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United States
Circuit Court of Appeals

For the Ninth Circuit

NARCISO LUCHESSI,

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1748
Appellant,

vs.

LUTHER WEEDIN, as Commissioner of Immi-
gration, at the Port of Seattle, Washington,
Appellee.

Transcript of Record

Upon Appeal from the United States District Court
for the Western District of Washington,
Northern Division.

< FILED >

SEP 12 1932

PAUL P. O'BRIEN,

CLERK

United States
Circuit Court of Appeals
For the Ninth Circuit

NARCISO LUCHESSI,

Appellant,

vs.

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[Clerk's Note: When deemed likely to be of an important nature, errors or doubtful matters appearing in the original certified record are printed literally in *italic*; and, likewise, cancelled matter appearing in the original certified record is printed and cancelled herein accordingly. When possible, an omission from the text is indicated by printing in *italic* the two words between which the omission seems to occur.]

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NAMES AND ADDRESSES OF COUNSEL.

Messrs. JOHN J. SULLIVAN and MICHAEL F. WARD, Attorneys for Appellant, 1801 Smith Tower, Seattle, Washington.

Mr. LOUIS F. BUTY, Attorney for Appellant, 1605 Exchange Building, Seattle, Washington.

Messrs. ANTHONY SAVAGE and HAMLET P. DODD, Attorneys for Appellee, 310 Federal Building, Seattle, Washington. [2]*

In the District Court of the United States for the Western District of Washington, Northern Division.

No. 20,470

In the Matter of the Application of
NARCISO LUCCHESI,
for a Writ of Habeas Corpus.

PETITION.

The petition of Narciso Lucchesi respectfully shows:

I.

That he is a citizen of the Kingdom of Italy. That petitioner first arrived in the United States in the year 1906 at the port of New York, and has

*Page numbering appearing at the foot of page of original certified Transcript of Record.

lived in the United States continuously since said time, except for two short trips to Italy, one in 1908 and one in 1925. That his last entry was at the Port of New York, August 25th, 1925, and ever since said time he has been continuously lived in the United States.

II.

Petitioner further alleges that he is now being confined, restrained and deprived of his liberty by Luther Weedin, Commissioner of Immigration, Seattle, Washington, at the Immigration Station at Seattle; that said confinement, restraint and deprivation is illegal, for the following reasons, to-wit:

That your petitioner has been charged by the United States Department of Labor, through the Secretary of Labor at Washington, D. C. and the Commissioner of Immigration at Seattle, Washington, with violation of the Immigration Act of February, 1917, to-wit:

That he has been found managing a house of prostitution, or music, or dance hall, or other place of amusement, or resort, habitually frequented by prostitutes, or where prostitutes gather.

III.

That your petitioner was not granted a fair hearing in that witnesses were examined in the absence of his counsel of record, and that the record and evidence discloses no facts or [4] evidence upon which the Secretary of Labor and Commissioner of

Immigration at Seattle, Washington, could base the findings that your petitioner had violated said act, as charged.

IV.

That your petitioner has never managed a house of prostitution, or music, or dance hall, or other place of amusement, or resort, habitually frequented by prostitutes, or where prostitutes gather, and that there is no evidence disclosed in the proceedings taken for his deportation upon which the said Secretary of Labor or Commissioner of Immigration at Seattle, Washington, could legally base a finding that your petitioner had *every* managed a house of prostitution, or music, or dance hall, or other place of amusement, or resort, habitually frequented by prostitutes, or where prostitutes gather.

WHEREFORE, petitioner prays that an order issue out of this Court directed to Luther Weedin, Commissioner, as aforesaid, commanding him to show cause if any he have at a time and place to be fixed by the Court, why a Writ of Habeas Corpus should not issue, and petitioner restore to his liberty or such other and further order made, as to this Court may seem lawful in the premises.

H. SYLVESTER GARVIN,
LOUIS F. BUTY,

Attorneys for Petitioner.

United States of America,
Western District of Washington,
Northern Division.—ss.

Narciso Lucchesi, being first duly sworn on oath deposes and says: That he is the petitioner above named; that he has read the foregoing petition, knows the contents thereof, and believes the same to be true.

NARCISO LUCCHESI.

Subscribed and sworn to before me this 24th day of February, 1931.

[Notary Seal] WESLEY J. MIFFLIN,
Notary Public in and for the State of Wash-
ington, residing at Seattle. [5]

[Endorsed]: Filed Febr. 24, 1931. Ed. M. Lakin,
Clerk. [6]

[Title of Court and Cause.]

