governmental or proprietary function, whether entity has been separately incorporated, whether entity's property is immune from state taxation, local law and decisions defining status and nature of entity involved in its relation to state, whether state has immunized itself from responsibility for agency's operations, and whether payment of judgment will have to be made out of state treasury. 28 U.S.C.A. § 1332.—Iowa Comprehensive Petroleum Underground Storage Tank Fund Bd. 990C80656 v. Amoco Oil Co., 883 F.Supp. 403.—Fed Cts 283.

S.D.Iowa 2003. State is not a "citizen" for purposes of diversity jurisdiction. 28 U.S.C.A. § 1447(c).—Iowa Valley Community College Dist. v. Plastech Exterior Systems, Inc., 256 F.Supp.2d 959.—Fed Cts 283.

E.D.Ky. 1973. State is not a "citizen" within statute providing federal district courts with original jurisdiction of civil actions in which matter in controversy exceeds value of \$10,000 and which is between citizens of different states. 28 U.S.C.A. § 1332.—Edgar H. Hughes Co., Inc. v. Turnpike Authority of Kentucky, 353 F.Supp. 1105.—Fed Cts 283.

E.D.Ky. 1961. To be a "citizen", defendant would have to be either a person or a corporation;

and allegation that it was an unincorporated association of persons unknown to plaintiff was insufficient, for diversity jurisdiction purposes. 28 U.S.C.A. § 1332(a).—Gillespie v. Schomaker, 191 F.Supp. 8.—Fed Cts 302, 313.

E.D.La. 1984. A state is not a "citizen" for purposes of diversity jurisdiction, and thus, if a party to a suit is an agency which is merely an alter ego of the state, federal jurisdiction is lacking.—State of La. ex rel. Guste v. Home Depot, Inc., 589 F.Supp. 1254.—Fed Cts 283.

E.D.La. 1968. Board of Commissioners of the Port of New Orleans which under Louisiana Constitution and statutes had many of the rights, powers and purposes usually enjoyed by corporation was a "citizen" for purposes of diversity of citizenship jurisdiction in federal court in which suit was brought against it for breach of contract, and board was not considered an agency of State of Louisiana entitled to sovereign immunity. 28 U.S.C.A. § 1332(a) (1); U.S.C.A.Const. Amend. 11; LSA—Const. art. 6, §§ 16, 16.1, 16.4, 17; LSA—R.S. 34:1—34:44.—George A. Fuller Co. v. Coastal Plains, Inc., 290 F.Supp. 911.—Fed Cts 270.

E.D.La. 1947. A state is not a "citizen" within the meaning of the diverse citizenship clause of federal statute dealing with original jurisdiction of federal District Courts or the Constitution. Jud. Code, Sec. 24(8), 28 U.S.C.A. 41(8).—Higman Towing Co. v. Cocreham, 70 F.Supp. 628, affirmed 165 F.2d 789.—Fed Cts 283.

E.D.La. 1941. Since the state is not a "citizen", a suit in which state is a party to the controversy is not removable on ground of diverse citizenship.—State of Louisiana v. Texas Co., 38 F.Supp. 860.—Rem of C 41.

W.D.La. 1948. A corporation is not "citizen" within privileges and immunities clause, but is "person" within equal protection and due process of law clauses, and hence corporation cannot maintain action for damages for deprivation of rights, privileges or immunities of citizen, but corporation can assert claim for conspiracy to deny a person equal protection of the law, and can assert action for damages for such conspiracy. 28 U.S.C.A. § 1343; 42 U.S.C.A. § 1983; U.S.C.A.Const. Amend. 14, §§ 1, 5.—Llano Del Rio Co. of Nev. v. Anderson-Post Hardwood Lumber Co., 79 F.Supp. 382, motion denied 84 F.Supp. 336, affirmed 187 F.2d 235.—Consp 17; Const Law 206(7), 210(2), 252.

W.D.La. 1925. Citizen of Arkansas moving to Louisiana and voting therein, became "citizen" and was domiciled there, though intending to return.—McHaney v. Cunningham, 4 F.2d 725.—Domicile 4(1).

D.Me. 1989. Maine was not entitled to assert diversity of citizenship jurisdiction in order to intervene in litigation challenging municipal environmental ordinance, insofar as Maine was not a "citizen" for purposes of diversity jurisdiction. Fed. Rules Civ.Proc.Rule 24(b), 28 U.S.C.A.; 28 U.S.C.A. § 1332.—International Paper Co. v. In-

habitants of Town of Jay, 124 F.R.D. 506, affirmed 887 F.2d 338.—Fed Cts 274.

D.Md. 1974. Though Maryland counties are artificial instrumentalities of state for purpose of exercising police power, such judicially created limitation on independence of the Maryland counties, expanding coverage of governmental immunity, is insufficient to deprive federal district court of subject matter jurisdiction based on diversity statute, and Maryland county is thus a "citizen" within diversity statute. 28 U.S.C.A. §§ 1332, 1332(a)(1), 1343(4); Code Md.1957, art. 25A, § 1; Const.Md. art. 11—A, § 1 et seq.—Taylor v. Prince George's County, Maryland, 377 F.Supp. 1004.—Fed Cts 283.

D.Md. 1943. Under statute providing that where jurisdiction is founded only on diversity of citizenship suit shall be brought only in district of residence of either plaintiff or defendant, "citizen", "inhabitant" and "resident" are synonymous. 28 U.S.C.A. §§ 1391, 1401, 1693, 1695.—Edgewater Realty Co. v. Tennessee Coal, Iron & Railroad Co., 49 F.Supp. 807.—Fed Cts 73.

D.Md. 1941. Where petitioner's father, a Norwegian, emigrated to United States in 1892 and became a naturalized citizen in 1897 and thereafter married petitioner's mother, a Norwegian, and returned to Norway in November, 1907, never returning to United States and petitioner was born in Norway in October, 1908, and resided there until shortly before his 21st birthday when petitioner came to United States in 1929 upon a passport issued after petitioner had recorded his intention to become a resident and remain a citizen of United States, petitioner was a "citizen" within provisions of Nationality Act of 1940 enumerating persons who shall be nationals and citizens of United States at birth. Nationality Act of 1940, §§ 201(c), 408, 409, 8 U.S.C.A. §§ 1401, 1487, 1488; Act Sept. 22, 1922, c. 411, § 6, 42 Stat. 1022.—Haaland v. Attorney General of U.S., 42 F.Supp. 13.—Citiz 9.

D.Md. 1931. "Citizen," "inhabitant," and "resident" are for jurisdictional purposes synonymous terms. Jud.Code § 51, 28 U.S.C.A. § 112.—Standard Stoker Co. v. Lower, 46 F.2d 678.—Fed Cts 282.

D.Md. 1928. Alien's son, born in United States, was "citizen." One born in United States, whose parents were aliens, and whose father entered active service in German army in World War, was United States "citizen."—Von Schwerdtner v. Piper, 23 F.2d 862.—Citiz 3.

D.Md. 1928. Alien's son, born in United States, was "citizen."—Von Schwerdtner v. Piper, 23 F.2d 862.—Citiz 3.

D.Mass. 1969. For purposes of diversity of citizenship statute, "citizen" of state is person who is domiciled there. 28 U.S.C.A. § 1332.—Bird Mach. Co. v. Day, 303 F.Supp. 834.—Fed Cts 282.

D.Mass. 1941. For purposes of statute relating to diversity of citizenship as a ground for jurisdiction in a federal court, a corporation is a "citizen" of the state where it is organized, and a foreign corporation does not become a citizen of another

state where it is authorized to carry on business. Jud. Code Sec. 24(1), 28 U.S.C.A. 41(1).—Van Buren v. Connecticut General Life Ins. Co., 42 F.Supp. 279.—Fed Cts 297.

D.Mass. 1941. A Connecticut corporation could not be regarded as a "citizen" of Massachusetts within statute relating to diversity of citizenship as a ground for jurisdiction in a federal court, merely because it had obtained a license to do business in Massachusetts. Jud. Code Sec. 24(1), 28 U.S.C.A. 41(1).—Van Buren v. Connecticut General Life Ins. Co., 42 F.Supp. 279.—Fed Cts 297.

E.D.Mich. 1992. Private corporation was "person" within meaning of Fourteenth Amendment and § 1983, but not "citizen" within meaning of privileges and immunities clause. 42 U.S.C.A. § 1983; U.S.C.A. Const.Amend. 14.—Hamilton v. Lokuta, 803 F.Supp. 82, affirmed in part, reversed in part 9 F.3d 1548.—Civil R 1329; Const Law 207(1), 252.

E.D.Mich. 1944. Since a corporation is regarded as a "citizen" of the state which created it, the Federal District Court had jurisdiction of an action brought by citizen of Michigan against a Delaware corporation, as a controversy between citizens of different states involving the necessary amount. Jud.Code Sec. 24(1), 28 U.S.C.A. 41(1).—Kapp v. E.I. Du Pont De Nemours & Co., 57 F.Supp. 32.—Fed Cts 297.

E.D.Mich. 1943. A Michigan municipal corporation is a "citizen" of Michigan for purpose of determining jurisdiction of federal District Court where jurisdiction is invoked on alleged diversity of citizenship. Jud. Code Sec. 24(1), 28 U.S.C.A. 41(1).—Siegel v. City of Detroit, Department of Street Railways, 52 F.Supp. 669.—Fed Cts 297.

D.Minn. 1944. A native of the Philippine Islands did not become a "citizen" of the United States by virtue of the Treaty of Paris. Treaty of Paris Dec. 10, 1898, art. 9, 30 Stat. 1754, 1759.—U.S. v. Gancy, 54 F.Supp. 755, affirmed 149 F.2d 788, certiorari denied 66 S.Ct. 166, 326 U.S. 767, 90 L.Ed. 463, rehearing denied 66 S.Ct. 229, 326 U.S. 810, 90 L.Ed. 495.—Territories 6.

S.D.Miss. 1995. State is not considered "citizen" for purposes of diversity jurisdiction. 28 U.S.C.A. § 1332.—Moore ex rel. State of Miss. v. Abbott Laboratories, Inc., 900 F.Supp. 26.—Fed Cts 283.

D.Neb. 1946. Generally, a state is not a "citizen" within removal act permitting removal of suits from state court to federal District Court on ground of diversity of citizenship. Jud.Code, § 28, 28 U.S.C.A. §§ 1441, 1445, 1447.—State of Neb. v. Northwestern Engineering Co., 69 F.Supp. 347.—Rem of C 26.

D.Nev. 1987. Individual is "citizen" of state for purposes of diversity jurisdiction if he or she is domiciled in that state.—Safeco Ins. Co. of America v. Mirczak, 662 F.Supp. 1155.—Fed Cts 282.

D.Nev. 1967. A state is not a "citizen" and a suit between a state and a citizen or corporation of

another state is not a suit between citizens of different states for purpose of diversity of citizenship with federal courts. 28 U.S.C.A. § 1332(a) (1).—*State of Nev. ex rel. Beko v. Reynolds Elec. & Engineering Co.*, 272 F.Supp. 942.—Fed Cts 283.

D.Nev. 1953. Diversity of citizenship as a basis for the jurisdiction of a cause in a District Court of the United States is not dependent upon the residence of any of the parties, but upon their citizenship and terms “citizen” and “resident” are not synonymous, since a resident of one state may be a citizen of some other state. Fed.Rules Civ.Proc. rule 12(h), 28 U.S.C.A.—*Williams v. McDaniel*, 119 F.Supp. 247.—Fed Cts 282.

D.N.H. 1963. State, suing broadcasting company for oral publication of defamatory statement, was not a “citizen” for purpose of diversity of citizenship, and, because there was no federal question raised on face of complaint, federal District Court had no jurisdiction. 28 U.S.C.A. §§ 1331, 1332.—*State of N.H. v. National Broadcasting Co.*, 222 F.Supp. 915, affirmed 324 F.2d 506.—Fed Cts 243, 283.

