JP!S. to the NEWS

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LAWSUIT ON P.ANAMA

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The \FL-CIO labor union in the U.S. Canal Zone recently sueu Secretary of State Kissinger, Special Ambassador Ellsworth Bunker, and **Prejident** Ford in the U.S. Federal Court in Panama. Th*s suit seeks to enjoin the Kissinger-Bunker negotiations for a new treaty with Panama which would surrender ti/,; ownership and control of the U.S. Canal. In reprisal Panamanian radicals blew up plaintiff's car.

The Kissinger-Bunker negotiations have been conducted with the unelected dictator of Panama, General Omar Torrijos, who permits only one political party to operate, namely, the Communist Party. He frequently visits and praises the chief Communist spokesman in the Carribean, dictator of Cuba for the past 18 years and recent conqueror of Angola, Fidel Castro.

The Kissinger-Bunker negotiating team has overlooked thE: feet that the United States owns the Canal "in perpetuity." Defore Congress would appropriate the hundreds of millions of dollars needed to buy the land inside the 40-mile-long Canal Zone and to build the Canal, Congress required a treaty in which Panama conveyed the Canal Zone to the United States.

Al◆ 1903 **when** the Panamanian officials were trying to persunde the United States to buy the Canal one and build the Canal there, strong arguments were made to build our Canal in Nicaragua where we could take advantage of the deep waters of Lake Nicaragua and a location closer to the United States. To help persuade the United States to choose Panama rather than Nicaragua, the Panamanian repre sentativeesproposed a treaty which in five places used the words "in perpetuity" to describe the U.S. title to the Canal Zone.

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In 1907 and before the Canal was built, a suit reached the U.S. Supreme Court seeking to enjoin the Secretary of the Treasury from paying funds for the construction of the Canal on the theory that the United States did not have good title. In this case of liilson v. Shaw, a unanimous Supreme Court quoted all the rights granted by the treaty "in perpetuity" and decided: "It is hypercri tical to conten4 that the title of the United States is imperfect, and that the territory descri ed does not belong to this nation because of the omission of some of the technical terms used in ordinary conveyances of real estate."

In 1971 in the case of Roach v. United States, the U.S. Court of Appeals reviewed our treaties with Panama and unanimously stated: "The Canal Zone is an wiincorporated territory of the Unite(l States. 11

There would be no legal or other basis for Kissingei and BunkeJs. offering to surrencer our Canal even to some heroic figure such as Si:raon Bolivar, the liberator of South America. 'fheir recent offer to give our Canal to the pro-Communist dictator of Panama is an in credible folly. Encouraged by the weakness of our negotiators, dictator Torrijos recently threatened guerrilla warfare unless the United States signs a new treaty granting him owndership of the Canal.

The eight-year dictatorship of Torrijos now requires 35 cents of every tax dollar to finance its large debt of $1.2 billion. Torrijos is afraid **that** his dictatorshap will collapse unless he can persuade the United States to agree to give him the Canal by 1977.

The President should terminate **oat** negotiations with dictator Torrijos, thereby making the case in Federal court rnoGt before it coMes up for a hearing next month.

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