

IN RE LUIGI PICERNO ALIAS GIUSEPPE IACONA

(C. R. 848, 55824/547)

This case concerns a native and citizen of Italy, 33 years old, who last entered the United States on December 28, 1926, at the port of New York. The Board of Immigration Appeals found that he was subject to deportation to Italy under sections 13 and 14 of the Immigration Act of 1924 on the ground that at the time of last entry he was an immigrant who did not have an immigration visa.

This alien is racially admissible and is eligible for naturalization. On May 20, 1933, he was married in Philadelphia to a native and citizen of the United States. They have one child, 6 years old, born in the United States. The alien is employed by a cigar company, and he works as a painter and paperhanger in his spare time, deriving a total income of about \$25 a week. His wife is employed by the same company and earns about \$16 a week. Since the wife's income would be insufficient to support her and the child, it would result in serious economic detriment to them if the alien were deported.

The alien testified that he has never been arrested either in the United States or abroad, and there is no record of him under name or fingerprints in the Office of the Federal Bureau of Investigation other than in connection with these immigration proceedings. An independent investigation was made by an immigrant inspector, as the result of which he submitted a favorable report on the alien's moral character. The alien presented a letter from the Police Department of Philadelphia, his home city, indicating that he has no criminal record in that city. A finding that the alien has been a person of good moral character for the past 5 years is therefore justified.

No evidence has been developed that the alien is deportable under any of the provisions of section 19 (d) of the Immigration Act of 1917, as amended.

After full and careful consideration of the entire record, the Board of Immigration Appeals ordered that deportation be suspended under the provisions of section 19 (c) (2) of the Immigration Act of 1917, as amended.

The Attorney General has approved this order.

IN RE AGOSTINO LIONE MUSOLINO OR MUSSELINO ALIAS AUGUSTINO LIONE ALIAS GUS MUSOLINO

(C. R. 849, 55942/767)

This is the case of an alien, a native of Italy and citizen of Canada, of the white race, 46 years of age, who last entered this country on or about January 10, 1930, as a visitor from Canada. His intention was to remain indefinitely. Since he was not then in possession of an immigration visa he has been found subject to deportation under sections 13 and 14 of the Immigration Act of 1924.

The alien contributes one-third of his earnings to the support of his two children by a former marriage. He has remarried, but his present wife is self-supporting. He was temporarily laid off of his