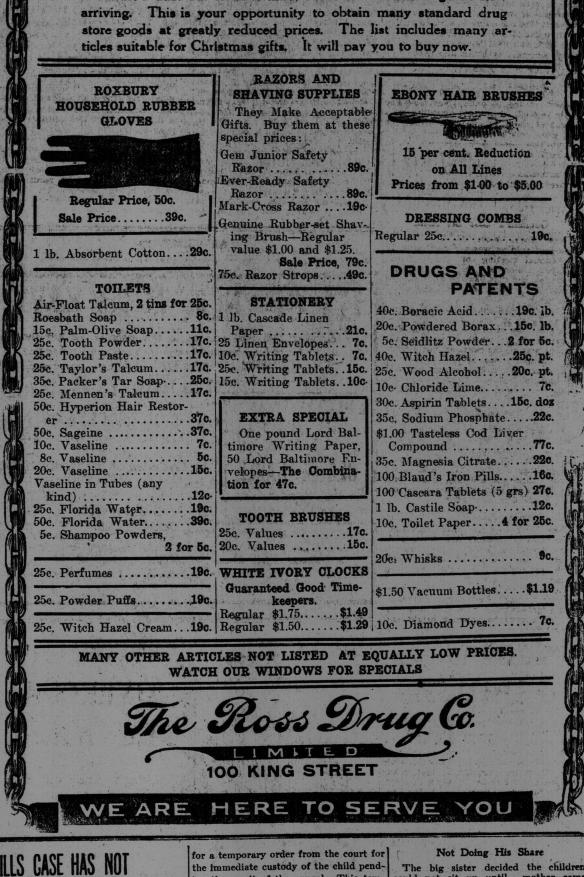
MC 2035 POOR DOCUMENT







FILLS CASE HAS NOT

To BEEN FINISHED

for a temporary order from the court for the immediate custody of the child pending the result of the appeal. This temporary possession will probably be opposed by the defendant.

The Japanese court reached its decision without going into the question of the respective fitness of the parents to act as the girl's guardian. The judges refused to consider this point of the case. They held that the decision of the court of Massachusetts, from which Mrs. Eills or consider the custody of her daughter, has created a legal status that ought to be recognized in Japan, just as the status of marriage performed abroad is recognized here.

The decision was based largely on consideration of public policy, it being the attitude of the court that a judgment against Mrs. Eills would affect the validity of the law of Japan in similar cases in the United States.

Mr. Eills arbon for the case. They have its a teacher of English.

permanent possession of their eight-yearold daughter, Olga Natalie.

Mr. Eills at once made an appeal to
the Tokio Court of Appeal, announcing
through his lawyer at the same time, that
if the Appeal Court rules against him he
will continue the fight to the Supreme
Court of Japan. It is expected that the
case will require another six months or
a year for definite settlement.

It is kely that Mrs. Eills will apply

