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surance bute E Ein V E with children in their care thile authorizing in their benefits to similarly satuated widows. The durendency provision "distributionates against 3 half wage carners by requiring their to pay Social Security taxes that afford less ed by the crious and the control of the crious and the crious area of the crious and the crious area."

The plurality concludes that the differential treatment of nondependent widows and widowers results not from a deliberate congressional intention "to remedy the arguably greater needs of the former, but rather from an intention to aid the dependent spouses of deceased wage earners, coupled with the presumption that wives are usually dependent." The only conceivable justification for this statutory presumption, is the unverified assumption "that it would save the Government time, money, and effort simply to pay benefits to all widows, rather than to require proof of dependency." Such an assumption, does not suffice.

Concurring in the result, Mr. Justice Stevens is convinced that the relevant discrimination in this case is against surviving male spouses rather than against deceased female wage earners. He characterizes the statutory discrimination against males as merely "the accidental by-product of a traditional way of thinking about females" and concludes that something more than accident is necessary to justify the disparate treatment of persons "who have as strong a claim to equal treatment as do similarly situated surviving spouses." (Page 3051)

No Federal Jurisdiction

DISPUTE OVER AIRLIFTED VIET CHILDREN MUST GO TO STATE COURT

It is common knowledge that federal courts are loath to have anything to do with domestic relations matters. But federal jurisdiction seems to make more sense where the U.S. Government was involved in airlifting Vietnamese children into this country and relatives of some of the children seek to prevent adoption or to have the children returned. The U.S. Court of Appeals for the Fifth Circuit holds, however, that the traditional hands-off policy of the federal bench regarding domestic relations matters must prevail as a Vietnamese grandmother and uncle seek to halt adoption proceedings. They seek the return of four small children who found their way into the homes of two Michigan families after being brought to the U.S. by the Federal

Government in its babylift operation.(Anh v. Levi, 2/15/77)

The children had been placed in a Vietnamese orphanage for safekeeping by their paternal grandmother and uncle. While they never signed a release for adoption, the director of the orphanage did sign an order to expedite their airlift to safety from the expected fighting. The Michigan families with whom the children found a home want to adopt, but their efforts in the Michigan courts to effect a parental rights termination were met by a federal temporary restraining order.

The federal forum is just not the proper place to decide custody, however, and the TRO is allowed to expire without ripening into permanent injunction. 28 U.S.C. 2241 clearly prohibits federal court determination of custody but the fact is that the Federal Government through the Immigration Department expedited the admission of the children into the country. Once they were here, though, the federal agency had nothing to do with custody. Federal courts do have habeas corpus jurisdiction where a constitutional right to custody is asserted, but the court concludes that this right should first be pursued in the state courts in order to avoid procedural delay and unnecessary cost.

Pursuit of custody in state court would sufficiently protect the due process rights of the grandmother and uncle, the court declares. The inappropriateness of the federal jurisdiction is highlighted by the fact that the state, and not the federal, government has the judicial and social welfare structure necessary for determining custody and supervising children, as well as the ability to find what is in the children's best interests. (Page 2276)

The status of airlifted Vietnamese children has been in controversy before. In a challenge to the legality of how the children were brought here and the nature of their custody, the U.S. Court of Appeals for the Ninth Circuit held that a federal court under the Administrative Procedure Act could review the propriety of such federal administrative conduct where there is a violation of constitutional rights. Moreover, the court also noted that federal habeas corpus jurisdiction could apply as well. (See 2 FLR 2075) Later on, the U.S. District Court for Northern California, while noting the prior Ninth Circuit decision, refused to certify as a class action a claim which alleged that some of the children airlifted from Vietnam were brought here improperly. (See 2 FLR 2370)

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Aug. 27-28, 1977

当了打造的国家的情况为自然之下,但是国际的 200 · 500 · 2

By PETER FAUR Globe-Democrat Religion Writer

The American ability for organization was never so evident as after the fall of Saigon on April 30, 1975.

By May 5, U.S. camps for about 150,000 Vietnam refugees had been established, and by May 15, through the cooperation between U.S. churches and volunteer organizations and the federal government, those refuees were being placed with sponsors in communities throughout the nation.

About 1,000 refugees came to the St. Louis area, and about 400 are still here, according to Norman J. Schnegelberger, director of Hispanic and immigration ministries for Lutheran Family and Children's Services of Missouri. The Lutheran church bodies were among the prime movers in the refugee resettlement effort.