ORDER TO SHOW CAUSE.

This matter coming on this day for hearing before the Court upon petition of Narciso Lucchesi for a writ of habeas corpus, the petitioner appearing by his attorneys H. Sylvester Garvin and Louis F. Buty, and the Court having read the petition herein and it appearing therein that the said Narciso Lucchesi is illegally restrained of his liberty at Seattle, Washington by Luther Weedon, Commissioner of Immigration, and all and singular the law and the premises being duly considered,

IT IS HEREBY ORDERED that the said Luther Weedin, Commissioner of Immigration, be and he is hereby commanded to appear before this Court on the 2nd day of Mar. 1931, at the hour of 10 o'clock in the A noon to show cause is any he may have, why a writ of habeas corpus *whould* not issue herein and said petitioner be restored to his liberty and it is further

ORDERED that pending the final determination hereof said petitioner shall not be deported but shall remain in the jurisdiction of this Court provided

that the petitioner deposit with said Commissioner the sum of \$100.00 to defray expenses of his maintenance and such other sums as may be necessary when demand is made to do so, pending determination hereof.

Done in open Court this 24th day of February, 1931.

JEREMIAH NETERER,
Judge.

[Endorsed]: Filed Febr. 24, 1931. Ed. M. Lakin,
Clerk. [7]

RETURN ON SERVICE OF WRIT.

United States of America,
Western District of Wash.—ss.

I hereby certify and return that I served the annexed order to show cause on the therein-named

Luther Weedin, Com. Immigration by handing to and leaving a true and correct copy thereof with Luther Weedin personally at Seattle in said District on the 24th day of February, A. D. 1931.

CHARLES E. ALLEN,
U. S. Marshall.

By FRED A. GROW,
Deputy.

M. F. 2.12.

[Endorsed]: Filed Febr. 25, 1931. Ed. M. Lakin,
Clerk. [8]

[Title of Court and Cause.]

RETURN TO ORDER TO SHOW CAUSE.

To the Honorable Jeremiah Neterer, Judge of the
District Court of the United States for the
Western District of Washington:

Comes now Luther Weedin, United States Commissioner of Immigration at Seattle, Washington, and, for answer and return to the Order to Show Cause entered herein, certifies and shows to the Court that the said alien, Narciso Lucchesi, was duly arrested by an immigrant inspector under authority of a warrant of arrest issued by A. E. Cook, Assistant to the Secretary of Labor, October 18, 1928, charging that the said Narciso Lucchesi, alias Nelson Lucchesi, who landed at the port of New York, N. Y., ex SS "Duillio," on or about the 25th day of August, 1925, had been found in the United

States in violation of the Immigration Act of February 5, 1917, for the following among other reasons: "That he has been found managing a house of prostitution, or music or dance hall or other place of amusement, or resort, habitually frequented by prostitutes; that he has been found receiving, sharing in, or deriving benefit from the earnings of a prostitute; and that he has been found assisting a prostitute"; that the said Narciso Lucchesi was thereafter accorded a hearing before an immigrant inspector, at which time he was afforded ample opportunity to show cause why he should not be deported; that, as a result of the evidence adduced at said hearing, a warrant of deportation was issued December 12, 1929, by P. F. Snyder, Assistant to the Secretary of Labor, commanding that the said Narciso Lucchesi, alias Nelson Lucchesi, or Narciso Lucchesi, who "has been found in the United States in violation of the Immigration Act of February 5, 1917, to wit: That he has been found managing a house of prostitution, or music, or dance hall, or other place of amusement, or resort, habitually frequented by prostitutes, or where prostitutes gather," be returned to Italy, the country whence he came; that the said Narciso Lucchesi surrendered [9] himself to this respondent February 24, 1931, and, from said date until February 26, 1931, was held and detained by this respondent for deportation to Italy as an alien Italian person not entitled to be and remain in the United States under the laws of the United States, and subject to deportation to Italy

under the laws of the United States; that, on February 26, 1931, the said Narciso Lucchesi was released from the custody of this respondent by order of this Court, and since the said date has not been in the custody of this respondent.

The original record of the Department of Labor relating to the deportation proceedings against the said Narciso Lucchesi is attached hereto and made a part and parcel of this return, as fully and completely as though set forth herein in detail.

WHEREFORE, respondent prays that the petition for a writ of habeas corpus be denied.

