admiralty courts of the United States may doubtless enforce that right according to their own rules of procedure;" citing a number of cases, among which is The Corsair, 145 U. S. 335, 12 Sup. Ct. 949. In the case at bar, however, it is enough to say that, the tort being a maritime one, it would seem on principle and authority, if the local law is competent to preserve the right of action, it is competent to give it the efficiency of a lien to be enforced in the appropriate federal tribunal. The Lottawanna, 21 Wall. 558, 581.

3. The fourth assignment of error is not very clear. If it means that the judgments are excessive as to amounts, it is not well taken. We cannot say the judgment of the court was not well exercised, and that the amounts awarded are excessive compensation for the injuries inflicted. If it means more than this, it is covered by the fifth assignment of error, which we shall now proceed to consider. The assignment is general, and it is not certain that the points specifically urged here were drawn to the attention of the district court. However, the right of the libelants who intervened to recover after the ship was released is discussed by both parties in their briefs, and submitted for decision. At the time judgments were rendered the construction of admiralty rule 34, and the extent of the jurisdiction to entertain petitions of intervening libelants, was disputable, but has since been settled by the supreme court in The Oregon (decided May 6th of this year) 158 U. S. 186, 15 Sup. Ct. 804, 814, in which it is held that a stipulation given for the release of a vessel upon the original libel to recover damages done to a vessel with which she collided does not bind the sureties to respond to claims set up by intervening petitions filed subsequently to the release, and hence the court should not entertain jurisdiction of such intervening petitions.

It follows, therefore, that the judgments of the district court in favor of the intervening libelants Emma E. Miller, and E. W. Vest, Ida F. Richardson, Thomas Foran, and John Rankin, should be reversed, and that the judgments in favor of Jacob Nelson, D. J. Wyncoop, and Ella E. Wyncoop, and D. J. and Ella E. Wyncoop, and Philip L. Reese, administrator, should be affirmed; and it is so ordered.

WOOD v. DRAKE et al.

(Circuit Court, D. Washington, S. D. December 4, 1895.)

REMOVAL OF CAUSES—SUITS AGAINST FEDERAL OFFICERS—FACTS NOT APPEARING IN COMPLAINT.

An action for damages for false imprisonment, based upon acts done by the defendants as marshal and deputy marshal of the United States, in execution of process of a federal court, is, without regard to the citizenship of the parties, within the jurisdiction of the federal courts, and may be removed thither from a state court, although the complaint is so framed as to conceal the fact that the defendants were acting as federal officers if that fact must necessarily be shown by the plaintiff upon the trial and is disclosed by the petition for removal.

At law. An action by Mary C. Wood to recover damages for false imprisonment. Motion to remand. Denied.

Brents & Clark and P. J. Cavanaugh, for plaintiff.

Ben Sheeks, D. J. Crowley, and J. L. Sharpstein, for defendants.

HANFORD, District Judge. This action was commenced in the superior court of this state for the county of Walla Walla. The complaint charges that the defendants, conspiring together to oppress and injure the plaintiff, wrongfully assaulted, arrested, and imprisoned her, and against her will transported her from her home, in Walla Walla county, to Seattle, and other places in this state, thereby compelling her to employ counsel and give bail and incur expense in order to regain her liberty and return to her home; and subjecting her to other injuries and indignities not specifically described. The defendants in due time each filed a petition and bond for removal of the case to this court, and caused a transcript of the record to be filed, and the case docketed. In their petition they allege that the defendant Drake is the United States marshal for the district of Washington; that the defendant Parker is his deputy; and that the acts alleged in the plaintiff's complaint were committed by them in execution of process of the United States court, lawfully issued, requiring them to apprehend and keep the plaintiff in custody until lawfully discharged; and for that reason they assert that the action is one arising under the laws of the United States. The plaintiff has answered said petition, practically admitting the particular facts set forth therein, but denies that she is the person whom the marshal was required to arrest under the process described in the answer.

On the ground that the complaint does not disclose any fact upon which the jurisdiction of this court can be predicated, the plaintiff relies upon the decisions of the supreme court in the cases of Tennessee v. Bank, 14 Sup. Ct. 654, 152 U. S. 454; Chappell v. Waterworth, 15 Sup. Ct. 34, 155 U. S. 102; Cable Co. v. Alabama, 15 Sup. Ct. 192, 155 U. S. 482; Land Co. v. Brown, 15 Sup. Ct. 357, 155 U. S. 488,—and denies that this court has jurisdiction of the action, and has moved to remand it to the state court, in which it was originally commenced. The case, as stated in the pleadings, presents an issue as to the lawful or unlawful conduct of the United States