

Religious Trusts Ruled Subject to State Regulation

But Charity Hospital Funds Cannot Be Used for Nuns' Pensions, Judge Declares

BY HELEN OLIVER
Times Staff Writer

Queen of Angels Hospital legally can spend some revenues to develop outpatient clinics in East and South-Central Los Angeles, but cannot pay retirement benefits to the nuns who staffed it as nurses for half a century.

The precedent-setting decision by Superior Judge James D. Tamm means that Rev. Evelyn L. Younger clearly has the right to regulate charitable trust funds even if they are controlled by religious organizations.

Tamm ruled late Wednesday at the end of a month-long trial of a civil suit filed July 7, 1971, against Younger by the hospital and The Franciscan Sisters of the Sacred Heart, a Roman Catholic order.

Younger's office had challenged the 1971 agreements in which the hospital leased its facilities at 201 Bellevue Ave. to WDC Services Inc., a profit-making corporation and planned to use the \$11-million-a-year trust to operate clinics at the Bellevue Ave. site and elsewhere and to pay pensions to sisters over 70.

Hospital's Claims Discarded Tamm dismissed claims the hospital and sisters that the agreements were governed only by California church canon law and Vatican approval and that interference by state officials was an infringement of constitutional guarantees of freedom of religion.

In approving the non-patient clinic to be operated exclusively by DePaul University, Tamm rejected the hospital's articles of incorporation in 1928 limited use of the charitable trust funds which support its hospital activities.

The articles were to run a hospital and to provide medical care for the poor. These clinics certainly will provide medical care for the poor, and I could find no conflict there," Tamm said.

He also ruled against an agreement by the hospital and sisters for arranging the WDC lease of \$300,000 a year for the five-year term and about \$200,000 annually during the remaining 20-year lease to John Joseph Brennan, Glenn Thomson and John Thomson Jr.

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Gen. Bradley, 80, Undergoes Surgery

Times Staff Writer

Gen. Omar N. Bradley, 80, the nation's only living five-star general, underwent major surgery Wednesday at UCLA Medical Center for insertion of a device to prevent recurrent blood clots from migrating to the lungs, an Army spokesman said.

Bradley was held in serious condition, but a spokesman said he was progressing satisfactorily and resting comfortably after the surgery.

He said the source of the recurring blood clots has not yet been determined, although they could be the result of an operation for a football injury Bradley suffered while at West Point nearly 60 years ago.

Bradley has been seriously ill since Monday morning, when he was taken to the medical center with "massive blood clots to both lungs," the spokesman said.

Injections of heparin, an anticoagulant, have been used to dissolve the clots in the lungs, but have failed to prevent recurrent attacks," the spokesman said.

Chavez Pickett Shot to Death in Violence Near Bakersfield

Times Staff Writer

BY FRANK DEL OLMO and TOM PARCELL

A United Farm Workers member was shot to death Thursday during violence on a picket line in the Ventura Ridge area about 27 miles south of Bakersfield, sheriff's deputies said.

It was the first death on a picket line since the bitter battle between the UFWU and the Teamsters Union over control of California farm workers began in April.

Another UFWU member died of a gunshot wound after a scuffle with a deputy sheriff outside a tavern in Lemoore.

Investigators said Juan de la Cruz, 61, of Arvin, was shot once in the chest with a .22-caliber rifle shortly after 10 p.m. Thursday as nonunion work crews were leaving a field owned by Glumsters Vineyard & Nursery in Lemoore.

De la Cruz, who a spokesman said had been active in the UFWU since its inception in 1965, died three hours after the incident at Kern County General Hospital in Bakersfield.

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Forgery of Welfare Proposal Charged

Times Staff Writer

SACRAMENTO (UPI) — A political "dirty trick" specialist advised a state work-force welfare proposal and asked the forged document to the press to damage the Reagan Administration, state Health and Welfare Secretary Earl Brinn said Thursday.

The forged document of the March 21, 1973 report made it appear that the state was proposing an "absolutely absurd" plan to take children away from welfare parents who refuse jobs, Brinn said at a news conference.