LUTHER WEEDIN.

United States of America,
Western District of Washington,
Northern Division.—ss.

Luther Weedin, being first duly sworn, on oath deposes and says: That he is United States Commissioner of Immigration at Seattle, Washington, and the respondent named in the foregoing return; that he has read the foregoing return, knows the contents thereof and believes the same to be true.

LUTHER WEEDIN.

Subscribed and sworn to before me this 28th day of March, 1931.

[Seal]

D. L. YOUNG,

Notary Public in and for the State of Washington, residing at Seattle, Washington.

[Endorsed]: Filed Apr. 6, 1931. Ed. M. Lakin,
Clerk. [10]

In the District Court of the United States for the
Western District of Washington, Northern
Division.

No. 20,470

In the Matter of the Application of
NARCISO LUCCHESI,
for a Writ of Habeas Corpus.

DECISION.

For near three years proceedings to deport petitioner have been pending.

The Immigration officers held hearing and the final determination made October 28, 1928, is that he was "found managing a house of prostitution" in Tacoma.

December, 1929, warrant to deport issued. For various reasons importunities of an assortment of dignitaries, a six months jail sentence for violation of the prohibition law, etc., deportation was deferred and this petition for habeas corpus filed in February, 1931.

It alleges that the alien petitioner has not a fair hearing because (1) witnesses were examined in absence of his counsel of record, and (2) the record "discloses no facts or evidence upon which the Secretary * * * could base the finding" aforesaid.

Altho the second is argumentative and no warrant for review, the record has been examined,

thereupon it appears that the alien's attorney after employed was present at all hearings. Before that, was some inquiry or hearing of the alien and witnesses, and which likely was considered in arriving at the final decision, and properly so. Admissions and statements before arrest and furthering the practices of the house or in relation to management, are competent as of accomplices or co-conspirators.

It is enough to say the evidence suffices in quantity to legally sustain the Secretary's finding and that is the extent of the inquiry by the Court.

The decisions of the Secretary are those of a tribunal vested by law with jurisdiction in this and like cases; and it is settled law that when the Courts are invoked to consider [11] any such tribunal's decision, if the hearing was fair and regular, no prejudicial error of law, and evidence sufficient to legally sustain its findings, they are final, conclusive, and beyond the power of courts to disturb. See *Tisi vs. Todd*, 264 U. S. 131. *Vatjauer vs. Coms.*, 273 U. S. 103. Accordingly the petition must be and is denied.

BOURQUIN, J.

May 11, 1931.

[Endorsed]: Filed May 12, 1931. Ed. M. Lakin, Clerk. [12]

[Title of Court and Cause.]

ORDER AND DECREE.

This cause having come on duly for hearing before this Court on the 11th day of May, 1931, on the return of the United States Commissioner of Immigration to the order to show cause theretofore issued herein, the respective parties being represented by their attorneys of record, John J. Sullivan and Michael F. Ward for the petitioner, and Anthony Savage and Cameron Sherwood, United States Attorney and Assistant United States Attorney, respectively, for the respondent, and the Court, being fully advised in the premises, having on the 12th day of May, 1931, entered its written opinion directing the denial of the petition for a writ of habeas corpus.

It is now hereby **ORDERED, ADJUDGED** and **DECREED** that the writ of habeas corpus as prayed for be, and the same is hereby, **DENIED**, and the petitioner ordered deported to Italy; **PROVIDED**, however, that, pending the determination of the petitioner as to the perfection of an appeal from this order and decree, he shall file with the Clerk of this Court a good and sufficient bond in the sum of \$1,000, to be approved by the Court, conditioned that, in the event an appeal be taken to the United States Circuit Court of Appeals for the Ninth Circuit, he will at all times, during the pendency of such appeal, hold himself amenable to the orders

of this Court and of the said Circuit Court of Appeals, and will abide by all judgments and orders rendered upon such appeal.

Done in open Court this 16 day of May, 1931.

BOURQUIN, J.

United States District Judge. [13]

Received a copy of the within order and decree this 15th day of May, 1931.

MICHAEL F. WARD,

Attorney for Petitioner.

O. K.

MICHAEL F. WARD,

Attorney for Petitioner.

[Endorsed]: Filed May 16, 1931. Ed. M. Lakin,
Clerk. [14]

[Title of Court and Cause.]

PETITION FOR APPEAL.