IN THE TWO years since the refugees arrived, many have developed problems in adjusting to their new home, Schnegelberger said.

At least one in the St. Louis area has attempted suicide; others have had mental health problems ranging from depression to paranola, he said.

"I think they're going through a cycle that's becoming a pretty dominant pattern," he said. "In the first two to five weeks after they arrived from Vietnam, they all went through a period of feeling relieved at having been saved from what they thought would be a bloodbath.

"After that, they faced the survival questions: How do I support my family? Where do we get shelter and food? Once those questions are answered, they have to start dealing with two other problems — culture shock and identity crisis."

Schnegelberger said Indochinese refugees have found their images of American life, gathered from motion pictures and television, don't conform to how things are.

"The most common belief about the United States was

that it is a country where no one goes hungry," he said. "But when you have to take a job at \$2.30 an hour to support a family with two, four or seven children, you learn quickly that that's not the case."

SCHNEGELBERGER said most refugees have been forced to take minimum-wage jobs, "politely called entry-level employment."

"Quite a few of these people were college-educated and held high ranks in educational institutions or the military," he said. "Others elers. One in the St. Louis area owned his own shoe factory.

"Now they find that all that means nothing. In

America, one's status in Vietnam means nothing. Here, whether you were a general or a fisherman in Vietnam,

you are another Vietnamese refugee."

The loss of class status has resulted in an identity crisis for many refugees, Schnegelberger said. This has been compounded by a sense of not really belonging in the United States, he said.

"These people no longer have a country," he said.
"They are called 'parolees,' which means that technically they will be allowed to stay in the country only as long as the condition that caused them to be refugees exists. That won't be a problem for any of them, because Vietnam is likely to remain a communist ountry.

THE PROBLEM comes, Schnegelberger said, when

population. There are about 35,000 to 40,000 Ind in California. New Orleans and Texas, especiall Houston, have also become popular areas," S

The refugees were scattered throughout the co no one area would be hit hard with emp problems, he said.

"But we didn't count on the desire of the V to want to be together," he said. "As a res areas have been impacted with employment anyway."

Schnegelberger noted that climate has been factor in the departure of many refugees from Louis area

"THERE'S A direct correlation between we the number of problems my office hears ab refugees," he said. "Especially last winter, the got, the more people called with problems."

Most of the problems he deals with are r common depression, Schnegelberger said. Ma families worry about the fate of relative

"I tell them that it's normal to be concern one's relatives, but when it becomes such a that it interferes with the ability to function, needs to be done," he said.

In dealing with Vietnamese mental health

Schnegelberger listed a number of barriers:

—Language. "If I can't speak with them, it impossible for me to deal with the problem as he said. "You can't develop a therapeutic re through an interpreter."

Attitude. "The Vietnamese have what we very old-fashioned attitudes toward ment problems," Schnegelberger said, "It's very di them to admit even that they have a prob Vietnamese person approaches me to say problem, I don't even ask if it's serious. It is he's willing to admit it."

—CULTURE. "They don't operate the sam do," he said. "The American approach is to lo

problem, isolate it, then get to work on it.
Western method, and Vietnamese people don't
way. We have to find new approaches with the

Schnegelberger said there is only one Vipsychiatrist in the United States. He is writing help mental health professionals understand to problems of dealing with Vietnamese, he said.

Schnegelberger's most difficult case has be

Vietnamese man showing signs of paranola, he
"This man was convinced that everyone a
get him." Schnegelberger said. "He was get nim, Schnegeiberger said. "He was everyone was carrying a gun, that kids on the people generally were talking about him all it took weeks for us to convince him that it serious help. Finally, he came to see the couldn't continue to live his life like this."

Those refugees left all alone, without their are most likely to suffer results.

are most likely to suffer mental health pro said. They have almost nowhere to turn whe into difficulty, he explained.

Most refugees have not been troubled by t facilities to practice their religion. Schnegelb

The Washington Post UTLOCK

SUNDAY, MARCH 13, 1977

Life in the New Vietnam

By Andre Gelinas

HAT struck me during the 15 months I lived in Saigon after the takeover was the continual hardening of the regime. When the Bo Doi [the North Vietnamese soldiers] entered Saigon on April 30, 1975, the first reaction among the people was one of fear. And then slowly they began to go out again. There were few acts of violence and, it seemed, few executions. The great "campaign" for "purification of morals and culture" took the form of vast autos-dd-fe. All the adornments of "bourgeois" culture were to be destroyed. In our [Catholic education] center we had some 80,000 volumes, a large number of which we had to burn. Lists were compliled of all those who had collaborated with the old regime and of all "intellectuals."