Brinn said a plan to require up to 100,000 welfare mothers to take children jobs had been proposed. But he said "there never has been any attempt" of taking children away as punishment for refusing jobs.

Proposal Discarded He said he rejected the plan last March in part on grounds that it contained no judicial means for action parents who refuse the substitution plan and still provide for their children. But he confirmed that he had authorized a continuing study of the work subsidy proposal.

State Welfare Director David Swains said a very limited proposal to take children away from parents who did not cooperate in the work subsidy program was discussed in an early draft of the proposal. But he said that was rejected immediately.

Added if he would seek criminal prosecution of the person or persons who forged and altered the report, Brinn replied at a news conference. "I may do that."

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STATE SENATORS VOTE DOWN FREE DISNEYLAND TRIP

Times Staff Writer

SACRAMENTO (UPI) — California's state senators do not want to take the day of Sept. 7, to go to Disneyland as guests of the management, a poll of the legislators disclosed Thursday.

John C. Williamson, executive officer of the Senate Rules Committee who conducted the poll, said the vote was 21 to 10 against adjourning for the day.

"Because of the volume of work remaining to be accomplished by Sept. 14, there is some question as to the wisdom of adjourning the session on that date (Sept. 7)."

Severe Ripptides and High Waves Hit Southland Beaches

Times Staff Writer

Surfers had their day at Southern California beaches Thursday as high waves as high as 8 to 10 feet.

At Surf Riders Beach in Malibu, there were as many as 100 surfers competing for the breakers at one time.

The lifeguard station at Zuma reported waves as high as those at Malibu. Lt. Jack Campbell of the station said the breakers were the best view since two weeks ago, but he also reported that ripides were usually fast.

At Huntington on a San Valdez beach, where the surf was only 2 to 3 feet, the ripides were also troublesome. The Huntington Beach lifeguard station reported 120 rip currents, the highest number reported at the beach this year.

The surf was heavy at most beaches, but severe waves occurred by Storm.

Nonunion Farm Workers, 20 were arrested later in Lemoore and had been investigated by state work-force welfare proposal and asked the forged document to the press to damage the Reagan Administration, state Health and Welfare Secretary Earl Brinn said Thursday.

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L.A. Faces Power Cut in 1974, Senator Hints

Times Staff Writer

Sen. Henry M. Jackson (D-Wash.) indicated Thursday that the Los Angeles area will be faced with a one-third reduction in electric power next year and said the situation posed by the need to open the Navy's huge petroleum reserves, particularly the Elk Hills fields in Kern County.

Jackson said he was disturbed to learn that the power industry in California will be short 100 million barrels of crude oil to run its generating plants over the next three years.

Most seriously affected, Jackson said, will be the city Department of Water and Power. Its capacity will be reduced by from 25% to 65% as early as next February, he said.

The 1974 capacity of Southern California Edison will be cut by 12% and Pacific Gas & Electric in Southern California by 15%, according to Jackson, area secretary, Bill Croteau.

Emergency Oil Reserves Jackson also expressed concern that the nation's emergency oil reserves amount to only a 10-day supply and said that the government should not delay its increase to 30 days.

He said a bill he has introduced would provide for a 10-day strategic reserve of 15 billion barrels of oil with crude oil to be brought in and stored.

Such a reserve, he indicated, is imperative in these times of the nation's increasing dependence on Middle Eastern countries for its crude oil supply — which could be cut off at any time.

At the same time, Jackson said, the government should "revise up and get ready for actual operation" the Navy's four petroleum reserves, including the Elk Hills fields and Torsnes No. 4 in the Tustumne basin in Alaska, 800 miles north of Valdez.

Estimated Size He said the size of the Alaska reserves is classified but has been estimated at 30 billion barrels.

"But wouldn't do any good out of the ground in case of an emergency," he commented.

"I hope the Navy will go along," he commented, "we have discussed this with the Navy but no judgment has been made."

"What we're talking about here is oil to be used in a public emergency, — civil or military," he said, adding he believes the nation's economic well-being is as essential as its military defense.

Jackson was at the Century Plaza for a meeting with representatives of Western independent gasoline companies.

In an open field-finding session with them, he brought out that all have suffered in being cut back in volume by their suppliers.