Narciso Luchessi, petitioner herein, deeming himself aggrieved by the order and decree entered herein on the 12 day of May, 1931, does hereby appeal from said judgment, order and decree to the United States Circuit Court of Appeals for the Ninth Circuit, and prays that a transcript and record of proceedings and papers upon said order and decree were made, duly authenticated, may be sent

to the United States Circuit Court of Appeals for
the Ninth Judicial District of the United States.

JOHN J. SULLIVAN,
LOUIS F. BUTY,
MICHAEL F. WARD,
Attorneys for Petitioner.

Received copy this 3 day of June, 1931.

ANTHONY SAVAGE,
Atty. for Respondent.

[Endorsed]: Filed Jun. 3, 1931. Ed. M. Lakin,
Clerk. [15]

[Title of Court and Cause.]

NOTICE OF APPEAL.

To Luther Weedin, Commissioner of Immigration,
and to Anthony Savage, United States District
Attorney:

You, and each of you, are hereby notified that Narciso Luchessi, petitioner above named, hereby and now appeals from that certain order, judgment and decree made herein by the above entitled court on the 12 day of May, 1931, ordering, adjudging and decreeing that the writ of habeas corpus prayed for herein by the above named petitioner, Narciso Luchessi, be denied, and ordering said petitioner deported to Italy, and from the whole thereof, to the

United States Circuit Court of Appeals for the Ninth Circuit.

JOHN J. SULLIVAN,
LOUIS F. BUTY,
MICHAEL F. WARD,
Attorneys for Petitioner.

Received a copy of the within notice of appeal this 3 day of June 1931.

ANTHONY SAVAGE,
Attorney for Respondent.

[Endorsed]: Filed Jun. 3, 1931. Ed. M. Lakin,
Clerk. [16]

[Title of Court and Cause.]

ORDER ALLOWING APPEAL AND FIXING
BOND OF APPELLANT.

Now, to-wit: on the 9th day of June, 1931, it is hereby

ORDERED that the appeal herein be allowed as prayed for, and it is further

ORDERED that petitioner herein may remain at large pending said appeal upon executing a recognizance or bond to the United States of America to the satisfaction of the Clerk of this Court in the sum of \$1000, for the appearance of said petitioner, Narciso Luchessi, to answer the judgment of the Circuit Court of Appeals, and the judgment of this Court.

Done in open Court this 9th day of June, 1931.

COLIN NEBLETT,
Judge United States District Court.

O. K.

HAMLET P. DODD,
Asst. U. S. Atty.

[Endorsed]: Filed Jun. 9, 1931. Ed. M. Lakin,
Clerk. [17]

[Title of Court and Cause.]

ASSIGNMENTS OF ERROR.

1.

The Court erred in holding and deciding that the writ of habeas corpus prayed for by the petitioner should be denied.

2.

The Court erred in ordering the petitioner, Narciso Luchessi, deported to Italy.

JOHN J. SULLIVAN,
LOUIS F. BUTY,
MICHAEL F. WARD,
Attorneys for Appellant.

Received copy this 11 day of June, 1931.

ANTHONY SAVAGE,
U. S. Attorney.

[Endorsed]: Filed Jun. 11, 1931. Ed. M. Lakin,
Clerk. [18]

[Title of Court and Cause.]

STIPULATION FOR TRANSMISSION
OF ORIGINAL RECORD.

It is hereby stipulated by and between counsel for the petitioner and for the Commissioner of Immigration, that the certified immigration file and other records of the Department of Labor, covering the deportation proceedings against the petitioner herein, which were filed with the return of the Commissioner of Immigration to the order to show cause in this case, may be considered by the Circuit Court of Appeals in lieu of a certified copy of said immigration file and the records of the Department of Labor.

ANTHONY SAVAGE,

United States Attorney,

HAMLET P. DODD,

Assistant United States Attorney,

Attorneys for Respondent.

JOHN J. SULLIVAN,

MICHAEL F. WARD,

LOUIS F. BUTY,

Attorneys for Petitioner.

[Endorsed]: Filed Jun. 9, 1931. Ed. M. Lakin,
Clerk. [19]

[Title of Court and Cause.]

ORDER FOR TRANSMISSION OF
ORIGINAL RECORD.

