

# ELSMAN HEARING TO BE HELD SOON

Resumption of the Elsman child custody hearing before Judge George A. Bartlett, tentatively set for today, may not begin before June 4, or even then, it was indicated today when the case was called on the regular calendar.

H. R. Cooke, of counsel for Mrs. Beatrice Elsman, for absolute custody of their minor son, Ralph, Jr., informed the court that Mrs. Elsman had been called east on account of the illness of her daughter, Vivian Nemeth, and said he would ask for a continuance for this reason alone, and possibly for other reasons.

Other attorneys for Mrs. Elsman were occupied in the supreme court at Carson today, and Judge Bartlett set the hearing over until tomorrow morning, and in the meantime an effort will be made to enter into a stipulation for a definite date for resumption of the hearing.

Cooke, this morning contended that the case could not proceed until the

supreme court's remittitur of mandate had come down in the recent request for a writ of prohibition, which was denied, to prevent Judge Bartlett going ahead with the case. He also intimated that there was a slight possibility of a request for a rehearing of such petition for a writ.

Lester D. Summerfield, counsel for Elsman, said that they would not object to a reasonable delay because of the absence of Mrs. Elsman in the east, and thought two weeks would be sufficient. He declared that, as Elsman's motion was based on a question of character, he saw no reason why the defense case could not be submitted on affidavits if necessary.

Attorneys for both sides conferred and will meet later today and a stipulation was said to be likely which would set a date for resumption of the hearing.

Summerfield informed the court that they had had information contrary to that indicating illness of the daughter, and to the effect that she had been driving her automobile May 14 and 15. In discussing the case in court this morning Judge Bartlett reiterated his ruling of several months ago that counsel could not go back beyond May of 1928 in their evidence of fitness.

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### DECREES GRANTED

Margaret Cochran from Elmer Cochran.