

v.43F, no.2-7 HENNING v. WESTERN UNION TEL. CO.

*Circuit Court, D. South Carolina.*

May 23, 1890.

REMOVAL OF CAUSES—DOMICILE—CORPORATIONS.

A corporation chartered in another state is not a resident of a state, within the sense of the removal act of 1888, simply because it does business and has agents within such state. Following *Fales v. Railway Co.*, 32 Fed. Rep. 673.

*(Syllabus by the Court.)*

At Law. On motion to remand.

BOND, J. The petition to remand this cause is based on the ground that the defendant, although a corporation under the law of New York, has a place of business, agents, and property in South Carolina. Being so a resident of the state of South Carolina, it is argued the cause should not have been removed from the state court under the act of congress of 1888. We follow *Fales v. Railway Co.*, 32 Fed. Rep. 673. and the other cases taking the same view with it. The motion to remand is refused.

SIMONTON, J., concurring.