

Supreme Court Order Sought in Bird Case

New Approach Planned After Denial of Writ

Attorneys Believe Action Possible On Lower Level

WASHINGTON, Apr. 19 (UPI)—Attorneys for Russell G. Bird, former employee returned to Germany to face black market charges, said today they may ask the Supreme Court to take another look at his case—from a new angle.

The tribunal ruled yesterday that it would not entertain Mr. Bird's petition for a writ of habeas corpus. But it left open the possibility he might obtain his release through the lower federal courts.

Dayton M. Harrington, Washington lawyer, said today it is "highly probable" that a new appeal will urge the high court to order the U. S. District Court here to consider the legality of the proceedings in Germany against Mr. Bird.

Mr. Bird was arrested by military authorities last month and flown back to Germany to a military commission on charges of black marketing when he was a civilian employee at a post exchange in the U. S. zone.

File 2 Petitions

On Apr. 7, Mr. Bird's attorneys filed two petitions for a writ of habeas corpus—one with the Supreme Court and another with the U. S. District Court here. The papers claimed the military had no authority to seize Mr. Bird or to prosecute him.

The Supreme Court petition was denied yesterday without explanation. The district court petition was turned down a week ago on grounds that court had no authority over persons not physically within its jurisdiction.

Last Thursday, the district court ruling was appealed to the U. S. Court of Appeals where it is now pending.

But on Friday, in another case, the appeals court ruled that federal district courts do not have jurisdiction over appeals by aliens and Americans who have been imprisoned by American authorities in Germany.

Mr. Harrington said he and Mr. Bird's other lawyers now probably will seek to bypass the appeals court to get speedy action on Mr. Bird's complaint. They probably will ask the Supreme Court to affirm the appeals court's views announced last Friday and on that basis, direct the district court to give Mr. Bird a hearing.

The Army originally brought its black marketing charges against Mr. Bird a year ago when he was a civilian post exchange employee in the U. S. occupation zone of Germany. He returned to this country last December in defiance of orders that he remain in Germany until his case was decided.

Seized Mar. 14

Army agents seized him on Mar. 14 at his home in Mishawaka, Ind., and on Mar. 31 flew the knowledge of military authorities to Germany without going through the proper channels.

Touch-Up a Model for Home Show



J. C. Matthews (left) of Lenox and Matthews, architects, and Walter L. Stace, builder, take time out from the Home Show exhibitor's "Pom-Pom" dinner to touch up a model home. The 24th annual Home Show will start at 5 p. m. Friday in the Manufacturer's Building, State Fair Grounds.

Mother Cries on Seeing Boy Found Half-Starved in Gary

Admits She Wanted to Get Rid of Him Because He Reminded Her of Ex-Husband

GARY, Apr. 19 (UPI)—A mother told police today that she got rid of her 3-year-old son, found wandering half-starved through the streets a week ago, because the child reminded her of her first husband.

Mrs. June Wiley, 24, was brought here by police from her home at nearby Blue Island, Ill., late yesterday and identified the wide-eyed, appealing little boy as Richard Laird Jr., one of three children by a previous marriage.

Her new husband, Robert Wiley, a welder, was taken into custody at Blue Island last night and told police that he gave the child "to a man in a drugstore" last Tuesday. Wiley waived extradition here, and police said they are trying to check his story.

Kept at Hospital
The boy, suffering from malnutrition and a skin disorder, has been kept at Mercy Hospital here while efforts were made to learn his identity and find his parents.

Mrs. Wiley said she told him through formal extradition proceedings.

Then, she apparently had a change of heart.

"Chippy," she cried, calling the tyke by his nickname. She burst into tears.

"My first husband made my life miserable," she said, "and the baby reminded me so much of him that I put him out for adoption."

Mrs. Wiley said she divorced her first husband last summer and married Wiley at Canaan, Conn., Feb. 26.

Rites Thursday For Ex-Teacher

Services for Mrs. Mary F. Duncan, a former teacher in the United States Indian Service, who died yesterday in her home, 2819 N. Illinois St., will be held at 10:30 a. m. Thursday in Flanner & Buchanan mortuary. She was 75.

Born in Goshport, Ind., Mrs. Duncan was graduated from Shorthridge High School and Miss Blaker's School. She met her husband, the late James J. Duncan, while teaching for the Indian Service in South Dakota. She was a member of the East Tenth Street Methodist Church and the Dorcas Society.

Dr. George O. Comfort Joins Butler Staff

Appointment of Dr. George O. Comfort of Denison University as associate professor of political science at Butler University was announced today by Dr. M. O. Ross, Butler president.

Dr. Comfort, whose appointment is effective Sept. 1, is head of the political science division at Denison where he has been since 1946. He has been teaching since 1934 when he was associated with Western Michigan College.

He is a graduate of Western Michigan College. He received his Master of Arts degree from the University of Michigan in 1934 and the Doctor of Philosophy degree from the University of Kentucky in 1939. He was a research fellow at the latter two schools.

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Report Virgil Oakes in Serious Condition

Virgil Oakes, 58, Plainfield employee of Citizens Gas & Coke Co., was overcome by gas today as he worked on a pipeline in the 4900 block of Hillside Ave. General Hospital said his condition was serious.

