

GEORGE v. FELLOWS.

The proviso of Gen. St., c. 206, s. 5, exempting sheriffs from arrest on civil process, does not apply to deputy sheriffs.

TROVER, for property attached by the defendant, as a deputy sheriff, which the plaintiff claimed as exempted from attachment. The defendant, having been arrested and held to bail upon the writ, at the return term moved that his bail be discharged, and that he be discharged from arrest. The court denied the motion, and the defendant excepted.

S. B. Page and Bingham & Mitchell, for the plaintiff.

Carpenter, for the defendant.

CLARK, J. The word "sheriff," as used in the General Statutes, does not include deputies. In statutes applying to deputy sheriffs, they are generally named. Gen. St., c. 56, ss. 3, 4, 6, 7; c. 170, s. 17; c. 194, s. 3; c. 197, ss. 6, 10, 11, 12, 17, 19, 21; c. 198, s. 7; c. 206, s. 5.

Exception overruled.

STANLEY, J., did not sit.

 QUIMBY v. PENN. INSURANCE CO.

A foreign insurance company doing business in this state, and accepting service of process in conformity to the laws of the state, is not thereby deprived of the right of removal to the federal courts of an action commenced against it in the state court by a citizen of this state.

PETITION, for removal of cause to U. S. circuit court. The defendants are a corporation, incorporated and having their home office in Pennsylvania, and authorized to do business under the laws of this state; and this action is founded upon a policy of insurance issued on an application taken by the defendants' agent, resident and doing business in this state. The plaintiff objects to a removal, claiming that the action is not a suit between citizens of different states, within the meaning of the law; that the controversy arises upon a contract made by the defendants in New Hampshire, by authority conferred upon them by the laws of New Hampshire; and that, so far as relates to their rights and obligations in respect to this contract, the defendants are to be regarded as citizens of New Hampshire.