

# Chicago Trial For Mrs. Dilling Still Undecided

T-49/44  
Author to Carry

## Plea on Removal To Federal Court

CHICAGO, Sept. 11 (C.T.P.S.).  
The way was cleared today for Mrs. Elizabeth Dilling, author, who has been indicted on charges of conspiracy to lower the morale of America's armed forces, to carry her fight for trial in Chicago to the Federal District Court.

Edwin K. Walker, United States commissioner who heard the plea of Mrs. Dilling and two other Chicago defendants against being taken to Washington for trial, indicated that he would rule in favor of the Government's choice of the District of Columbia.

### Agrees to Delay

He readily agreed, however, to a request of William Scott Stewart, attorney for the woman defendant, that the formal entry of the order be withheld until next Friday so he might prepare an application for a writ of habeas corpus.

The other defendants, Dr. Donald J. McDaniel, dentist, and George Otto Brennemann, an artist, withdrew their protest against removal. Their counsel, Maximilian St. George, said he had thought the matter over and was convinced a more effective presentation of their case could be made in Washington. He said they had been assured they would not have to appear in the Capital until the trial date—probably in late October.

### Powers Limited

Commissioner Walker said his powers were limited and the question raised—as to whether Mrs. Dilling was entitled to a trial here—touched on points of law that only the courts could decide.

He added that while there was no evidence that Mrs. Dilling was in conspiracy with "all the other" 27 defendants, Stewart's arguments were not sufficient to overcome, in view of his limited jurisdiction, the fact that an indictment had been returned.