After freezing bank accounts in June, the government announced in September that everyone had 12 hours to take his money to the banks before it became valueless. Each family henceforth had the right only to the equivalent of 1,000 French francs [about \$225].

An epidemic of suicides followed. Entire families killed themselves with revolvers. A former police officer shot his 10 children, his wife and his mother-in-law, and then himself. A father, after explaining to his family at

dinner that they had to put an end to their sufferings, distributed poisoned soup.

Some came to see me before such suicides to ask whether it was a grave sin. Here and there someone who had been saved just in time would tell what had happened. A young woman told me that she had awakened in a hospital corridor piled with hundreds of bodies. Those who were still living had their stomachs pumped out. Group suicides went on for several weeks.

Problems of Survival

When I left [Saigon], I was little more than skin and bones, and I gained over 30 pounds after I returned [to France]. But still I was one of the privileged; as a foreigner I had the right to receive money from abroad.

Fish is a luxury. The fishermen are no longer allowed to go out to sea because people used the boats to escape, and many of the motors were removed to avoid this. At Vungtau, the large port near Saigon, the authorities decide every morning which fisherman can go out, and he is "accompanied," while his family, as a guarantee, must stay on land.

There is no famine; but many live in misery. The two staple foods are rice and the Chinese potato, which is normally eaten by animals but is now mixed with rice to make it go further. It's a good day when one can get hold of some shrimp. Two pounds of meat costs half of one month's salary of 15,000 piastres, a good salary. Dogs and cats disappeared long ago.

Gelinas, a French Canadian Catholic priest and a Chinese scholar, lived in Vietnam from 1948 until he was expelled last year, 15 months after the fall of Saigon. An account of his experiences, given to two reporters of the Paris weekly L'Express, appeared in The New York Review of Books, from which this article is excerpted.

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t is almost two years now since the U.S. withdrew its last fighting men from Vietnam-long enough for many Americans to blot out the memory of that thankless battlefield, and the children who became its innocent victims. But Dick and Jodie Darragh have not forgotten-nor are they likely to. Through their dedication and sacrifice, and the travel privileges they enjoy as Eastern Airlines employees in Atlanta, the Darraghs have been the link by which dozens of Vietnamese orphans -some abandoned by GI fathers -have reached the arms of adoptive American parents. The young couple has made 10 trips to an orphanage at Anloc, near Saigon, bringing medicine and clothing, and trying to organize a clinic and school. They have personally escorted 62 children to the U.S., and many more (ranging in age from 5 months to 11 years) have been brought back by AEVOES (Airline Employees Volunteer Escort Service), a group the Darraghs helped create.

Five years ago, at the Atlanta airport, Jodie, now 29, met Dr. and Mrs. Patrick Tisdale, an Army physician and his wife, who were bringing two adopted Vietnamese daughters home to Columbus, Ga. Recalls Jodie: "Lein, then 3, just walked over and kissed me. And that's how it began." Several months later, Jodie made her first 72hour trip to Anloc to deliver medical supplies. Whenever vacation time or days off allowed, she repeated her marathon journey. "When I married Jodie in 1971," says Dick, 35, "I had no idea what made her so interested in those children. Then we kept Lein for the Tisdales while they made a trip to Vietnam, and I saw what a beautiful little thing she was." Afterward the Darraghs made their first trip to Anloc together and returned with six children -Dick fastening bassinets to the plane's bulkhead, while Jodie mixed formula on a hot plate. Now raising funds for Anioc consumes nearly all the Darraghs' free time. "This has made us a team," says Jodie. Adds Dick: "I just wish we could do a hundred times more than we do."

Childless themselves-Jodie is un-



At Atlanta's airport, Jodie Darragh caims 6-month-old Thi Thank Nya before leaving for the baby's new Detroit home.

In pursuit of scapegoa struggling with their

Those who fought in Southeast Asia have trouble coming to grips with their own role in the only war America lost. They are torn between pride in having served their country and tremendous guilt.

By Jeffrey A. Jay

HE VIETNAM VETERAN had come to the Veterans' Administration Hospital because of tormenting nightmares, rage and depression. He wanted an opportunity to testify about his actions and suffering.