D.N.H. 1957. The state is not a “citizen” within the meaning of diversity of citizenship statute. 28 U.S.C.A. 1332.—*Creedon v. State of N.H.*, 154 F.Supp. 176.—Fed Cts 274.

D.N.J. 1983. State which was not presently being harmed by ocean dumping of refuse which suit sought to halt did not have the requisite interest in the action to be considered a “citizen” for purposes of intervention provision of the Federal Water Pollution Control Act Amendments and thus could not intervene as a matter of right. Federal Water Pollution Control Act Amendments of 1972 (Clean Water Act), § 505(b), 33 U.S.C.A. § 1365(b); Fed. Rules Civ.Proc.Rule 24(a), 28 U.S.C.A.—*National Wildlife Federation v. Ruckelshaus*, 99 F.R.D. 558.—Fed Civ Proc 338.

D.N.J. 1974. Neither a state nor its “alter ego” is a “citizen” for purposes of federal diversity jurisdiction. 28 U.S.C.A. § 1332.—*Yancoskie v. Delaware River Port Authority*, 385 F.Supp. 1170, reversed 528 F.2d 722.—Fed Cts 283.

E.D.N.Y. 1989. A state is not a “citizen” for purposes of diversity jurisdiction. 28 U.S.C.A. § 1332.—*Strauss v. Rolewick*, 706 F.Supp. 205.—Fed Cts 283.

E.D.N.Y. 1967. Where Delaware corporation had its sole business office and its principal place of business in New York, it was both a “citizen” and a “resident” of New York and entitled to bring diversity action against California defendants in federal court sitting in New York. 28 U.S.C.A. §§ 1332(c), 1391(c).—*National Equipment Rental, Limited v. Sanders*, 271 F.Supp. 756.—Fed Cts 300.

E.D.N.Y. 1926. Corporation domiciled in state is “inhabitant,” “resident,” and “citizen” of county or federal district where its principal place of business is located. Words “inhabitant,” “resident,” and “citizen” all include the idea of domicile, and corporation domiciled in state becomes an inhabitant, resident, and citizen, not only of state, but of

the county or federal district wherein its principal place of business is located.—*Gorman v. A.B. Leach & Co.*, 11 F.2d 454.—Fed Cts 77.5.

E.D.N.Y. 1926. Corporation domiciled in estate is “inhabitant,” “resident,” and “citizen” of county or federal district where its principal place of business is located.—*Gorman v. A.B. Leach & Co.*, 11 F.2d 454.—Fed Cts 77.5.

N.D.N.Y. 1998. County employee who suffered from leukemia allegedly caused by exposure to chemical contamination on site of county building where she worked, and her husband, no longer had interest regarding county building where employee had worked which was or could be adversely effected, and thus could not be considered “citizen” for purposes of Clean Water Act (CWA) and lacked standing to bring citizen’s suit under CWA. Federal Water Pollution Control Act, § 101 et seq., as amended, 33 U.S.C.A. § 1251 et seq.—*Wademan v. Conera*, 13 F.Supp.2d 295.—*Environ Law* 654, 656.

S.D.N.Y. 1974. Corporation, whether alien or otherwise, with its principal place of business in a state is deemed a “citizen” of that state for purposes of federal diversity jurisdiction. 28 U.S.C.A. § 1332(a, c).—*Bergen Shipping Co., Ltd. v. Japan Marine Services, Ltd.*, 386 F.Supp. 430.—Fed Cts 275, 300.

S.D.N.Y. 1958. A state is not a “citizen” for purposes of federal diversity jurisdiction.—*John & Sal’s Automotive Service, Inc v. Sinclair Refining Co*, 165 F.Supp. 518, appeal dismissed *John and Sal’s Automotive Service Incorporated v. Jones Beach State Parkway Authority*, 267 F.2d 862.—Fed Cts 283.

S.D.N.Y. 1950. An unincorporated association is not a “citizen” entitled to sue under statute for deprivation of privileges and immunities of United States citizens pursuant to conspiracy, but only natural persons may vindicate such right. 8 U.S.C.A. § 47(3); U.S.C.A.Const. Amend. 14.—*Robeson v. Fanelli*, 94 F.Supp. 62.—*Consp* 1.1, 7.5(1).

S.D.N.Y. 1950. A de facto corporation is not a “citizen” of a state, at least in absence of some showing of citizenship of persons maintaining and operating such de facto corporation.—*Merchants Food Distributors v. Clinton Foods*, 92 F.Supp. 941.—Fed Cts 297.

S.D.N.Y. 1941. Filipinos are within provision of Neutrality Act defining the term “citizen” as including any individual owing allegiance to the United States. 30 Philippine Pub.Laws, p. 386; Neutrality Act of 1939, § 16, 22 U.S.C.A. § 456; Philippine Independence Act, § 1 et seq., and § 2, 48 U.S.C.A. § 1231 et seq., and § 1232.—*Suspine v. Compania Transatlantica Centroamericana, S.A.*, 37 F.Supp. 268.—*Neut Laws* 2.

S.D.N.Y. 1941. The inclusion of Filipinos within definition of “citizen” by the Neutrality Act is not against “public policy”, since conduct of foreign relations is committed by the Constitution to the executive and legislative branches of the government and the propriety of what is done is not a

subject for judicial inquiry. Neutrality Act of 1939, § 16, 22 U.S.C.A. § 245j-15; Philippine Independence Act § 1 et seq., and § 2, 48 U.S.C.A. § 1231 et seq., and § 1232.—*Suspine v. Compania Transatlantica Centroamericana, S.A.*, 37 F.Supp. 268.—Const Law 70.3(9.1).

S.D.N.Y. 1940. A naturalized Italian subject whose citizenship was revoked by royal decree revoking citizenship bestowed upon alien Hebrews could not be considered as a “citizen” or “subject” of Italy so as to authorize removal of his action against American corporation to a federal court on ground that recognition of royal decree opened door to irrational discrimination against aliens which was repugnant to American principles, since however revolting acts of a sovereign state may be American courts must recognize comity established by international law and leave solution of political questions of international character to those upon whom Constitution devolves that duty. Jud.Code, § 24(1)(c), 28 U.S.C.A. §§ 1331, 1332; U.S.C.A. Const. art. 3, § 2; *Amend. 14.—Medvedieff v. Cities Service Oil Co.*, 35 F.Supp. 999.—Rem of C 41.

S.D.N.Y. 1940. On motion to remand cause to state court on ground that plaintiff whose naturalized citizenship in Italy was revoked by royal decree was not a citizen or subject of Italy, the law of Italy was a question of fact, and no proof having been offered to establish whether there is a distinction between “citizen” and “subject,” decisions of American courts must be applied. Jud.Code, § 24(1)(c), 28 U.S.C.A. § 1331 et seq.; U.S.C.A. Const. art. 3, § 2.—*Medvedieff v. Cities Service Oil Co.*, 35 F.Supp. 999.—Evid 37; Trial 136(4).

S.D.N.Y. 1940. Where native of Russia of Jewish parents migrated to Italy in 1914 and in 1934 became a naturalized subject of the King of Italy and in 1938 such citizenship was revoked by royal decree which revoked grants of citizenship bestowed upon alien Hebrews, and evidence disclosed that such alien was not a citizen of Soviet Russia, and American corporation sued by alien failed to establish whether there was a distinction in Italian law between “citizen” and “subject,” corporation failed to establish that alien was a “citizen or subject of a foreign state” so as to authorize removal of action from state to federal court. Jud.Code, § 24(1)(c), 28 U.S.C.A. § 1331 et seq.; U.S.C.A. Const. art. 3, § 2.—*Medvedieff v. Cities Service Oil Co.*, 35 F.Supp. 999.—Rem of C 107(7).

S.D.N.Y. 1940. “Subject” and “citizen” are in a degree convertible terms as applied to natives, and republican freemen, are equally with inhabitants of all other countries, “subjects,” since they are equally bound by allegiance and subjection to government and law of the land. The term “citizen” as understood in the law is precisely analogous to the term “subject” in the common law, and the change of phrase has entirely resulted from the change of government. The sovereignty has been transferred from one man to the collective body of the people, and he who before was a subject of the King is now a “citizen” of the state.—*Medvedieff v. Cities Service Oil Co.*, 35 F.Supp. 999.

W.D.N.Y. 1947. “Citizen” and “resident” are not synonymous in diversity cases, since a resident of one state may be a citizen of any other state. Jud.Code, § 24, 28 U.S.C.A. § 1331 et seq.; 18 U.S.C.A. §§ 3231, 3237, 3238.—*O'Connor v. Johnson*, 74 F.Supp. 370.—Fed Cts 282.

M.D.N.C. 1979. A state is not a “citizen” for purposes of diversity jurisdiction. 28 U.S.C.A. §§ 1332, 1332(a).—*Roberson v. Dale*, 464 F.Supp. 680.—Fed Cts 264.1.

D.N.D. 1979. “Citizen” is one who, by birth, naturalization, or otherwise, is member of independent political society, called state, kingdom, or empire, and, as such, is subject to its laws and is entitled to its protection in all his rights incident to that relation.—*Bergstrom v. Bergstrom*, 478 F.Supp. 434, opinion vacated 623 F.2d 517.—Citiz 10.1.

N.D. Ohio 1994. State is “citizen” capable of maintaining citizen suit under Clean Water Act. Federal Water Pollution Control Act, §§ 502(5), 505, 505(g), as amended, 33 U.S.C.A. §§ 1362(5), 1365, 1365(g).—*U.S. v. City of Toledo*, 867 F.Supp. 595.—*Environ Law* 226.

D.Or. 2003. Federal agency is not “citizen” of any state, and thus its presence as defendant in federal court defeats diversity jurisdiction. 28 U.S.C.A. § 1332.—*Sharr v. Department of Transp.*, 247 F.Supp.2d 1208.—Fed Cts 263.

D.Or. 1965. County in Oregon was “citizen” within diversity statute, and federal court had diversity jurisdiction of claim against county for damages for breach of alleged contract requiring county to meet certain standards in order to insure proper drainage of land adjacent to that conveyed to the county for road right-of-way. 28 U.S.C.A. § 1332.—*White v. Umatilla County*, 247 F.Supp. 918.—*Drains* 57; Fed Cts 270.

D.Or. 1964. Oregon Highway Commission is nothing more than arm of state performing essential governmental functions, rather than an entity, separate and distinct from state which might be viewed as “citizen” within meaning of diversity statute, and accordingly suit against it and its members was actually suit against state with respect to which there was no diversity jurisdiction. ORS 366.155, 366.165, 366.170, 366.180, 366.182, 366.340, 366.345, 366.350, 366.355, 366.375, 366.400, 366.510; 28 U.S.C.A. § 1332.—*DeLong Corp. v. Oregon State Highway Commission*, 233 F.Supp. 7, affirmed 343 F.2d 911, certiorari denied 86 S.Ct. 161, 382 U.S. 877, 15 L.Ed.2d 119.—Fed Cts 269; High 95(1).

D.Or. 1958. State is not a “citizen” which can be sued by a citizen of another state in federal court on basis of diversity of citizenship.—*Smith v. Columbia County, Or.*, 166 F.Supp. 140.—Fed Cts 283.

D.Or. 1942. A person by virtue of his birth in the territorial limits of the United States and notwithstanding the fact that his parents were alien Japanese incapable of naturalization in the United States had under the Constitution conferred upon

him the right of citizenship, but by international law he was also a "citizen" of Japan, and had, upon attaining majority, the right of election as to whether he would accept citizenship in the United States or give his allegiance to the Emperor of Japan. U.S.C.A. Const. Amend. 14, § 1.—*U.S. v. Minoru Yasui*, 48 F.Supp. 40, vacated 63 S.Ct. 1392, 320 U.S. 115, 87 L.Ed. 1793.—*Citiz* 3, 18.