Upon stipulation of counsel, it is by the Court,
ORDERED, and the Court does hereby order,
that the Clerk of the above entitled Court transmit
with the appellate record in said cause the original
file and records of the Department of Labor, cover-
ing the deportation proceedings against the peti-
tioner, which were filed with the return of the Com-
missioner to the order to show cause, directly to the
Clerk of the Circuit Court of Appeals for the Ninth
Circuit, in order that said original file and records
may be considered by the Circuit Court of Appeals
in lieu of a certified copy of the same.

Done in open Court this 9th day of June, 1931.

COLIN NEBLETT,
United States District Judge.

O. K.

HAMLET P. DODD,
Asst. U. S. Atty.

[Endorsed]: Filed Jun. 9, 1931. Ed. M. Lakin,
Clerk. [20]

[Title of Court and Cause.]

STIPULATION RE APPEAL BOND.

Whereas, it appearing that the above named peti-
tioner has heretofore furnished cash bonds herein

in the sum of \$1000.00, and said bond has heretofore been approved by the Court, and whereas

Petitioner's appeal bond herein has been fixed at the same sum of \$1000.00, now therefore

IT IS HEREBY STIPULATED AND AGREED that said undertaking in the sum of \$1000.00 now on file herein may remain in effect for the purpose of this appeal, and the same shall have the same force and effect as though re-posted, and that petitioner herein will not be required to furnish further or additional undertaking herein on account of said appeal.

ANTHONY SAVAGE,

United States Attorney.

HAMLET P. DODD,

Asst. United States Attorney,

Attorneys for Respondent.

JOHN J. SULLIVAN,

LOUIS F. BUTY,

MICHAEL F. WARD,

Attorneys for Petitioner.

[Endorsed]: Filed Jun 11, 1931. Ed. M. Lakin,
Clerk. [21]

[Title of Court and Cause.]

PRAECIPE FOR TRANSCRIPT OF RECORD
ON APPEAL.

To the Clerk of the above entitled Court:

Please prepare and duly authenticate the transcript and following portions of the record in this case for appeal of the petitioner and appellant heretofore allowed, to the United States Circuit Court of Appeals for the Ninth Circuit:

1. Petition for writ of habeas corpus.
2. Order to show cause.
3. Return to order to show cause.
4. Decision dated May 12, 1931.
5. Order and decree, dated 16 day of May, 1931.
6. Petition for appeal.
7. Notice of appeal.
8. Order allowing appeal and fixing bond.
9. Assignments of error.
10. Citation.
11. Stipulation for transmission of original record.
12. Order for transmission of original record.
13. Stipulation relating to bond of appellant.
14. This praecipe.

JOHN J. SULLIVAN,
LOUIS F. BUTY,
MICHAEL F. WARD,
Attorneys for Appellant.

Received copy this 15 day of June, 1931.

ANTHONY SAVAGE,
U. S. Attorney.

[Endorsed]: Filed Jun. 15, 1931. Ed. M. Lakin,
Clerk. [22]

[Title of Court and Cause.]

CERTIFICATE OF CLERK TO TRANSCRIPT
OF RECORD.

United States of America,
Western District of Washington.—ss.

I, Ed. M. Lakin, Clerk of the United States District Court for the Western District of Washington, do hereby certify this typewritten transcript of record, consisting of pages numbered from 1 to 22, inclusive, to be a full, true, correct and complete copy of so much of the record, papers and other proceedings in the above and foregoing-entitled cause as is required by praecipe of counsel filed and shown herein, as the same remain of record and on file in the office of the Clerk of said District Court, at Seattle, and that the same constitute the record on appeal herein from the judgment of said United States District Court for the Western District of Washington to the United States Circuit Court of Appeals for the Ninth Circuit.

I further certify the following to be a full, true, and correct statement of all expenses, costs, fees and

charges incurred in my office by or on behalf of the appellant for making record, certificate or return to the United States Circuit Court of Appeals for the Ninth Circuit in the foregoing cause, to wit:

Clerk's fees (Act of Feb. 11, 1925)	
for making record, certificate or return, 44 folios at 15¢	\$ 6.60
Certificate of Clerk to Transcript of Record, with seal	.50
Petition for Appeal (Section 5 of Act)	5.00
Certificate of Clerk to Original Exhibits, with seal	.50
	<hr/>
Total	\$12.60 [23]

I hereby certify that the above cost for preparing and certifying record, amounting to \$12.60, has been paid to me by the attorney for appellant.

I further certify that I attach hereto and transmit herewith the original citation issued in this cause.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of said District Court, at Seattle, in said District this 6th day of July, 1931.