I know it sounds crazy to say it, but I loved it and at the same time I hated it. Like the time I cut off the gook's ear and I cut him in two with my automatic; I got to say it, I loved killing. And at the same time I know it was terrible. But now I don't understand it. I don't want to talk about it. Or it's like I really can't talk about it, but I can't stop thinking about what happened. It's been like this for seven years. Going from one doctor to the next, one V.A. clinic after the other, and all I got was medication. That helps a little but nobody listens. . .

So long as I could view the young man as a patient, I needed to think of his cure as only a problem of technique — not an unusual response among therapists, for it keeps the roles perfectly clear. Scared and confused by my own feelings, I retreated into the safety of professionalism. I put the veteran into a trance. In fact, hypnotherapy was a treatment of choice for the war-related problems of this ex-Marine, yet it helped neither him nor the other half-dozen Vietnam veterans I counseled. Hypnotherapy assumes that a psychiatric conflict exists to be treated only inside the unconscious mind. And both psychiatrists and the lay public are quick to see the ruined marriages, unemployment and drug abuse among the 3 million Vietnam veterans as symptoms of psychiatric damage, warranting compensation or medical attention.

plains that I cannot possibly understand what it was like. While that statement has much truth, it is also a defense masking a deep resentment toward anyone who did not serve. This resentment wears two faces. First, he describes a sense of injustice that he risked his life while others avoided commitment by dodging the draft. But more tormenting is the anticipated judgment of those who did not fight, a judgment he fears will condemn him as foolish for going to war, wrong for participating in its acts of barbarism, and inadequate for losing it. He feels he is on trial, unfairly, for doing a job that was once endorsed with enthusiasm. He resents these accusations, but he is also haunted by them because he believes them to be true.

As a student I had been against the war. As a therapist I was shocked to find that I could identify with the veterans' wounded pride: They feel personally responsible for the only war America has lost. And despite their efforts to blame politicians, radicals, the military's upper echelon, the South Vietnamese — any possible group — for the loss, the overwhelming response of these sons of working-class America is guilt for letting their country down. They never became the men they hoped to be when, as adolescent recruits, they believed themselves and America invincible. Marked as losers, they feel constantly challenged to prove their manhood.

S THE PROFOUND inadequacy felt by these veterans theirs alone, or does it reflect a less acute but similar public sentiment? Certainly the heroic rescue of the Mayaguez that demonstrated our virility following our with-



patrol was brackish and pollu diarrhea that trickled down tigues. The monsoon was equ step required a concentrated boot from sucking mud. The torted, even in therapy, when leeches were pulled off neck spections for "jungle rot" ensure that the swelling and disable the foot soldier.

The Vietnamese people se the weather to the America uly 2, 1978

end

Commentary Editorials Business

ts: Vietnam veterans nation's nightmare

wie's Influence On American Life Recounted

years ago when the country icentennial country, that is awash with limited edition gles, Betsy Ross Cookies, nnial ties and raspberry masquerading as Valley reeze, the American Film joined in the spirit by protwo-hour special for the roadcasting System.

led "America at the the program was designed le a historical perspective in pictures and show how ulture, itself, shaped the image.

nably, it began to gather quite a few Bison-Tennial this year when the pros pulled from the archives of the Public Television '79, a two-week fund-raising and programing event with themes devoted primarily to the American past. The festival concludes Sunday. Meanwhile, there will be two airings of "America at the Movies" on KPBS — one at 11:30 tomorrow night and another at 4:30 p.m. Sunday.

and another at 4:30 p.m. Sunday.

The program was produced by George Stevens, AFI director, and narrated by Charlton Heston, chairman of the AFI board of trustees. It features scenes from 83 films focusing on American character and how it has been portrayed in relation to five areas: The land, the cities, the families, the wars and the spirit.

families, the wars and the spirit.

Movies, for better or for worse,
have mirrored — and shaped —
American lives and fantasies for
nearly 80 years. They exist in the
shadow of reality, yet the shadow
frequently has overwhelmed history.

Our image of the American West, for certain, relies more on John Ford than on Alexis de Tocqueville.

Movies have a strange and fascinating power of making the unreal seem real, of turning the illusionary

Inside The Arts

into the matter-of-fact. They make us believe that, regardless of how silly, stupid and inane, we are travelers together on our way to see an elephant. And, we emerge from a movie theater firm in the belief that we have seen an elephant.

Heston at the start of the program suggests the persuasive power of movies and its relation, specifically, to Americans as an immigrant culture: "At the movies we could go

across time and remember the hopes and fears of being strangers in a strange land. The movies did not always get the history straight, but they told the dream."