D.Or. 1941. A national bank should be considered as a "citizen" of state where it has its principal place of business irrespective of fact that it has authorized branches in other states, and hence Oregon District Court had jurisdiction on ground of 'diversity of citizenship', of action against California national bank which maintained a branch in Oregon, since the bank would be viewed as a citizen of California. 12 U.S.C.A. 22, 36, 81, 601-604; Jud. Code Sec. 24(1, 16), 28 U.S.C.A. 41(1, 16).—*American Surety Co. v. New York v. Bank of California*, 44 F.Supp. 81, opinion affirmed 133 F.2d 160.—*Fed Cts* 301.

D.Or. 1941. A state cannot be sued by citizen of another state in a district court of the United States, even if it has consented to suit, since there is no diversity of citizenship because a state is not a "citizen". U.S.C.A. Const. Amend. 11.—*Pacific Fruit & Produce Co. v. Oregon Liquor Control Commission*, 41 F.Supp. 175.—*Fed Cts* 283.

E.D.Pa. 2001. For purposes of diversity jurisdiction, an individual is a "citizen" of the state in which he is domiciled. 28 U.S.C.A. § 1332(a).—*Sprague v. American Bar Ass'n*, 166 F.Supp.2d 206.—*Fed Cts* 282.

E.D.Pa. 2001. Pleading of insured's residence in both insured's state court complaint and in insurer's notice of removal, without express statement of insured's citizenship in the record, was insufficient averment that insured was a "citizen" of a state as required by diversity of citizenship jurisdictional statute, in insured's suit for personal injury benefits under automobile policy; mere recitals of insured's address were insufficient. 28 U.S.C.A. § 1332(a)(1).—*Meltzer v. Continental Ins. Co.*, 163 F.Supp.2d 523.—*Rem of C* 47, 86(3).

E.D.Pa. 1981. State was not "citizen" for purposes of diversity jurisdiction of federal courts, and thus action by administrator of decedent's estate for damages resulting from automobile accident could not be brought against State for negligently maintaining its roads. 28 U.S.C.A. § 1332(a).—*Gable v. Com. of Pa., Dept. of Transp.*, 521 F.Supp. 43.—*Fed Cts* 283.

E.D.Pa. 1980. An individual is considered to be "citizen" of given state for purpose of asserting diversity jurisdiction if he is domiciled within that state and is citizen of United States. 28 U.S.C.A. § 1332.—*Avins v. Hannum*, 497 F.Supp. 930.—*Fed Cts* 282.

E.D.Pa. 1974. State is not a "citizen" of a state as required by removal statute. 28 U.S.C.A. §§ 1332, 1441.—*Glenmede Trust Co. v. Dow Chemical Co.*, 384 F.Supp. 423.—*Rem of C* 26.

E.D.Pa. 1971. A state or its alter ego is not a "citizen" for purposes of diversity jurisdiction of the federal courts. 28 U.S.C.A. § 1332(a).—*Pullman Inc. v. Volpe*, 337 F.Supp. 432.—*Fed Cts* 283.

E.D.Pa. 1963. "Subject" is to be equated with "citizen", within diversity of jurisdiction statute, and does not establish different or additional class of persons who have federal access. 28 U.S.C.A. § 1332(a) (2); U.S.C.A. Const. art. 3, § 2.—*Van Der Schelling v. U. S. News & World Report, Inc.*, 213 F.Supp. 756, affirmed 324 F.2d 956, certiorari denied 84 S.Ct. 1166, 377 U.S. 906, 12 L.Ed.2d 177.—*Fed Cts* 275.

E.D.Pa. 1948. Defendant who, regarding her residence in California as her home, returned to her parents' home in Pennsylvania to help take care of her mother but with no intention of making the new dwelling place her home, was 'domiciled' in and a "citizen" of California as respects diversity of citizenship as a ground of federal jurisdiction.—*Greene v. Keim*, 74 F.Supp. 950.—*Fed Cts* 282.

E.D.Pa. 1948. Plaintiff, who as a minor lived with his mother in California, moved to Arizona to attend the university and, after attaining majority, returned to California where he remained with friends looking after business interests for his mother who had moved to Arizona, was 'domiciled' in and a "citizen" of California as respects diversity of citizenship as a ground of federal jurisdiction.—*Greene v. Keim*, 74 F.Supp. 950.—*Fed Cts* 282.

E.D.Pa. 1948. Where plaintiff, who, a few months before action was commenced, purchased a house in Arizona and moved there primarily for reasons of health and to enable her children to attend schools in Arizona, regarded her former residence in California as her home and had no intention of making her new dwelling place her home, she continued to be 'domiciled' in and a "citizen" of California as respects diversity of citizenship as a ground of federal jurisdiction.—*Greene v. Keim*, 74 F.Supp. 950.—*Fed Cts* 282.

E.D.Pa. 1942. A Pennsylvania third-class city situated in two counties in Eastern District of Pennsylvania was a "citizen" of Pennsylvania, and could be sued in Federal District Court in such district by a plaintiff whose status was such as to establish diversity of citizenship, notwithstanding Pennsylvania statute providing that thirdclass cities located in more than one county should be under jurisdiction of courts of county in which was situated the first incorporated borough of the boroughs forming the consolidated borough. 53 P.S.Pa. 12198— 211; U.S.C.A. Const. art. 3, Sec. 2.—*McGarry v. City of Bethlehem*, 45 F.Supp. 385.—*Fed Cts* 283.

M.D.Pa. 2004. Haitian national who challenged order of removal was not "citizen" under Child Citizenship Act, where national was never under age of eighteen while being child of citizen of United States. Immigration and Nationality Act, § 320(a), 8 U.S.C.A. § 1431(a).—*Louis-Martin v. Ridge*, 322 F.Supp.2d 556.—*Citiz* 9.

M.D.Pa. 1945. The term "citizen" as used in Judiciary Act with reference to jurisdiction of feder-

al courts is substantially synonymous with term 'domicile'. Jud. Code, Sec. 24(1), 28 U.S.C.A. 41(1).—*Visintainer v. Hazleton Auto Bus Co.*, 61 F.Supp. 633.—Fed Cts 282.

M.D.Pa. 1944. The term "citizen", as used in Judiciary Act with reference to jurisdiction of federal courts, is substantially synonymous with the term 'domicile'.—*Earley v. Hershey Transit Co.*, 55 F.Supp. 981.—Fed Cts 282.

M.D.Pa. 1941. Evidence held to warrant conclusion that plaintiff, who was an engineering contractor whose work frequently called him away from Ohio for extended periods but who always intended to return to Ohio, was a "citizen" of Ohio, when action was commenced, for purposes of determining whether District Court had jurisdiction on grounds of 'diversity of citizenship'.—*Watters v. Ralston Coal Co.*, 38 F.Supp. 16.—Fed Cts 318.

M.D.Pa. 1940. A state is not a "citizen," a suit between a state and a citizen or corporation of another state is not between citizens of different states, and Circuit Court of United States has no jurisdiction thereof unless suit arises under the Constitution, laws or treaties of the United States. Jud. Code Sec. 24(1), 28 U.S.C.A. 41(1).—*Hunkin-Conkey Const. Co. v. Pennsylvania Turnpike Commission*, 34 F.Supp. 26.—Fed Cts 283.

M.D.Pa. 1940. The Pennsylvania Turnpike Commission was distinct and separate from the state and was a "citizen" thereof, and hence, in action for declaratory judgment by contractor for construction of tunnel, which contractor was citizen of state other than Pennsylvania, the state of Pennsylvania was not the 'real party in interest' so as to prevent existence of diversity of citizenship. 36 P.S.Pa. 652a et seq.; Jud. Code Sec. 24(1), 28 U.S.C.A. 41(1).—*Hunkin-Conkey Const. Co. v. Pennsylvania Turnpike Commission*, 34 F.Supp. 26.—Fed Cts 289.

W.D.Pa. 1985. A state or its alter ego is not a "citizen" for diversity purposes; hence, diversity jurisdiction is absent in a suit between a state or its alter ego and a citizen of another state. 28 U.S.C.A. § 1332.—*Pennsylvania Human Relations Com'n v. USAir, Inc.*, 615 F.Supp. 75.—Fed Cts 274, 283.

W.D.Pa. 1972. A fetus is not a "person" or "citizen" within contemplation of the Fourteenth Amendment and the Civil Rights Act. U.S.C.A.Const. Amend. 14, § 1; 42 U.S.C.A. §§ 1981 et seq., 1983.—*McGarvey v. Magee-Womens Hospital*, 340 F.Supp. 751, affirmed 474 F.2d 1339.—Civ. R 1329; Const Law 210(1), 252.

D.Puerto Rico 1985. A municipality that is independent in character and functions from state may be considered a "citizen" for purposes of diversity jurisdiction.—*American Conveyor Corp. v. Municipality of Guanica*, 614 F.Supp. 922.—Fed Cts 283.

D.Puerto Rico 1962. A stateless person is not a "citizen" or "subject" of foreign state within meaning of diversity jurisdiction statute or statute controlling jurisdiction of Puerto Rico District Court.

28 U.S.C.A. § 1332(a)(2); Jones Act, § 41, 48 U.S.C.A. § 863.—*Reyes v. Penoci*, 202 F.Supp. 436.—Fed Cts 275.

D.R.I. 1995. Political subdivision of state is considered "citizen" of that state for diversity purposes unless it merely arm or alter ego of state. 28 U.S.C.A. § 1332(a)(1).—*New England Multi-Unit Housing Laundry Ass'n v. Rhode Island Housing and Mortg. Finance Corp.*, 893 F.Supp. 1180.—Fed Cts 283.

W.D.S.C. 1964. For purposes of federal diversity jurisdiction, party is "citizen" of state in which he is domiciled. 28 U.S.C.A. §§ 1441(a), 1446.—*Deese v. Hundley*, 232 F.Supp. 848.—Fed Cts 282.

W.D.S.C. 1953. A motor vehicle is not a "citizen" within purview of removal statute, and hence action commenced in state court under South Carolina statute against truck and trailer for injuries allegedly caused by negligent operation of vehicles could not be removed to federal district court on ground of diversity of citizenship. Code 1952 S.C. § 45-551; 28 U.S.C.A. § 1332.—*Corley v. One 1950 Intern. Truck L-190*, 109 F.Supp. 730.—Rem of C 26.

W.D.S.C. 1943. The state cannot be a "citizen" of any state within statute relating to federal court's jurisdiction based on diversity of citizenship, and therefore removal of suit between state and citizen on ground of diversity of citizenship is not authorized.—*Query v. 206 Cases of Assorted Liquor*, 49 F.Supp. 693.—Fed Cts 283; Rem of C 41.

W.D.S.C. 1942. Under Criminal Code making it an offense for two or more persons to conspire to injure any citizen in the exercise of civil rights, race, color or previous condition of servitude is immaterial, and word "citizen" includes both negro and white. Cr.Code § 19, 18 U.S.C.A. § 51; U.S.C.A.Const. art. 1, § 2; Amend. 15.—*U.S. v. Ellis*, 43 F.Supp. 321.—Conspr 29, 29.5(1).

D.S.D. 1995. Corporation is not "citizen" within meaning of privileges and immunities clause, and clause is inapplicable to corporations. U.S.C.A. Const.Art. 4, § 2, cl. 1.—*Chance Management, Inc. v. State of S.D.*, 876 F.Supp. 209, affirmed 97 F.3d 1107, certiorari denied 117 S.Ct. 1083, 519 U.S. 1149, 137 L.Ed.2d 217.—Const Law 207(1).

D.S.D. 1991. A state is not a "citizen" for purposes of diversity jurisdiction. 28 U.S.C.A. § 1332.—*South Dakota State Cement Plant Com'n for Use and Benefit of State of S.D. v. Wausau Underwriters Ins. Co.*, 778 F.Supp. 1515.—Fed Cts 283.

