

Abrams Vs. Van Schaick

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Court : US Supreme Court

Decided On : Nov-19-1934

Appeal No. : 293 U.S. 188

Appellant : Abrams

Respondent : Van Schaick

Judgement :

Abrams v. Van Schaick - 293 U.S. 188 (1934)

U.S. Supreme Court Abrams v. Van Schaick, 293 U.S. 188 (1934)

Abrams v. Van Schaick

No. 186

Argued November 12, 1934

Decided November 19, 1934

293 U.S. 188

APPEAL FROM THE SUPREME COURT OF NEW YORK

SYLLABUS

A judgment of a state court refusing to enjoin proceedings under a state statute alleged to be unconstitutional does not present a substantial federal question when the outcome of those proceedings, if pursued, and its effect upon the federal rights asserted by the complainant, are matters of conjecture.

Appeal from 264 N.Y. 475 dismissed.

Appeal from a judgment, entered on remittitur, which reversed an injunction order of the Supreme Court of New York (150 Misc. 467) and denied the injunction.

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PER CURIAM.

The Court of Appeals of the New York reversed an order of the Special Term of the Supreme Court which enjoined the Superintendent of Insurance from making any payments for expenditures incurred in connection with plans of reorganization promulgated under chapter 745 of the Laws of 1933 relating to guaranteed participating certificates sold by the New York Title & Mortgage Company. The motion for injunction, denied by the Court of Appeals, was made in advance of the promulgation of a plan by the Superintendent of Insurance applicable to the interests of the appellants. Whether, if a plan of reorganization is promulgated by the Superintendent of Insurance, it will be approved by the Court as required by the statute, or whether, if so approved, it will be opposed by certificate holders, or will receive the assent of the present appellants, or will operate to deprive them of any asserted constitutional right, are matters of conjecture.

The appeal is dismissed for the want of a substantial federal question. *Liverpool, N.Y. & P. S.S. Co. v. Commissioners of Emigration*, [113 U. S. 33](#) , [113 U. S. 39](#) ; [California v.](#)

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San Pablo & Tulare R. Co., [149 U. S. 308](#) , [149 U. S. 314](#) ; *Stearns v. Wood*, [236 U. S. 75](#) , [236 U. S. 78](#) ; *Cincinnati v. Vester*, [281 U. S. 439](#) , [281 U. S.](#)