The dream, obviously, has been of fundamental importance to the American movie character and his relation to the land. He fought upon it and over it and, somehow, it became more than a place to settle down because moving on became habit. Showdowns over its possession in some form or other became a classic movie ritual, not only for John Wayne in films such as "The Gunfighter," but for the Marx Brothers as well in "Go West."

"America at the Movies" features segments from 23 movies relating characters to the land and none of the classics have been overlooked.

The selections range from "Shane" to "Cheyenne Auturnn" and from "Giant" to "The Grapes of Wrath."

While the land was not always friendly to the American movie character (although hostility tended to be romanticized by such elements as picturesque thunderstorms), the city has generally found him engulfed by place of evil, hustle, confusion and derring-do.

Ranging from the earliest film clip on the program ("Bumping Into Broadway," 1920) to the most recent ("The French Connection," 1971) movie characters have tough times in the city.

"Well, sister, what's your racket?" Clark Gable asks a hopeful chorine in "San Francisco."

(Continued on D-4, Col. 1)

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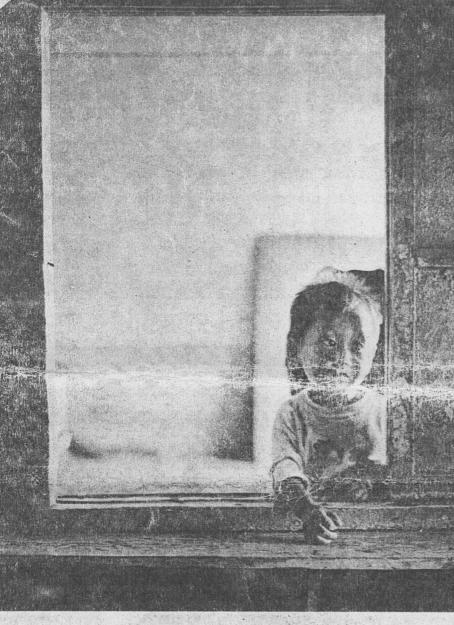
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By NOEL OSMENT Staff Writer, The San Diego Union

One could look at Ross Meador's exhibit of photographs as a study in poverty and despair.

There are the old people of Vietnam, some little more than skeletons, as well as the children, many abandoned and living in orphanages.

But the 24-year old visual arts student at UCSD sees them more as a reflection of a strong, human spirit, whether it be in wartorn Vietnam or any place else in the

"I think people are tired of hearing about Vietnam," he says. "The pictures are really about people."

Meador's own favorite is of a face of a very old person, wrinkled skin drawn over bones and a toothless smile, but with mirth and delight shining in the eyes.

Whatever the appeal is, the show was so well received during the week it was up at The Other Gallery in the Humanities Library, it was given space for another week in a Mandeville Center Gallery.

His works will be on display at the Unicorn Theater for the month of April.

Most of the pictures were taken during

the year he spent in Saigon, which ended in April 1975 when he was one of the last evacuees flown out by helicopter from the roof of the American Embassy as North Vietnamese troops took over.

He had been working for the Friends of Children of Vietnam, a non-profit organization which took children from the crowded orphanages of Saigon, cared for them at centers while arranging for their adoptions.

It was a job that paid only living expenses and a bare stipend, but answered the needs of the young man, only two years out of high school with a yen to travel and to accomplish something.

At La Jolla High, he had been a good student and class leader, but, like many of his friends, didn't want to go to college at that time, so he spent a year or so doing odd jobs and spending the money he earned on a trip through Mexico.

"But I didn't like just traveling as a tourist — I didn't want to just kick back," he said.

When he heard about the organization he immediately hitchhiked to Colorado, found a phone booth outside of Denver, where the organization is headquartered, and called.

(Continued on D-6, Col. 1)

Meador Pictures Reach The Soul

The child in the window was photographed by Ross Meador in a Saigon orphanage just before the country fell, but to the photographer, who helped find homes for the orphans, he symbolizes all children waiting for love and security. The man was one of many older Vietnamese Meador came to know during his year there.

Meador, an employee of an adoption agency then, now is a visual arts student at



They'll Scale Bars To High Note On St. Pat's

The San Diego Drinking Society — which exists solely to conduct and survive a grand pub crawl on St. Patrick's Day — is at it

A less peripatetic celebration will be staged tomorrow by the Friendly Sons of St. Patrick, who'll have a banquet at the Hilton Hotel on



11/4/79 Denver Post

GOVERNOR'S GRIPPING ACCOUNT OF REFUGEE CAMPS

How Do You Watch Children Die?