D.S.D. 1991. South Dakota State Cement Plant was an "arm of the state" and not a "citizen" for purposes of diversity jurisdiction; applicable statutory provisions provided substantial ties to the state government, even though they also granted commission freedom to manage and operate the plant. SDCL 5-17-1 et seq., 5-17-2, 5-17-2.3, 5-17-4, 5-17-5, 5-17-8, 5-17-10, 5-17-17, 5-17-18, 5-17-19, 5-17-23, 5-17-24; S.D. Const. Art. 13, § 11; 28 U.S.C.A. § 1332.—*South Dakota State Cement Plant Com'n for Use and Benefit of State*

of *S.D. v. Wausau Underwriters Ins. Co.*, 778 F.Supp. 1515.—Fed Cts 283.

E.D.Tenn. 1974. State is not a “citizen” or “person” within meaning of civil rights statutes. 28 U.S.C.A. § 1343; 42 U.S.C.A. §§ 1983, 1985.—*Buda v. Saxbe*, 406 F.Supp. 399.—Civil R 1329, 1344.

E.D.Tenn. 1940. The word “citizen” as used in the Judicial Code is synonymous with “inhabitant” and “resident.”—*Linton v. Cantrell*, 34 F.Supp. 782.—Fed Cts 282.

E.D.Tex. 1998. Corporation that was incorporated in and had its principal place of business in Mississippi was not rendered “citizen” of State of Texas merely because it had permit to do business in state and conducted business there.—*TV-3, Inc. v. Royal Ins. Co. of America*, 28 F.Supp.2d 407.—Corp 634.

S.D.Tex. 1974. In wrongful death action brought in federal court against Texas Department of Corrections, state of Texas was real party in interest and, as such, could not be “citizen” within meaning of provisions under which United States district court can acquire jurisdiction in cases of diversity of citizenship. 28 U.S.C.A. § 1332; *Vernon’s Ann.Tex.Civ.St. arts. 6166a–6203g.*—*Johnson v. Texas Dept. of Corrections*, 373 F.Supp. 1108.—Fed Cts 268.1, 274.

S.D.Tex. 1950. A state is not a “citizen” and cannot be brought or joined in bringing action in Federal District Court originally on ground of diversity of citizenship.—*Sun Oil Co. v. Humble Oil & Refining Co.*, 88 F.Supp. 658, modified 190 F.2d 191, rehearing denied 191 F.2d 705, certiorari denied 72 S.Ct. 367, 342 U.S. 920, 96 L.Ed. 687.—Fed Cts 283.

W.D.Tex. 1934. A state, though consenting to be sued, is not a “citizen” within diversity of citizenship provision of Judicial Code. 28 U.S.C.A. § 1331 et seq.—*State Life Ins. Co. v. Daniel*, 6 F.Supp. 1015.—Fed Cts 283.

D.Vt. 1964. Corporation is not a “citizen” within meaning of privileges and immunities clause of the Fourteenth Amendment. U.S.C.A.Const. Amend. 14, § 1.—*D. D. B. Realty Corp. v. Merrill*, 232 F.Supp. 629.—Const Law 206(7).

E.D.Va. 1984. An alien corporation is considered a “citizen” of the foreign state in which it was incorporated for purposes of diversity jurisdiction. 28 U.S.C.A. § 1332(a)(3).—*Weight v. Kawasaki Heavy Industries, Ltd.*, 597 F.Supp. 1082.—Fed Cts 275.

W.D.Wash. 1995. State of Washington was a “citizen” for purpose of treaty proviso barring Indian tribes from harvesting shellfish on “any beds staked or cultivated by citizens,” insofar as State was acting on behalf of public; residents of Washington were blameless in treaty rights controversy and benefits and efficiencies of permitting State to act on their behalf in growing State’s shellfish resource far outweighed any interest tribes had in limiting artificial beds exclusion to natural per-

sons.—*U.S. v. State of Wash.*, 898 F.Supp. 1453, amended 909 F.Supp. 787, affirmed in part, reversed in part *U.S. v. State of Washington*, 135 F.3d 618, opinion amended and superseded on denial of rehearing 157 F.3d 630, certiorari denied 119 S.Ct. 1376, 526 U.S. 1060, 143 L.Ed.2d 535, certiorari denied *Puget Sound Shellfish Growers v. U.S.*, 119 S.Ct. 1377, 526 U.S. 1060, 143 L.Ed.2d 535, certiorari denied 26 Tideland & Upland Private Property Owners v. U.S., 119 S.Ct. 1377, 526 U.S. 1060, 143 L.Ed.2d 535—Indians 32.10(7).

W.D.Wash. 1941. A state is not a “citizen”, and therefore a suit by or against a state cannot be removed to federal District Court on ground of “diversity of citizenship”. 28 U.S.C.A. § 1331 et seq.—*Langlie v. United Fireman’s Ins. Co.*, 40 F.Supp. 24.—Rem of C 41.

E.D.Wis. 1997. When state is real party in interest, diversity jurisdiction does not exist because state is not “citizen” within meaning of statute governing diversity jurisdiction. 28 U.S.C.A. § 1332.—*Hodgson v. Mississippi Dept. of Corrections*, 963 F.Supp. 776.—Fed Cts 283.

Ala. 1957. Under statute providing that no bill for divorce can be filed on ground of voluntary abandonment unless party applying therefor has been bona fide resident “citizen” of state for 12 months next preceding filing of bill, “residence” means domicile, which embraces citizenship, so that bill omitting word “citizen” was not demurrable on that count. Code 1940, Tit. 34, § 27.—*Boyd v. Boyd*, 97 So.2d 581, 266 Ala. 477.—Divorce 62(6).

Ala. 1941. A corporation is a “citizen”, resident or inhabitant of the state under whose laws it was created and a nonresident of every other state though it does business in such other state by its permission under its laws so providing.—*Jackson Securities & Investment Co. v. State*, 2 So.2d 760, 241 Ala. 288.—Corp 52.

Ala. 1909. While a corporation is not a “citizen” within the meaning of the federal Constitution, yet it is a “person” within its terms.—*Southern Ry. Co. v. Greene*, 49 So. 404, 160 Ala. 396, reversed 30 S.Ct. 287, 216 U.S. 400, 17 Am. Ann. Cas. 1247, 54 L.Ed. 536.

Ala. 1909. The word “citizen” has come to us from the Roman law, where it designated a person who had the freedom of Rome and could exercise the legal and civil privileges of the Roman government. Webster defines “citizen” as a person, native or naturalized, who has the privilege of voting for public officers, and who is qualified to fill public offices in the gift of the people; also either native-born or naturalized persons who are entitled to full participation in the exercise and enjoyment of so-called private rights. Bouvier says “citizen,” in American law, is one who, under the Constitution and law of the United States, has a right to vote for representatives in Congress and other public officers, and who is qualified to fill offices in the gift of the people; that all persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the state wherein they reside. It is held in Nebraska

that a "citizen," as used in its Constitution, means a person who is an American "citizen" by birth, or a person of foreign birth who has been naturalized. The Constitution of the United States provides that all persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the state wherein they reside. There are, then, two classes of citizens; one of the United States, and one of the state. One class of citizenship may exist in a person without the other, as in the case of a resident of the District of Columbia. Foreigners who have merely declared an intention to become citizens of the United States since the ratification of the Constitution of 1901, but have not perfected their naturalization, cannot register or vote, nor are they citizens of the state within the fourteenth amendment to the federal Constitution, defining federal and state citizenship.—*Gardina v. Board of Registrars of Jefferson County*, 48 So. 788, 160 Ala. 155.

Ala.Civ.App. 2001. Mining operator, and sureties who issued performance bonds relating to reclamation requirements under three mining permits, could not be included within "any person" or private "citizen," under citizen-suit provision of Alabama Surface Mining Control and Reclamation Act (ASMCRA), allowing any person or citizen adversely affected by non-enforcement of the Act to bring a suit to compel compliance with the Act, and allowing any person injured by mining operator's violation of any permit issued under the Act to bring a suit for damages against the operator. Code 1975, § 9-16-95(a, f).—*Apex Coal Corp. v. Alabama Surface Min. Com'n*, 843 So.2d 170, rehearing denied, reversed and remanded *Ex parte Van American Ins. Co.*, 843 So.2d 180, on remand 843 So.2d 186.—*Mines* 92.11.

Ala.Civ.App. 2001. A member of the coal industry is not a private "citizen," within meaning of citizen-suit provision of Alabama Surface Mining Control and Reclamation Act (ASMCRA), allowing a citizen adversely affected by non-enforcement of the Act to challenge the actions of the Surface Mining Commission by bringing a suit to compel compliance with the Act. Code 1975, § 9-16-95(a).—*Apex Coal Corp. v. Alabama Surface Min. Com'n*, 843 So.2d 170, rehearing denied, reversed and remanded *Ex parte Van American Ins. Co.*, 843 So.2d 180, on remand 843 So.2d 186.—*Mines* 92.11.

Ariz.Terr. 1899. The word "citizen," as used in the Constitution and laws of the United States, has uniformly conveyed the idea of membership of a nation, and nothing more.—*Cronly v. City of Tucson*, 56 P. 876, 6 Ariz. 235.

Ariz.App. Div. 1 2004. Since county was not a "citizen" under state Constitution, it could not assert claim that indigents seeking medical services would be denied equal protection if benefit levels varied from county to county. A.R.S. Const. Art. 2, § 13.—*John C. Lincoln Hosp. and Health Corp. v. Maricopa County*, 96 P.3d 530, 208 Ariz. 532, as amended, and reconsideration denied, and review denied.—*Const Law* 210(1).

Ariz.App. Div. 1 2000. A corporation was a "citizen," within meaning of statutes allowing any citizen to challenge, in superior court, a county recorder's certification of a referendum petition. A.R.S. §§ 19-121.02, subd. B, 19-121.03, subd. B, 19-122, subd. C.—*KZPZ Broadcasting, Inc. v. Black Canyon City Concerned Citizens*, 13 P.3d 772, 199 Ariz. 30, review denied.—*Counties* 55.

Ark. 1999. Corporation is a "citizen," for purposes of constitutional provision giving citizens standing to bring illegal exaction case. Const. Art. 16, § 13.—*Ghegan & Ghegan, Inc. v. Weiss*, 991 S.W.2d 536, 338 Ark. 9, appeal after remand 49 S.W.3d 652, 345 Ark. 514.—*Tax* 607.

Ark. 1988. Corporation whose property was subject of condemnation action was "citizen" entitled to disclosure of Highway and Transportation Department records under Freedom of Information Act. A.C.A. §§ 25-19-102, 25-19-105(a).—*Arkansas Highway and Transp. Dept. v. Hope Brick Works, Inc.*, 744 S.W.2d 711, 294 Ark. 490.—*Records* 52.

Ark. 1947. Act prohibiting cities of the first and second class and incorporated towns from installing parking meters except after adoption of a local measure authorizing such installation in accordance with provisions of initiative and referendum amendment to constitution, does not violate constitutional provision prohibiting the general assembly from granting to any "citizen" privileges or immunities which on the same terms shall not equally belong to all citizens, since a city is not a "citizen". Acts 1939, Act No. 309; Const. art. 2, § 18.—*Deaderick v. Parker*, 200 S.W.2d 787, 211 Ark. 394.—*Const Law* 205(7).

Ark. 1920. Affiant to a complaint in contest of a nomination who had filed declaration of intention to become a citizen of the United States, had resided in the state nine years, the city five years, and in its first ward since August, 1919, and had paid his poll tax, being a qualified elector under the Constitution and laws of the state, is a "citizen" within Brundidge Primary Election Law, § 12, so as to render him a proper party complainant for the purpose of verifying the complaint.—*Simmons v. Terral*, 224 S.W. 977, 145 Ark. 585.—*Elections* 154(9.5).

Ark. 1915. A corporation is not a "citizen" within § 2, Art. 4, Constitution of the United States, nor § 18, Art. 2, Constitution of Arkansas.—*St. Louis & S.F.R. Co. v. State*, 179 S.W. 342, 120 Ark. 182, *Am. Ann. Cas.* 1917C,873.—*Citiz* 2.