[Seal]

ED. M. LAKIN,

Clerk of the United States District Court for
the Western District of Washington,

By E. W. PETTIT,

Deputy Clerk. [24]

[Title of Court and Cause.]

CITATION.

The United States of America.—ss.

To Luther Weedin, Commissioner of Immigration,
Seattle, Washington, GREETING:

WHEREAS, Narciso Luchessi, petitioner herein, has lately appealed to the United States Circuit Court of Appeals for the Ninth Circuit from the judgment and order lately, on, to-wit: May 12, 1931, rendered in the United States District Court for the Western District of Washington, Northern Division, made in favor of you, as said commissioner, denying petitioner a writ of habeas corpus, and ordering his deportation to Italy,

YOU ARE THEREFORE CITED TO APPEAR before the United States Circuit Court of Appeals, in the City of San Francisco, State of California, on the 5 day of October, 1931, to do and receive what may obtain to justice to be done in the premises.

Given under my hand in the City of Seattle, Washington, in the Ninth Circuit, this 9th day of June, 1931.

[Seal]

COLIN NEBLETT,
United States District Judge.

O. K.

HAMLET P. DODD,
Asst. U. S. Atty.

[Endorsed]: Filed Jun. 9, 1931. Ed. M. Lakin,
Clerk. [25]

[Title of Court and Cause.]

CERTIFICATE OF CLERK DISTRICT COURT
OF U. S. AS TO ORIGINAL STIPULATION
AND NEW CITATION.

United States of America,
Western District of Washington.—ss.

I, Ed. M. Lakin, Clerk of the United States District Court for the Western District of Washington, do hereby certify that the attached papers are the original "Stipulation" and new "Citation" filed in the above entitled cause, and on request of Counsel are forwarded to the Circuit Court of Appeals for the Ninth Circuit.

Dated this 14th day of July, 1931, at Seattle, Washington.

[Seal]

ED. M. LAKIN,

Clerk of the United States District Court for
the Western District of Washington.

By E. W. PETTIT,

Deputy.

[Title of Court and Cause.]

STIPULATION.

WHEREAS, it appears that the citation herein signed and entered on June 9, 1931, cites the appellee to appear before the U. S. Circuit Court of Appeals in San Francisco on October 5, 1931 and

WHEREAS, said citation should be for thirty days from the time same was signed and entered

NOW THEREFORE IT IS HEREBY STIPULATED by and between the parties to this action that a new citation may be taken out herein, requiring an appearance of the appellee on a date not less than thirty days after the date of said citation.

Dated this 11 day of July, 1931.

ANTHONY SAVAGE,
U. S. Attorney,
HAMLET P. DODD,
Assistant U. S. Attorney.
JOHN J. SULLIVAN,
MICHAEL F. WARD,
Attorneys for Appellant.

[Endorsed]: Filed Jul. 11, 1931. Ed. M. Lakin,
Clerk.

[Title of Court and Cause.]

CITATION.

The United States of America.—ss.

To Luther Weedon, Commissioner of Immigration,
Seattle, Washington. GREETING:

WHEREAS, Narciso Luchessi, petitioner herein, has lately appealed to the United States Circuit Court of Appeals for the Ninth Circuit from the judgment and order lately, on, to-wit: May 12, 1931, rendered in the United States District Court for the Western District of Washington, Northern Division, made in favor of you, as said commissioner, denying

petitioner a writ of habeas corpus, and ordering his deportation to Italy,

YOU ARE THEREFORE CITED TO APPEAR before the United States Circuit Court of Appeals, in the City of San Francisco, State of California on the 13 day of August, 1931, to do and receive what may obtain to justice to be done in the premises.

Given under my hand in the City of Seattle, Washington, in the Ninth Circuit, this 13 day of July, 1931.

[Seal]

JEREMIAH NETERER,
United States District Judge.

O. K.

HAMLET P. DODD,
Asst. U. S. Attorney.

[Endorsed]: Filed Jul. 13, 1931. Ed. M. Lakin,
Clerk.

[Endorsed]: No. 6523. United States Circuit Court of Appeals for the Ninth Circuit. Narciso Luchessi, Appellant, vs. Luther Weedin, Commissioner of Immigration, Seattle, Washington, Appellee. Transcript of Record. Upon Appeal from the United States District Court for the Western District of Washington, Northern Division.

Filed July 16, 1931.

PAUL P. O'BRIEN,
Clerk of the United States Circuit Court of Appeals for the Ninth Circuit.