EDITOR'S NOTE: The following report was prepared for United Press International by Colorado Gov. Dick Lamm, one of six governors who toured refugee camps in Thailand Oct. 27-28. Lamm will serve on the U.S. delegation at a United Nations' meeting on Cambodian relief Monday.

By GOV. DICK LAMM

How does one describe a child dying of malnutrition? Worse yet, how does one describe 50 children dying of malnutrition, dysentery and malaria. The mind humbs

There are now 300,000 refugees in Thailand from Laos and Cambodia and 100,000 or 200,000 additional Cambodians are poised on the border ready to flee into Thailand when the Vietnamese launch their post-monsoon attack against what's left of Cambodia's previous two administrations.

Southeast Asia is awash with refugees from Vietnam, Laos and Cambodia amidst a famine of major proportions in that country. "Boat people" flee or often are pushed out of Vietnam and those who survive are often brutalized when they land. Not since World War II has so much suffering spread throughout Asia.

Last weekend, I and five other governors, along with our wives, visited four refugee camps in Thailand. People in our group had seen war, the poverty of South America; the starvation of Calcutta. None of us had experienced the trauma that we experienced at those camps.

AT SA-KAO on the Thai-Cambodian border, 30,000 people have been dumped in a rice field with absolutely no preparation for their arrival. They now sit in shock in a sea of mud and wait for the food rations to be distributed. On Wednesday, this was a rice field; on Sunday, it was one of the larger "towns' in Thailand with 30,000 more refugees expected to arrive any day.

The International Red Cross and other voluntary agencies struggled mightily to bring order out of chaos, but it is like building a city "ab initio" around the people after they have arrived.

Refugee Plight Subject of Talk

Dick Lamm will discuss the plight ring Cambodian refugees and

Sanitary facilities are hurriedly dug, roads are bulldozed in the morning and by noon are often impassable through the mud. The worst of the sick and dying are given shelter in crude lean-tos without walls. The rest, some 30,000 men, women and children, attempt to erect small plastic tarps against the monsoons which last through early November. Most just huddle in family groups and stare vacuously at the jungle.

Six long canvas tarps have been erected, where under each approximately 100 of the worst medical cases lie as 10 overworked doctors and about 30 volunteers hurry from case to case, rendering what are essentially triage judgments.

"This child is too far gone," says one nurse sadly and passes to the next still form

MOST OF those 600 under the medical tarps have intravenous needles in their arms and a saline-dextrose liquid treatment attempts to reverse their dehydration and malnutrition. The horrible fact of malnutrition is that it is irreversible beyond a certain stage, no matter how much food is available.

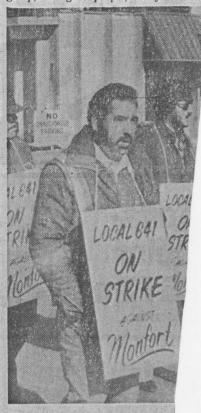
Those who die are picked up and put by the end of the tarp and burial teams which have been recruited from among the refugees themselves soon come and carry the victims to a place near the trash disposal site. Death has been a frequent companion of these people and what was once a ritual is now just a chore

A young baby attempts to suckle the breast of a woman whose own malnutrition has stolen all her milk. Another mother bends in anguish over the body of a small boy who had miraculously endured a six-week trek through the jungle, but died just hours after reaching the safety of Sa-Kao.

A 99-year-old woman, hailed by a reporter as the oldest refugee, walks into camp after a perilous march through the jungle with her 12-year-old grandson. Tragically, his emaciated body gave out a week before reaching the border. The toothless old woman sits rocking back and forth moaning, "Will someone please adout me?"

Many of the children are suffering from Marasmus, a malnutrition triggered by carbohydrate deficiency and they slowly die a day at a time. They resemble little breathing corpses. At one camp, a woman hanged herself so she wouldn't have to watch her children die, adding former hans to the camp.

attacked his village, killing many of his fellow tribesmen and burning their houses and rice fields. Nao rounded up the survivors and began a 13-day journey to Thailand. Ten people died from starvation along the way, and when they attempted to cross the Mekong River at night, border troops opened fire on his group, killing 27 people, many women



PICKET LINES GO UP IN

Picket lines by members of the l Commercial Workers, Local 64 Friday at the two entrances of Colorado Inc. packing plant in C spokesman said the 900 union m pared to stay on strike "for as lo Meat cutters are striking over a