Ark. 1915. "Citizen" ordinarily means only a natural person, and will not be construed to include a corporation unless the general purpose and import of the statute, in which the term is found seem to require it.—*St. Louis & S.F.R. Co. v. State*, 179 S.W. 342, 120 Ark. 182, *Am. Ann. Cas.* 1917C,873.—*Citiz* 2.

Ark. 1915. An admitted resident of the state held a "citizen" of the state, entitled to the protection of Kirby's Dig. §§ 512-516.—*Jonesboro Trust*

Co. v. Nutt, 176 S.W. 322, 118 Ark. 368.—Bills & N 107.

Ark. 1912. A levee district, such as that created by Acts 1909, p. 660, creating levee district No. 2, in Jackson county, is not within Const. art. 2, § 18, prohibiting the granting to any citizen or class of citizens privileges which shall not belong to all citizens upon the same terms, since a levee district is a governmental agency, and not a "citizen," and its powers are public duties, and not a grant of privileges.—St. Louis, I.M. & S. Ry. Co. v. Board of Directors of Levee Dist. No. 2, Jackson County, 145 S.W. 892, 103 Ark. 127.

Ark. 1908. While a corporation is not a "citizen" within section 2 of article 4 of the Constitution of the United States, and section 1 of Fourteenth Amendment, and section 18 of article 2 of the Constitution of Arkansas, securing the privileges and immunities of citizens, it is a "person" within the meaning of the provision of the Fourteenth Amendment that no State shall deprive any person of life, liberty and property without due process, nor deny to any person within its jurisdiction the equal protection of the laws.—Chicago, R.I. & P. Ry. Co. v. State, 111 S.W. 456, 86 Ark. 412, affirmed 31 S.Ct. 275, 219 U.S. 453, 55 L.Ed. 290.—Const Law 206(7), 210(2).

Ark. 1908. While a corporation is not a "citizen" within section 2 of article 4 of the Constitution of the United States, and section 1 of Fourteenth Amendment, and section 18 of article 2 of the Constitution of Arkansas, securing the privileges and immunities of citizens, it is a "person" within the meaning of the provision of the Fourteenth Amendment that no State shall deprive any person of life, liberty or property without due process.—Chicago, R.I. & P. Ry. Co. v. State, 111 S.W. 456, 86 Ark. 412, affirmed 31 S.Ct. 275, 219 U.S. 453, 55 L.Ed. 290.—Const Law 252.

Ark. 1897. The word "citizen," as used in Sand. & H.Dig., § 6984, to denote the persons who may sign a petition for a change of the boundaries of a school district, is synonymous with "elector."—School Dist. No. 11 v. School Dist. No. 20, 39 S.W. 850, 63 Ark. 543.—Schools 32.

Ark. 1897. The word "citizen," as used in Sand. & H.Dig., § 6984, to denote the persons who may sign petitions for change of school-district boundaries, means an "elector."—School Dist. No. 11 v. School Dist. No. 20, 39 S.W. 850, 63 Ark. 543.—Schools 37(3).

Cal.App. 2 Dist. 1922. The term "citizen," as employed in Civ.Code, § 51, declaring "all citizens within the state entitled to the full and equal privileges of theaters," and section 52 thereof, making "whoever denies to any citizen privileges enumerated in section 51," etc., liable in damages for not less than \$100, is not restricted to citizens of the United States or of any of the states, but includes unnaturalized residents of foreign birth, white or black.—Prowd v. Gore, 207 P. 490, 57 Cal.App. 458.—Civil R 1047.

Cal.App. 2 Dist. 1922. The term "citizen," as employed in Civ.Code, § 51, declaring "all citizens within the state entitled to the full and equal privileges of theaters," and section 52 thereof, making "whoever denies to any citizen privileges enumerated in section 51," etc., liable in damages for not less than \$100, is not restricted to citizens of the United States or of any of the states, but includes unnaturalized residents of foreign birth, white or black, as otherwise these sections would deny equal protection of the laws, guaranteed by Const.U.S. Amend. 14.—Prowd v. Gore, 207 P. 490, 57 Cal.App. 458.—Civil R 1047; Const Law 210(1).

Cal.App. 2 Dist. 1922. The word "citizen," while not convertible with the word "resident," is often used synonymously with it, without any implication of political privileges.—Prowd v. Gore, 207 P. 490, 57 Cal.App. 458.—Citz 2.

Cal.App. 2 Dist. 1910. Under Pol.Code, § 51 (repealed. See Govt.Code, § 241), defining citizens as persons born in the state and residing within it, and all persons born out of the state who are citizens of the United States and residing within the state, one suing to restrain an illegal payment of county funds, who describes himself as a "resident" of the county, does not show that he is entitled to sue, within Code Civ.Proc. § 526a, authorizing actions to restrain illegal expenditures of public funds, by a "citizen resident" therein; the words "resident" and "citizen" not being synonymous.—Thomas v. Joplin, 112 P. 729, 14 Cal.App. 662.—Counties 196(7).

Colo. 1911. Under the statute, Rev.St.1908, § 2116, providing that no person shall be entitled to a divorce, unless he shall have been a bona fide resident and citizen of the state for one year before the commencement of the action, an alien who in good faith has made the state his home for more than a year, and has no residence elsewhere, is a resident and "citizen" of the state.—Sedgwick v. Sedgwick, 114 P. 488, 50 Colo. 164, Am. Ann. Cas. 1912C, 653.

Colo. 1902. Laws 1893, p. 239, § 6, provides that no person shall be entitled to a divorce unless a bona fide resident and citizen of the state for one year prior to the commencement of the action. It was held that, though in a restricted sense a citizen of a state is a citizen of the United States domiciled in a state, yet the Legislature used the word "citizen" in the statute cited as meaning one who has in the state a fixed habitation and a permanent residence, without any present intention of removing therefrom.—Cairns v. Cairns, 68 P. 233, 29 Colo. 260, 93 Am.St.Rep. 55.

Fla. 1929. One paying only poll taxes was not "citizen" within law authorizing intervention in proceeding for validating bond issue. F.S.A. §§ 75.07, 75.08.—Belmont v. Town of Gulfport, 122 So. 10, 97 Fla. 688.—Mun Corp 917(2).

Fla. 1919. A corporation is not a "citizen," within the "privileges and immunities" provisions of the federal Constitution.—Adams v. American Agricultural Chemical Co., 82 So. 850, 78 Fla. 362.

Fla. 1917. "Citizen," within rule that any citizen of state may obtain divorce at any time without requiring two years residence, means one who having come from another state or country has acquired a permanent residence in this state by actually living and permanently remaining here, or one who, being originally domiciled in this state, has not changed his or her domicile to another state or country.—*Warren v. Warren*, 75 So. 35, 73 Fla. 764, L.R.A. 1917E,490.

Fla.App. 4 Dist. 1973. Term "citizen" in act evincing legislative intent to make the protection of the environment a collective responsibility and providing a procedure whereby governmental bodies could be compelled to enforce applicable environmental laws and individuals, corporations, and governmental bodies could be restrained from violating any of the applicable environmental laws, included artificial as well as natural persons, and corporations have standing to maintain suits under the act. F.S.A. §§ 403.412, 403.412(2).—*Orange County Audubon Society, Inc. v. Hold*, 276 So.2d 542.—*Environment Law* 650.

Ill. 1905. A corporation is not a "citizen" of a state within U.S.C.A.Const. art. 4, § 2, securing to citizens of each state the privileges and immunities of the citizens of the several states.—*In re Speed's Estate*, 74 N.E. 809, 108 Am.St.Rep. 189, 216 Ill. 23, affirmed *Board of Education of Kentucky Annual Conference of Methodist Episcopal Church v. People of State of Illinois*, 27 S.Ct. 171, 203 U.S. 553, 8 Am. Ann. Cas. 157, 51 L.Ed. 314.

Ill. 1898. A "citizen," in the popular and appropriate sense of the term, is one who, by birth, naturalization, or otherwise, is a member of an independent political society called a "state," "kingdom," or "empire," and as such is subject to its laws and entitled to its protection and all his rights incident to that relation; and the right to vote is not necessarily incident to or coextensive with the right of citizenship.—*Dorsey v. Brigham*, 177 Ill. 250, 52 N.E. 303, 69 Am.St.Rep. 228, 42 L.R.A. 809.

Ill. 1895. A woman is both a "citizen" and a "person," within the meaning of a section of the Constitution providing against any law abridging the privileges of citizens of the United States, or depriving any person of life, liberty, or property without due process of law, since the right to contract is property; and the act declaring that no female shall be employed in any factory or workshop more than 8 hours in any one day, or 48 hours in any one week, is unconstitutional.—*Ritchie v. People*, 155 Ill. 98, 40 N.E. 454, 46 Am.St.Rep. 315, 29 L.R.A. 79.

Ill.App. 2 Dist. 1991. City whose territory is alleged to have been annexed by another city qualifies as "citizen" who may institute quo warranto proceeding. S.H.A. ch. 24, ¶¶ 7-1-8, 7-1-13.—*Village of Mundelcin v. Village of Long Grove*, 162 Ill. Dec. 636, 580 N.E.2d 599, 219 Ill.App.3d 853.—*Quo W* 24.

Ind. 1975. A municipal corporation, such as a county, is not a "citizen" of Indiana within privileges and immunities clause of State Constitution.

Const. art. 1, § 23.—*Board of Com'rs of Howard County v. Kokomo City Plan Commission*, 330 N.E.2d 92, 263 Ind. 282.—*Const Law* 205(7).

Ind. 1910. A corporation is not a "citizen" in the ordinary meaning of the term as used in an indictment against it.—*United States Board & Paper Co. v. State*, 91 N.E. 953, 174 Ind. 460.—*Corp* 533.

Ind. 1910. Suit by a state to recover omitted taxes against nonresidents is not removable as there was no diversity of citizenship; state not being "citizen" within Act March 3, 1875, § 2, as amended by Act Aug. 13, 1888, § 1. 28 USCA §§ 1441, 1445, 1447.—*Darnell v. State*, 90 N.E. 769, 174 Ind. 143, affirmed 33 S.Ct. 120, 226 U.S. 390, 57 L.Ed. 267.—*Rem of C* 41.

Ind. 1889. Webster defines "citizen," first, as one who enjoys the freedom and privileges of a city, i. e., the freemen of the state, as distinguished from a foreigner, or one not entitled to its franchise, and, second, as an inhabitant in any city, town, or place; and, as used in Rev.St.1881, § 2097, providing that "whoever keeps a place where intoxicating liquors are sold * * * or suffered to be drunk in a disorderly manner, to the annoyance * * * of any part of the citizens of this state," etc., "citizens" is synonymous with "inhabitants" or "residents."—*Sunman v. Clark*, 22 N.E. 113, 120 Ind. 142.

Iowa 1942. A foreign corporation is not a "citizen" under Fourteenth Amendment which could enter a state in violation of conditions imposed by the state. U.S.C.A.Const. Amend. 14, § 1.—*State ex rel. Weede v. Iowa Southern Utilities Co. of Delaware*, 2 N.W.2d 372, 231 Iowa 784, opinion modified on denial of rehearing 4 N.W.2d 869.—*Const Law* 206(7).

Iowa 1942. The statute regarding foreign public utility corporations, forbidding issuance or sale of stock below par, regulating payment in property other than cash, declaring void stock issued in violation of the statute and authorizing proceeding to enforce the statute to be brought by Attorney General or citizen in name of state does not deny "full faith and credit", privileges of "citizen," "equal, protection of laws" or "due process of law." Code 1939, §§ 8433-8438; Const.Iowa, art. 1, § 9; U.S.C.A.Const. art. 4, § 1; Amend. 14, § 1.—*State ex rel. Weede v. Iowa Southern Utilities Co. of Delaware*, 2 N.W.2d 372, 231 Iowa 784, opinion modified on denial of rehearing 4 N.W.2d 869.—*Const Law* 206(7), 241, 253(1); *Corp* 637; *States* 5(2).