Major Oil Finds While the independent supply of gasoline has been reduced by one-third to two-thirds from last year's supply, he said, he has increased their allocations to broad mass service stations up to 12% over a year ago.

He said that as a result, gas prices have skyrocketed on the West Coast—up 15 cents a gallon in Seattle.

He said failure of the Nixon Administration to adopt a mandatory program to allocate petroleum products equitably will cost consumers about \$5 billion this year in increased prices nationwide.

Memo Questioning Finch Health Status Retracted by Colson

Times Staff Writer

Former White House Counselor Robert H. Finch said Thursday he had written and retracted a formal health report and apology from Charles H. Colson, former special counsel to the President, about a memo from 1960 to 1970 would raise questions about Finch's ability to handle the job if he were to run for governor of California next year.

Sen. Thomas Eagleton (D-Mo.) had said as early as Nov. 2 that on the Democratic presidential ticket last year created bad publicity for the Democratic treatment for mental illness came after his own presidential nomination.

Finch was treated at Walter Reed Army Hospital in Washington in 1970 for fatigue which manifested itself as a neurological impairment of the left arm. Finch said he is fully recovered.

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Officers Seek Link in Deaths of 5 Girls

Times Staff Writer

SANTA ROSA (UPI) — Authorities are investigating a possible link between the deaths of five young girls whose bodies were found stripped and dumped beside lonely roads over the past year in remote rural areas where hundreds of young people live in communes.

The girls' bodies were found in the exact same spot, two of them in February and the third in July.

A pattern of hitchhiking drugs found in the bodies and because they were all male when found dumped beside the roads with no attempt to bury them was a thread that could possibly tie some of them together, Sonoma County Under-sheriff Robert Hayes said Thursday.

"There is a common denominator, it seems," Hayes said after the fifth girl was finally identified from dental charts.

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U.S. Asks High Court to Upset Ruling Barring Alien Workers

Times Staff Writer

WASHINGTON — The Justice Department Thursday asked the Supreme Court to overturn a lower court ruling that would stop thousands of Mexican farm laborers from entering the United States and competing for field jobs with legal residents.

The department sought to reverse the U.S. Court of Appeals here which in April ruled that the Immigration and Naturalization Service has violated immigration laws by requiring visa requirements for seasonal workers from Mexico.

The decision was a victory for the United Farm Workers Union, whose lawyers argued that the seasonal commuter program was designed to circumvent Congress' 1953 ban on braceros and to maintain a cheap labor supply for growers.

As the Justice Department admitted in its petition to the supreme court that the program had been given the key to the seasonal commuter program was the Immigration Service's willingness to classify the workers as "returning resident alien" though they had never maintained residence in the United States and spent only several months a year here. "Returning resident alien" are not required to have visas.

Had the Mexican workers been treated as nonresidents, they would have needed entry visas, which farm laborers have found almost impossible to obtain.

Under the law, visas are issued only after the secretary of labor certifies both that the industry in operation lacks sufficient domestic manpower and that the admission of aliens will not adversely affect the wages of U.S. workers.

While noting that seasonal commuters have been admitted since 1965, the appeal court rejected the argument of the Immigration Service that the program had been given the key to the seasonal commuter program was the Immigration Service's willingness to classify the workers as "returning resident alien" though they had never maintained residence in the United States and spent only several months a year here. "Returning resident alien" are not required to have visas.

Chinese Warned Not to Hoard Rice

Times Staff Writer

SAN FRANCISCO (UPI) — Three Chinese residents who—bearing a shortage and higher prices—bought all the rice they could last week may be in trouble.

The Lumberback of the Gulf Coast Rice Farmers Cooperative said here Thursday that those who bought up a year's supply should beware of such insatiable and monstrous.

"You should not be hoarding," he said. "It's just like a flour—if not used, it will mold, kept cool and stored in a very clean location, it's going to get moldy."

"People should put it in sealed cans and inspect it occasionally," he said.

ON ENERGY SHORTAGE—Sen. Henry M. Jackson meeting with representatives of western independent gasoline companies. Jackson brought out that oil flow had gone out of supplying.

Time photo by John Velilla