Mr. Oakes was found by a co-worker, Eugene Williams, 30, of 1419 Kenyon Ave., who said Mr. Oakes was unconscious while putting a plug into the pipeline in front of 4936 Hillside Ave.

Mr. Williams gave Mr. Oakes artificial respiration until police and Fire Dept. Rescue Squad 14 arrived with an inhalator.

After an hour and one-half of artificial respiration, Mr. Oakes was revived enough to be taken to the hospital, where he was given oxygen.

2 Firms Win Decision On Private Street Use

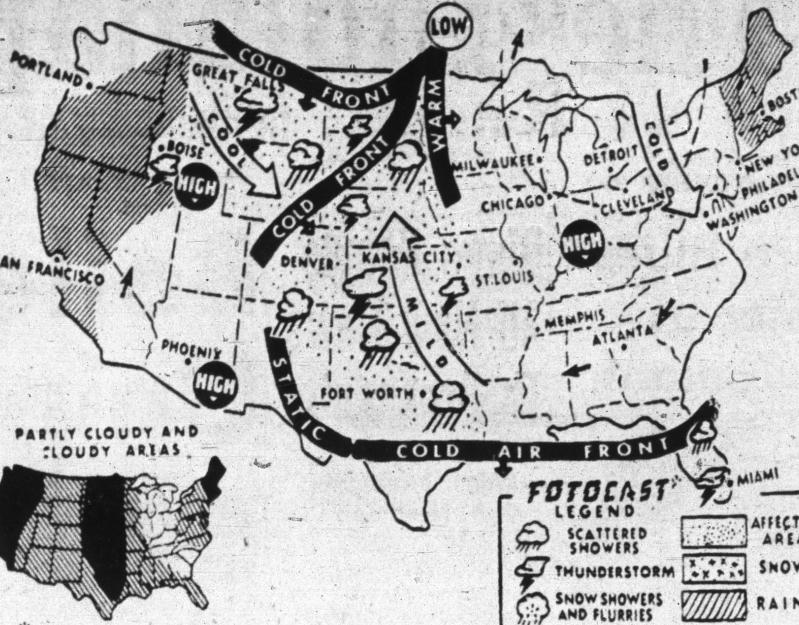
The Indiana Appellate Court today upheld the right of the Pitman-Moore Co. and Allied Laboratories, Inc., to use a part of S. Delaware St. in the 1200 block for private purposes.

More than a year ago the Board of Works granted the firms a petition to vacate part of S. Delaware St. for private use.

Several months ago Jesse R. Skinner, owner of a garage just south of the vacated part of the street, filed suit to force the firms to restore the street to public use.

A Superior Court 2 decision of Works action and the Appellate Court approved the lower court's ruling.

Today's Weather Fotocast



TODAY AND TOMORROW—Cold weather is predicted for the Great Lakes area with rains over half the nation. Cloud patterns for the next 24 hours are shown on the small map at the lower left. Striped areas indicate partly cloudy. Sunny region extends from the Great Lakes to Kentucky and Tennessee.

A Superior Court 2 decision of Works action and the Appellate Court approved the lower court's ruling.

TUESDAY, APR. 19, 1949

Attorney Offers GOP 'Cures'

People of America who are willing to give up "freedom for security may lose both," Richard Smith, attorney, declared at a luncheon meeting of the Republican Citizens Advisory Committee today.

"Little by little, our people have been exchanging personal liberty for what they hope to be a form of security under a centrally planned economy only to find that it has failed," Mr. Smith said.

"We (Republican Party) have not told the voters that they pay ultimately for everything they accept from the government. Even our own elected officials have been trained to run to Washington for federal participation in our projects on the theory that it costs us nothing."

Mr. Smith, answering the GOP committee's theme question: What is wrong with the Republican Party? declared "we have failed to show the public the wisdom of home rule."

To correct this error, he advocated a "program showing freedom-saving as well as dollar-saving value of returning administration of all social legislation to the states."

Observers here said negotiations tomorrow on the committee's theme question are expected to continue on the subject of the division of the three major powers.

ONE: Peasant forces in Russia and Poland are to be handed over to the Central Committee of the Communist Party.

TWO: Nationalists in the south are to be handed over to the Central Committee of the Communist Party.

THREE: The Central Committee of the Communist Party in the south is to be handed over to the Central Committee of the Communist Party.

Germany

DIPLOMAT

France and the Soviet zone of Berlin are to be rebuffed.

Two foreign German problems are to be solved.

But the world has made its will known and West Germany is to be rebuffed.

Great Britain

BRITAIN'S

is changing toward Winston Churchill's policy of economic control.

Four foreign German problems are to be solved.

But the world has made its will known and West Germany is to be rebuffed.

United Nations

THE trial of the Iron Curtain

another series of debates in the United Nations.

Initial hearings began in Special Political Committee.

The General Assembly is already considering and Bulgaria.

Soviet bloc countries.

A FOREIGN

man at Tehran, Russia, graduate of the Iron Curtain

consulates in Tehran, Iran, a long-standing

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