Iowa 1927. The term "inhabitant" is not synonymous with "citizen."—*Harris v. Harris*, 215 N.W. 661, 205 Iowa 108.

Iowa 1917. An incorporated society known as an improvement association, though doing business within the county, is not a citizen within I.C.A. §§ 128.1-128.7, 128.10-128.12, providing that any "citizen" of the county where a liquor nuisance exists may maintain an action in equity to abate and permanently enjoin the same, since a citizen is the

equivalent of an elector.—*Civic Imp. League of Toledo, Iowa, v. Hanson*, 164 N.W. 752, 181 Iowa 327.

Iowa 1888. "Citizen," as used in a statute providing that any citizen of the county may maintain an action to enjoin a nuisance, means any male person over 21 years of age who has his present home and domicile in such county, although it may be for a temporary purpose, provided he has a fixed intention of remaining there for an indefinite period of time, and has no home, domicile, or right of citizenship elsewhere, and does not necessarily mean a voter.—*Fuller v. McDonnell*, 39 N.W. 277, 75 Iowa 220.

Kan. 1943. Alleged discriminatory enforcement of filled-milk statute against corporate defendant did not deny to it "equal protection of law" nor abridge "privileges and immunities" of corporate defendant as a "citizen" of the United States since corporation does not possess privileges and immunities of a citizen. Gen.St.1935, 65-707(F)(2); Const.Kan. Bill of Rights, § 1, art. 2, § 17; U.S.C.A.Const. Amend. 14.—*State ex rel. Mitchell v. Sage Stores Co.*, 141 P.2d 655, 157 Kan. 404, rehearing denied 143 P.2d 652, 157 Kan. 622, certiorari granted 64 S.Ct. 937, 321 U.S. 762, 88 L.Ed. 1059, affirmed 65 S.Ct. 9, 323 U.S. 32, 89 L.Ed. 25.—Const Law 206(7), 240(4).

Ky. 1910. The personal representative of a non-resident deceased, having qualified as such in this state, was a "citizen" of the state for purposes of the action, and as bearing on the question of removal of the cause.—*Lemon's Adm'r v. Louisville & N.R. Co.*, 125 S.W. 701, 137 Ky. 276.—Rem of C 32.

Ky.App. 1978. For purposes of statute requiring that one be citizen of Kentucky for at least three years to be eligible for candidacy to office of board of education, term "citizen" is synonymous with term "domicile." KRS 160.180(1)(b).—*Dickey v. Bagby*, 574 S.W.2d 922.—Schools 53(2).

Ky.App. 1978. Notwithstanding temporary and involuntary absences from Kentucky, individual who was born and raised in Kentucky and whose every act manifested intention to remain citizen of Kentucky was a "citizen" for purpose of qualifying for candidacy to hold office of board of education. KRS 2.010, 118.176(3), 160.180(1)(b).—*Dickey v. Bagby*, 574 S.W.2d 922.—Elections 126(4).

La.App. 1 Cir. 1948. Where an ordinance provided that cattle running at large within corporate limits could be impounded by any "citizen", and plaintiff in action for damages to cow alleged defendants and their minor sons resided in State, defendants' minor sons were citizens within ordinance and had legal right to impound plaintiff's cow.—*Sturm v. Hutchinson*, 37 So.2d 45.—Anim 51.

La.App. 4 Cir. 1963. "Citizen" within statute to effect that any citizen who has for at least six months prior thereto resided in parish where licensed premises are located may file sworn petition requesting that permit for sale of alcoholic beverage

es be suspended or revoked is used in broad sense and includes incorporated schools as well as individuals. LSA-R.S. 26:288, subd. B.—*Xavier University v. Thigpen*, 151 So.2d 550.—Int Liq 108.3.

Md. 1966. Words "citizen" and "resident" as used in provision of Constitution that person to be eligible to office of Governor must have attained age of 30 years, and must have been for 10 years a "citizen" of the state and for five years next preceding his election a "resident" of the state are not synonymous, and citizenship and residential requirements are not interchangeable. Const. art. 2, § 5.—*Secretary of State v. McGucken*, 222 A.2d 693, 244 Md. 70.—States 41.

Md.App. 1995. African-American taxpayer was "citizen" within meaning of Fifteenth Amendment guarantee of right to vote in state and federal elections and, therefore, imposition of state and federal income taxes did not subject taxpayer to taxation without representation. U.S.C.A. Const. Amend. 15.—*Scott v. Comptroller of Treasury*, 659 A.2d 341, 105 Md.App. 215.—Elections 1; Int Rev 3560; Tax 1011.

Mass. 1953. A corporation is not a "citizen" within meaning of United States Constitution. U.S.C.A. Const. art. 4, § 2; Amend. 14, § 1.—*Pilgrim Real Estate v. Superintendent of Police of Boston*, 112 N.E.2d 796, 330 Mass. 250.—Const Law 206(7), 207(7).

Mass. 1946. Liberty of the press is enjoyed, not only by individuals, but by associations of individuals such as labor unions and corporations, though a corporation is not a "citizen" and must find its protection against abridgment of its liberty by State action in the due process clause rather than the privileges and immunities clause. U.S.C.A. Const. Amends. 1, 14; Const.Mass. Declaration of Rights, arts. 16, 19, 21.—*Bowe v. Secretary of the Com.*, 69 N.E.2d 115, 320 Mass. 230, 167 A.L.R. 1447.—Const Law 90.1(7.1), 206(7), 274.1(1).

Mass. 1935. Suit by domestic trust companies, in possession of commissioner of banks for liquidation, against foreign corporations held removable to federal court on ground of diversity of citizenship as against contention that causes were not removable because commonwealth was real party in interest, and is not a "citizen" within removal statutes, since commissioner in taking possession of trust companies acted merely as an administrative officer, and title to properties of trust companies did not vest in commissioner or in commonwealth. G.L.(Ter.Ed.) c. 167, §§ 22 to 36, and §§ 31A and 35A, as added by St.1933, c. 277 and c. 302; 28 U.S.C.A. §§ 1441, 1445-1447.—*Lawrence Trust Co. v. Chase Securities Corp.*, 198 N.E. 905, 292 Mass. 481.—Rem of C 29.

Mich. 1901. Laws 1889 provided that personal property of inhabitants of Michigan should be subject to taxation. Comp.Laws 1897, § 3831, eliminated the word "inhabitant," and declared that, for the purpose of taxation, all shares in foreign corporations owned by "citizens" of Michigan shall be included. Held, that the contention that the word "citizen," as used in Comp.Laws 1897, applied only

to those citizens of the state who resided elsewhere, and not to resident citizens, because otherwise a nonresident citizen would escape taxation, and that the change was made in the statutes, and the word "citizen" substituted for "inhabitant" to prevent nonresident citizens from escaping taxation, could not be sustained, since the word was evidently used in its common meaning, as synonymous with "inhabitant" or "resident."—*Bacon v. Board of State Tax Com'rs*, 85 N.W. 307, 126 Mich. 22, 86 Am.St. Rep. 524, 60 L.R.A. 321.—Tax 58.

Miss. 1930. Corporation is not a "citizen" within meaning of U.S.C.A.Const. art. 4, § 2, cl. 1, which provides that citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.—*Miller v. Lamar Life Ins. Co.*, 131 So. 282, 158 Miss. 753.

Mo. 1887. A "citizen" is defined by Webster to be "a person, native or naturalized, who has the privilege of voting for public officers and who is qualified to fill public offices in the gift of the people; also either native-born or naturalized person, of either sex, who is entitled to full protection in the exercise and enjoyment of so-called private rights." Bouvier gives the definition of a citizen in American law as one who under the Constitution and law of the United States has a right to vote for Representatives in Congress and other public officers, and who is qualified to fill offices in the gift of the people. All persons born or naturalized, in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. Abbott defines it thus: "A person who owes allegiance to and may claim reciprocal protection from a government; one who is a member of the United States, or of the body politic of a sovereign state. Age or majority is not involved. Women are citizens as fully and truly as men. Nor does a recognition of women's citizenship involve a grant of political rights, such as are indeed usually conferred only on citizens, but do not inhere in that status."—*State v. County Court*, 2 S.W. 788, 90 Mo. 593.

Mo.App. 1930. Corporation is not "citizen" within constitutional provision prohibiting state from abridging privileges of citizens of United States.—*Weed v. Bank Sav. Life Ins. Co.*, 24 S.W.2d 653.—Const Law 206(7).

Mo.App. 1907. The word "residence" may refer either to a fixed and settled abode or to one merely of some duration; hence a statement of an applicant for insurance that his residence was in Kansas was not necessarily a declaration that he was a "citizen" of that state.—*Kroge v. Modern Brotherhood of America*, 105 S.W. 685, 126 Mo.App. 693.

Mo.App. 1904. The words "inhabitant," "citizen," and "resident" mean substantially the same thing, and one is an "inhabitant," "resident," or "citizen" of the place where he has his domicile or home. A man's residence is his home or habitation; where that residence is fixed, and at a particular place, and he does not entertain a present intention of removing therefrom. To constitute a domicile but two elements are necessary—the act and the

intention.—*Stevens v. Larwill*, 84 S.W. 113, 110 Mo.App. 140.

Mont. 1938. One who is not a "citizen" of the United States may become a "resident," under statute, for purpose of invoking jurisdiction in a divorce proceeding. Rev.Codes 1935, § 5766.—*State ex rel. Duckworth v. District Court of Seventeenth Judicial Dist.*, 80 P.2d 367, 107 Mont. 97.—Divorce 62(1).

Mont. 1931. A corporation is not a person or "citizen" within the meaning of the privileges and immunities clause of the Constitution of the United States.—*Chicago, M., St. P. & P.R. Co. v. Harmon*, 295 P. 762, 89 Mont. 1.

N.J.Ch. 1939. A state is not a "citizen," within meaning of federal statutes giving federal courts jurisdiction of suits between citizens of different states, and dealing with removal of suits from state courts to federal courts. Jud.Code §§ 24(1), 28, as amended, 28 U.S.C.A. §§ 41(1), 71.—*Board of Health of Township of Hillside v. Mundet Cork Corp.*, 8 A.2d 105, 126 N.J.Eq. 100, affirmed 11 A.2d 260, 127 N.J.Eq. 61.—Rem of C 41.

N.J.Ch. 1939. A county or municipal corporation is a "citizen" within meaning of federal statutes providing that suits between citizens of different states shall be maintained in the federal courts and providing for removal of causes from state to federal courts. Jud.Code §§ 24(1), 28, as amended, 28 U.S.C.A. §§ 41(1), 71.—*Board of Health of Township of Hillside v. Mundet Cork Corp.*, 8 A.2d 105, 126 N.J.Eq. 100, affirmed 11 A.2d 260, 127 N.J.Eq. 61.—Rem of C 41.

N.J.Ch. 1939. In a suit filed by a local board in name of state on relation of board against foreign corporation to enjoin a nuisance which jeopardized public health, and offended against state, state was the actual complainant, and hence was not a "citizen," within meaning of federal statute giving federal courts jurisdiction of suits between citizens of foreign states, and hence suit was not removable to federal courts on ground of diverse citizenship. N.J.S.A. 26:2-1, 15, 20, 26:3-1, 46, 49, 50, 56; Jud.Code §§ 24(1), 28, as amended, 28 U.S.C.A. §§ 41(1), 71.—*Board of Health of Township of Hillside v. Mundet Cork Corp.*, 8 A.2d 105, 126 N.J.Eq. 100, affirmed 11 A.2d 260, 127 N.J.Eq. 61.—Rem of C 41.

N.Y. 1955. Forest Preserve Council, a membership corporation, was a "citizen" within constitutional provision authorizing suit by a citizen to restrain violation of constitutional provisions relating to forest preserves. Conservation Law, § 50, subd. 36; Const. art. 14, §§ 1, 4; U.S.C.A. Const. art. 4, § 2; Amend. 14, § 1.—*Oneida County Forest Preserve Council v. Wehle*, 128 N.E.2d 282, 309 N.Y. 152.—Woods 8.

N.Y.A.D. 1 Dept. 1909. A foreign insurance company engaged in business in New York by permission of the insurance department is, so far as any litigation is concerned, a "citizen" of New York.—*Webster v. Columbian Nat. Life Ins. Co.*,

116 N.Y.S. 404, 131 A.D. 837, affirmed 89 N.E. 1114, 196 N.Y. 523.

N.Y.Sup. 1964. For jurisdictional purposes, national bank is "citizen" of state in which it is established or located, and in that district alone can it be sued. 12 U.S.C.A. § 94.—National Commercial Bank & Trust Co. v. Commonwealth Bank & Trust Co., 252 N.Y.S.2d 512, 43 Misc.2d 827.—Banks 275.

N.Y.Sup. 1949. For jurisdictional purposes, a national bank is a "citizen" of the state in which it is established or located, and in that state alone can it be sued. 12 U.S.C.A. § 94.—Crofoot v. Giannini, 92 N.Y.S.2d 191, 196 Misc. 213.—Banks 275.

N.Y.Sup. 1940. A corporation is a "person" within the due process clause, but is not a "citizen" within the immunities clause, of the Fourteenth Amendment. U.S.C.A. Const.Amend. 14.—Hoopeston Canning Co. v. Pink, 24 N.Y.S.2d 312, reversed 29 N.Y.S.2d 300, 262 A.D. 446, reversed 43 N.E.2d 49, 288 N.Y. 291, affirmed 63 S.Ct. 602, 318 U.S. 313, 87 L.Ed. 777, 145 A.L.R. 1113.—Const Law 206(7), 252.

N.Y.Sup. 1939. A corporation is not a "citizen," within meaning of Federal Constitution declaring citizens of each state entitled to privileges and immunities of citizens in the several states, or of the Fourteenth Amendment prohibiting states from abridging privileges and immunities of citizens of the United States. U.S.C.A. Const. art. 4, § 2; Amend. 14.—J.D.L. Corp. v. Bruckman, 11 N.Y.S.2d 741, 171 Misc. 3.—Const Law 206(7), 207(7).

N.Y.Sup. 1909. A "citizen" is one who owes allegiance to the state, and he has a right to reciprocal protection from it.—In re Rousos, 119 N.Y.S. 34.—Citiz 2.

N.Y.Sup. 1900. Within the meaning of Laws 1896, c. 909, § 34, subd. 1, requiring a person, in order to be entitled to vote at the state election, to be a male "citizen" of the United States, the term "citizen" does not include a native-born citizen of Porto Rico, who resided there until September, 1899, when he moved to the United States, and who has never been naturalized, as the treaty by which Porto Rico was acquired did not operate as a collective naturalization of the inhabitants thereof. "In Elk v. Wilkins, 5 S.Ct. 41, 112 U.S. 94, 28 L.Ed. 643, the Supreme Court of the United States, defining the rights of persons individually or collectively to become citizens under the fourteenth amendment of the Constitution of the United States, says: "This section contemplates two sources of citizenship, and two sources only—birth and naturalization. The persons declared to be citizens are all persons born or naturalized in the United States and subject to the jurisdiction thereof. The evident meaning of these last words is not merely subject in some respect or degree to the jurisdiction of the United States, but completely subject to their political jurisdiction and owing them direct and immediate allegiance; and the words relate to the time of birth in one case as they do to the time of naturalization in the other. Persons not thus subject to the

jurisdiction of the United States at the time of birth cannot become so afterward, except by being naturalized, either individually or by proceedings under the naturalization acts, or collectively as by the force of a treaty by which foreign territory is acquired."—People ex rel. Juarbe v. Board of Inspectors of Twenty-Fourth Election Dist. of Twenty-Fifth Assembly Dist. of Borough of Manhattan, 67 N.Y.S. 236, 32 Misc. 584.

N.Y.Sur. 1971. A government can be neither a "citizen" nor an "alien" within section of real property law to effect that citizens and aliens are capable of holding real property within state and taking it by descent or devise. EPTL 3-1.3; Real Property Law § 10, subds. 1-3.—Application of Marshall, 324 N.Y.S.2d 785, 68 Misc.2d 1.—Intern Law 7.

N.Y.Sur. 1904. A foreign corporation, though a person, under General Construction Law, § 37, is not a "citizen," within the provision of the United States Constitution that citizens of each state shall be entitled to the privileges and immunities of citizens of the several states.—In re Avery's Estate, 92 N.Y.S. 974, 45 Misc. 529.

N.C. 1919. Laws 1917, c. 231, § 72, requiring payment of license tax to sell automobiles in state, but providing that four-fifths of such licenses need not be paid if company has three-fourths of its assets invested in the state and returned for taxation therein, does not interfere with the privileges and immunities; the term "citizen" in Const.U.S. art. 4, § 2, referring only to natural persons, members of the body politic, owing allegiance to the state, and not to artificial persons created by the Legislature, and possessing only such attributes as the Legislature has prescribed.—Bethlehem Motors Corporation v. Flynt, 100 S.E. 693, 178 N.C. 399, reversed 41 S.Ct. 571, 256 U.S. 421, 65 L.Ed. 1029.—Const Law 207(7).

N.C. 1919. The words "citizens" and "persons," within Revisal 1905, § 1692, authorizing issuance of grants for state lands to any "citizen" of the state and to "persons" who shall have come into the state, do not include corporations.—Wallace v. Moore, 100 S.E. 237, 178 N.C. 114.—Pub Lands 164.

N.C. 1907. It is settled that a corporation is a "citizen" of the state creating it, for the purposes of federal jurisdiction. A corporation cannot change its residence or "citizenship." It can have its legal home only at the place where it is located by or under the authority of its charter.—Garrett & Co. v. Bear, 56 S.E. 479, 144 N.C. 23.

N.D. 1943. A corporation is not a "citizen" within meaning of constitutional provisions governing privileges and immunities of citizens. U.S.C.A.Const. art. 4, § 2.—Asbury Hospital v. Cass County, 7 N.W.2d 438, 72 N.D. 359, appeal after remand 16 N.W.2d 523, 73 N.D. 469, affirmed 66 S.Ct. 61, 326 U.S. 207, 90 L.Ed. 6.—Const Law 207(1).

N.D. 1935. The words "inhabitant," "citizen," and "resident," as employed in constitutions to define the qualifications of electors, mean substan-

tially the same thing; and one is an inhabitant, resident, or citizen at the place where he has his domicile or home.—State ex rel. Sathre v. Moodie, 258 N.W. 558, 65 N.D. 340.

Ohio App. 8 Dist. 1982. An Ohio corporation may have as great an interest as a natural person in seeking just enforcement of state laws and may be considered “citizen” of the state of Ohio entitled to institute an action in mandamus. Rules Civ.Proc., Rule 17; R.C. § 2731.02; 28 U.S.C.A. § 1332(c).—State ex rel. Ohio Motorists Ass’n v. Masten, 456 N.E.2d 567, 8 Ohio App.3d 123, 8 O.B.R. 179.—Mand 23(2).

Okla. 1918. The word “citizen” as used in section 2 of the Seminole Agreement, 31 Stat. 250, limiting descent of Indian lands, is not limited to persons whose names are found on the rolls prepared under section 1. Citizenship in the Seminole tribe did not necessarily extend to or invest in the “citizen” a personal or individual interest in the common or undivided property of the tribe, but might exist independent of any right to participate in distribution of tribal property.—Rentic v. Rentic, 172 P. 1083, 70 Okla. 103, 1918 OK 179.

Okla. 1916. In Seminole Agreement, § 2, regulating devolution of lands of Seminole citizens, “citizen” is not limited to person whose name is found on rolls.—Wadsworth v. Crump, 157 P. 713, 53 Okla. 728, 1916 OK 345, reversed Campbell v. Wadsworth, 39 S.Ct. 63, 248 U.S. 169, 63 L.Ed. 192.—Indians 18.

Okla.App.Div. 2 1991. Nonprofit public employees association was “citizen” within meaning of statute permitting citizen to bring suit to restrain disbursing officer from making any payments in contravention of any provision of the Oklahoma Personnel Act. 74 Okl.St. Ann. §§ 840.1 et seq., 840.2, 840.14, subd. D.—Oklahoma Public Employees Ass’n v. McCaleb, 827 P.2d 178, 1991 OK CIV APP 111.—Inj 114(2).

Or. 1958. Under the reciprocity statutes respecting the rights of nonresident aliens to inherit personal property from a decedent in Oregon, the word “alien” suggests a person subject to a foreign sovereignty and the term “citizen” refers to constituent members of a body politic owing allegiance to that sovereign. O.C.L.A. § 61-107, (repealed 51:519:2, see ORS 111.070).—Clostermann v. Schmidt, 332 P.2d 1036, 215 Or. 55.—Aliens 14.

Or. 1927. Corporation is not “citizen” within constitutional provisions relative to privileges and immunities of citizens. U.S.C.A. Const. Amend. 14.—Corporation of Sisters of Mercy v. Lane County, 261 P. 694, 123 Or. 144.—Const Law 207(1).

Or.App. 2000. School district was not a “citizen,” within meaning of state Constitution’s guarantee of equal privileges and immunities to citizens and classes of citizens. Const. Art. 1, § 20.—Sherwood School Dist. 88J v. Washington County Educ. Service Dist., 6 P.3d 518, 167 Or.App. 372, review denied 19 P.3d 354, 331 Or. 361.—Const Law 205(1).

R.I. 1964. Under statute imposing double registration fee for motor vehicles for hire and excepting any “citizen” of town of New Shoreham, the term “citizen” was not intended to be given its political connotation but referred to those inhabitants of town who demonstrated permanence of their residency by customarily exercising privileges of citizenship therein. Gen.Laws 1956, § 31-6-1(E).—Imperial Car Rental Corp. v. Lussier, 196 A.2d 728, 97 R.I. 168.—Autos 98.

R.I. 1909. The noun “citizen” has been defined to be one who enjoys the freedom and privileges of a city; a freeman of a city, as distinguished from a foreigner, or one not entitled to its franchises; an inhabitant of a city; a townsman; a person, native, or naturalized, of either sex, who owes allegiance to a government and is entitled to reciprocal protection from it; one who is domiciled in a country and who is a citizen though neither native nor naturalized, in such a sense that he takes his legal status from such country. In English law, the term means an inhabitant of a city; the representative of a city, in Parliament. In American law, a citizen is one who, under the Constitution and laws of the United States, has a right to vote for Representatives in Congress and other public officers, and who is qualified to fill offices in the gift of the people; one of the sovereign people; a constituent member of the sovereignty, synonymous with the people; a member of the civil state, entitled to all its privileges. A person may be a citizen for commercial purposes, and not for political purposes.—Greenough v. Board of Police Com’rs of Town of Tiverton, 74 A. 785, 30 R.I. 212, 136 Am.St.Rep. 953.—Citiz 2.

S.C. 1984. The terms “citizen” and “resident” are essentially interchangeable for purposes of analyzing cases under the privileges and immunities clause. U.S.C.A. Const. Art. 4, § 2, cl. 1.—Spencer v. South Carolina Tax Com’n, 316 S.E.2d 386, 281 S.C. 492, certiorari granted 105 S.Ct. 242, 469 U.S. 879, 83 L.Ed.2d 181, affirmed 105 S.Ct. 1859, 471 U.S. 82, 85 L.Ed.2d 62, rehearing denied 105 S.Ct. 2349, 471 U.S. 1112, 85 L.Ed.2d 865.—Const Law 207(1).

S.C. 1975. Terms “citizen” and “resident,” as used in constitutional provision that no person shall be eligible to office of governor who has not been a citizen and resident of South Carolina for five years next preceding day of election, are not synonymous, and constitutional provision requires as condition of eligibility that one must have been both a citizen and resident for required time. Const. art. 4, § 2.—Ravenel v. Dekle, 218 S.E.2d 521, 265 S.C. 364.—States 41.

Tenn. 1999. Convicted felon was “citizen” for purposes of Public Records Act, which by its terms was available for use by “citizens,” and thus felon had standing to utilize Act’s provisions. T.C.A. §§ 10-7-503 to 10-7-505.—Goodwin v. Hendersonville Police Dept., 5 S.W.3d 633, rehearing denied.—Records 52.

Tex.App.—Austin 1995. Self-insured city could not invoke due process and takings provisions of

Texas Constitution's bill of rights to invalidate provisions of Workers' Compensation Act as it was not "citizen" or "person" within meaning of bill of rights. Vernon's Ann. Texas Const. Art. 1, §§ 13, 17, 19; V.T.C.A., Labor Code § 410.021 et seq.—Texas Workers' Compensation Com'n v. City of Bridge City, 900 S.W.2d 411, rehearing overruled, and writ denied.—Const Law 252; Em Dom 284.

Tex.App.—Austin 1995. Risk pool through which municipalities self-insured could not invoke due process and takings provisions of Texas Constitution's bill of rights to invalidate provisions of Workers' Compensation Act as it was not "citizen" or "person" within meaning of bill of rights; risk pool was formed pursuant to statute authorizing two or more political subdivisions to establish joint insurance fund, and legislature could alter or repeal that statute at any time. Vernon's Ann. Texas Const. Art. 1, §§ 13, 17, 19; V.T.C.A., Labor Code §§ 410.021 et seq., 504.016.—Texas Workers' Compensation Com'n v. City of Bridge City, 900 S.W.2d 411, rehearing overruled, and writ denied.—Const Law 252; Em Dom 284.

Tex.App.—Austin 1994. Terms "citizen" and "resident" are essentially interchangeable for purposes of analysis under privileges and immunities clause. U.S.C.A. Const. Art. IV, § 2, cl. 1.—Nunez v. Autry, 884 S.W.2d 199.—Const Law 207(1).

Tex.Ct.App. 1890. Within Vernon's Ann. Civ. St. art. 2133, providing that no person shall be qualified to serve as a juror unless he is a citizen of the state and of the county in which he is to serve, the term "citizen" should be construed to include one who has declared his intention to become a citizen in due form and possesses the other conditions of age and residence within the state and voting district for the appropriate length of time, becoming thereby a qualified elector. A citizen is a person, native or civilized, who has the privilege of voting for public officers and who is qualified to fill offices in the gift of the people; one who, under the Constitution and laws of the United States, has a right to vote for Representatives in Congress and for public officers, and who is qualified to fill offices in the gift of the people.—Abrigo v. State, 15 S.W. 408, 29 Tex.App. 143.

Tex.Civ.App.—Fort Worth 1945. The words "inhabitant", "citizen", and "resident", within statute requiring that divorce petitioner be an inhabitant of state for 12 months and a resident of county of venue for 6 months, mean substantially the same thing. Vernon's Ann. Civ. St. art. 4631.—Wilson v. Wilson, 189 S.W.2d 212.—Divorce 62(2).

Tex.Civ.App.—Fort Worth 1940. Under statute providing that no suit for divorce shall be maintained unless the petitioner shall be an actual bona fide inhabitant of the state for a period of twelve months and shall have resided in the county where the suit is filed for six months next preceding the filing of the petition, allegation that petitioner was a resident "citizen" of named county and actually resided within the county and state for more than one year next preceding the filing of the petition was sufficient notwithstanding that it did not literal-

ly follow the verbiage of statute, since a "citizen" is an inhabitant and is so universally defined. Rev. St. 1925, art. 4631.—Kent v. Kent, 143 S.W.2d 159.—Divorce 91.

Tex.Civ.App.—Austin 1938. "Citizen", as used in constitutional provision guaranteeing to "citizens" of each state the same privileges and immunities as citizens of other states, applies only to "natural persons" and members of the body politic owing allegiance to the state, and not to "artificial persons" created by the Legislature. U.S.C.A. Const. art. 4, § 2.—San Jacinto Nat. Bank v. Sheppard, 125 S.W.2d 715.—Const Law 207(1).

Tex.Civ.App.—Austin 1918. A motion to dismiss an appeal because appellants are alien enemies, residents of Hungary, will be overruled, where it does not appear that they are aliens or citizens of Austria-Hungary, an enemy country, although residents thereof, "residence" not being synonymous with "citizenship," which is a status or condition and is the result of both act and intent, a "citizen" being one who, as a member of a nation or body politic of the sovereign state, owes allegiance to and may claim reciprocal protection from its government.—Ozbolt v. Lumbermen's Indemnity Exchange, 204 S.W. 252.

Tex.Civ.App.—Dallas 1951. The words "inhabitant," "resident," and "citizen," as used in statute pertaining to divorce, have substantially the same meaning.—Hogue v. Hogue, 242 S.W.2d 673.—Divorce 62(1).

Tex.Civ.App.—Amarillo 1943. The words "inhabitant", "resident", and "citizen" in statute requiring that divorce petitioner be inhabitant of state for twelve months and resident of county of venue for six months, but providing that citizen absent from state for over six months in military service may sue for divorce in state and county wherein he formerly resided, import actual residence, something more or less permanent, and place where person has his home, to which, when absent, he intends to return. Vernon's Ann. Civ. St. art. 4631.—Struble v. Struble, 177 S.W.2d 279.—Divorce 62(2).

Tex.Civ.App.—El Paso 1941. A permit authorizing a foreign corporation to do business in the state does not constitute such corporation a "citizen", since it cannot be both a foreign corporation and a citizen at the same time. Vernon's Ann. Civ. St. arts. 1320, subd. 2, and 1532.—H. Rouw Co. v. Railway Exp. Agency, 154 S.W.2d 143, writ refused.—Corp 634.

Tex.Civ.App.—El Paso 1929. To be an "inhabitant," within divorce statute, there must be a domicile or home acquired, and it must have stamp of permanency upon it, and words "inhabitant," "resident," and "citizen," as used in statute, have substantially same meaning.—Dodd v. Dodd, 15 S.W.2d 686.

Tex.Civ.App.—Beaumont 1916. A joint-stock association cannot be a "citizen" within the meaning of the statutes regulating jurisdiction of the federal courts.—Village Mills Co. v. Houston Oil Co. of

Texas, 186 S.W. 785, writ granted, reversed 241 S.W. 122.—Courts 315.

Tex.Civ.App. 1909. As a man is a "citizen" of the country to which his father owes allegiance, it was incumbent on one alleging in an election contest that a voter was not a citizen of the United States to show that such voter's father was not a citizen thereof during his son's minority.—*Savage v. Umphries*, 118 S.W. 893.—Elections 291.

Tex.Civ.App. 1902. A "citizen" is "a member of a nation or sovereign state, especially of a republic; one who owes allegiance to a government and is entitled to protection from it." Standard Dict. There is nothing under the act regulating the removal of suits to the federal courts to indicate that the words "state" and "citizen," when used therein, were intended to have other than their ordinary signification; and, as they are in no wise synonymous terms, the logical conclusion is that the term "citizens" has reference to the various persons who compose the members and citizenship of the several states, and not to the states themselves.—*O'Connor v. State*, 71 S.W. 409, reversed 73 S.W. 1041, 96 Tex. 484, rehearing overruled 74 S.W. 899, 96 Tex. 492, affirmed *O'Connor v. State of Texas*, 26 S.Ct. 726, 202 U.S. 501, 50 L.Ed. 1120.

Tex.Civ.App. 1899. The word "citizen" as used in the statute providing that a given number of "citizens" and freeholders may apply for an election to change the county seat, applies only to voters.—*Scarborough v. Eubank*, 52 S.W. 569, reversed 54 S.W. 649.—Counties 34(2).

Va. 1945. The fact that a state is a party plaintiff does not prevent the case from being removable to proper federal courts, but when a state is a party plaintiff no question of diversity of citizenship exists, for a state, in the nature of things, cannot be a "citizen" of any state.—*Ritholz v. Com.*, 35 S.E.2d 210, 184 Va. 339.—Rem of C 23, 41.

W.Va. 1922. In divorce statutes we think the terms resident or residence are equivalent in meaning to that of "citizen" or domicile.—*Vachikinas v. Vachikinas*, 112 S.E. 316, 91 W.Va. 181.

Wis. 1929. Corporations are not "citizens" within U.S.C.A.Const. Amend. 14, § 1, prohibiting states from making laws abridging privileges or immunities of "citizens" of the United States; the term "citizen" within such amendment contemplating natural born citizens or naturalized citizens.—*State v. Dammann*, 224 N.W. 139, 198 Wis. 265.

Wis. 1911. St.1898, § 1770b, requiring foreign corporations to file articles with the Secretary of State before doing business in the state, and that every contract relating to property within the state shall be void unless such provisions are complied with, is constitutional, as such corporation is not a "citizen" of any state within U.S.C.A.Const. art. 4, § 2, and hence has no right to exercise its franchise in another state than that of its creation except on such terms as each state may impose.—*Independent Tug Line v. Lake Superior Lumber & Box Co.*, 131 N.W. 408, 146 Wis. 121.

CITIZEN AND RESIDENT OF THIS STATE

N.J.Tax 1983. Phrase "citizen and resident of this state" as used in statute granting exemption from real estate taxation to widow of any "citizen and resident of this State" who died in active service in time of war in any branch of the Armed Forces of the United States refers to person domiciled in New Jersey. N.J.S.A. 54:4-3.30, subd. c.—*Roxbury Tp. v. Heydt*, 6 N.J.Tax 73.—Tax 219.

CITIZEN INFORMANT

Alaska App. 1993. Informant who had given police detailed account of shooting, who admitted that he had been in the automobile from which shots were fired and had personally witnessed the shooting, who denied being criminally involved, who volunteered to wear monitoring device and engage suspects in conversations about the shooting, who had voluntarily told his employer about having witnessed the shooting before he went to the police and who sought no concession from the government, was a "citizen informant" for purposes of determining trustworthiness of information which he supplied to officers who sought warrant authorizing the monitoring.—*Gustafson v. State*, 854 P.2d 751, dismissal of post-conviction relief affirmed *U.S. v. Gustafson*, 17 Fed.Appx. 602.—Tel 515.

Cal.App. 1 Dist. 1975. A "citizen-informant" is a citizen who purports to be the victim or to have been the witness of a crime and who is motivated by good citizenship and acts openly in aid of law enforcement officers in giving them information upon which request for search warrant is based; it is reasonable for police officers to act upon reports of such observers of criminal activity.—*People v. Schulle*, 124 Cal.Rptr. 585, 51 Cal.App.3d 809.—Searches 119.

Cal.App. 2 Dist. 1978. Person who stated his name and address at time he called police and said that he suspected a burglary was taking place across the street from his residence and who acted openly in aid of officer when he arrived at the scene was a "citizen informant" and therefore presumptively reliable.—*People v. Galosco*, 149 Cal.Rptr. 407, 85 Cal.App.3d 456.—Arrest 63.4(8).

Fla. 2001. Caller who identified herself to police as suspect's mother qualified as "citizen informant," rather than mere "anonymous informant," and thus, *Terry* stop and frisk based on information provided by caller was justified, even though police did not confirm caller's identity until after suspect was in custody; caller told police that she was suspect's mother, thereby demonstrating basis of her knowledge and veracity, fact that she disclosed her address made her identity easily ascertainable, and there was no indication that caller was motivated by any reason other than concern for safety of her son and others. U.S.C.A. Const.Amend. 4.—*State v. Maynard*, 783 So.2d 226.—Arrest 63.5(5).

Fla.App. 3 Dist. 1987. Where it is shown by affidavit for search warrant that person came into possession of information concerning existence of drugs on premises through innocent observation, that person can be considered a "citizen-informant"

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