



YOUNG SWINGERS — Second-graders at Fairview Elementary near Marysville, Tenn. seem to be at every possible stage of swinging during a recent afternoon in the school playground.

Ohio Supreme Court Issues Rulings On Fetus Death, Employee Lockout

COLUMBUS, Ohio (AP) — Ohio's Supreme Court has ruled that a viable fetus negligently injured in the mother's womb and subsequently stillborn can be cited as the basis for a wrongful death action.

The decision Wednesday favored Lucinda T. Werling, who tried to bring suit against Drs. Sandy and Charles L. Thompson, physician-obstetricians at Lima Memorial Hospital.

Records showed that when Mrs. Werling entered the hospital on April 30, 1981, a fetal monitor attached to her body by Thompson showed that the 9-to-10-month-old fetus was alive and viable.

However, later and in the absence of Thompson, the monitor indicated the baby's heart was no longer functioning. The only other surgeon in the hospital at the time was operating on another patient. He subsequently examined Mrs. Werling and the stillborn child.

Mrs. Werling's suit was dismissed in Allen County Common Pleas Court, which later was upheld by the 3rd District State Court of Appeals.

However, in the 6-1 decision that overturned the appellate court decision, the Supreme Court said a cause for action exists under the wrongful death statute "since a life capable of independent existence has

expired."

"It is logically indefensible as well as unjust to deny an action where the child is stillborn and yet permit the action where the child survives but only for a short time," the decision said.

The court said the decision is consistent with the U.S. Supreme Court's ruling in the case of Roe versus Wade "to the effect that a viable fetus is a person entitled to protection and may be a basis for recovery under the wrongful death statute."

In another decision Wednesday, the court said employees who lose their jobs as a result of a management lockout are entitled to unemployment benefits.

The unanimous decision came in a case in which 653 employees sought benefits after the Ohio Valley Hospital Association, during a contract dispute with the Ohio Nurses Association, closed its hospital in Steubenville on Jan. 2, 1979.

Records showed that the claims were denied by the state, and members of two other unions which had members working at the hospital appealed the decision to Jefferson County Common Pleas Court.

The trial court held that members of the American Federation of State, County and Municipal Employees and the Licensed Practical Nurses and Skilled Hospital Employees Association were entitled to jobless benefits.

The ONA did not appeal the denial of benefits to its members.

In its opinion upholding the trial court, the Supreme Court said the employees of the other unions were not party to a labor

Municipal Court News

Uniform Traffic

Reckless operation — Jack D. Page, 12059 Watkins California Rd., Plain City, \$100 fine, \$28 costs and operator's license suspended for 30 days except to drive to and from during the course of employment.

Speeding — Theresa A. Rider, 174 Marysville Trailer Court and Jack L. Roberson, Thornville, both \$50 waiver. James D. Stockdale, Delaware, \$60 bond forfeit.

Highway Patrol

Speeding — Robert L. Milligan, Newcomerstown; Lisa A. Hughes, 622 Kenny Lane; James E. Carpenter, 148 Grove St.; Jack Joy, Columbus; David F. Allen, 622 W. Ninth St. and Ricky L. Smith, 101 Countryside Mobile Home Park, all \$50 waiver.

Failed to maintain control — Roberta S. LeMasters Grooms, Delaware, \$50 waiver.

Municipal Ordinance

Improper passing — James O. Dingus Jr., Bloomingburg, \$25 fine and \$25 costs.

Red light violation — Jeffrey S. Sarver, 18975 Frost St., Broadway, \$50 waiver.

Speeding — Linda G. Tipple, 627 Hickory Dr., \$50 waiver.

Whenever you're given driving instructions over the phone or through the mail, Family Circle magazine suggests you save them for a "directions file." Transfer the information onto 3-by-5-inch cards in an alphabetically divided file box. When you're ready to travel, just pull the appropriate card. It makes trips hassle-free and organized.

Senator: Stop Bickering, Help Save Ohioans' Homes

COLUMBUS, Ohio (AP) — At least 9,330 Ohio families — and likely many more — lost their homes to foreclosure last year, a problem that Sen. Michael White says ought to prompt legislators to put aside partisan bickering in search of a solution.

White, D-Cleveland, has introduced a bill that would use state loan subsidies to help people save their homes.

"When you talk about the fact that 9,300 families lost their homes in 1984 alone, they weren't all Democrats and they weren't all Republicans," White said.

"There are issues which affect this state which are citizenry issues. And the question of foreclosure, homelessness, breakup of families is one of them. I intend to call upon (Senate President Paul Gillmor, R-Port Clinton) to give us expeditious and fair hearings," he said.

White said a survey his office conducted in almost half of the state's 88 counties showed there were 9,330 foreclosures last year.

"It only represents 50 percent of all the counties in Ohio, so the figure overall is going to be much higher," White said.

"Seventy-two percent of the

responding counties registered an increase in foreclosures in 1984, which was supposed to be the year of the recovery. Which means that if there's a recovery in America, they forgot to determine that Ohio is part of it," he said.

"Today, people who have historically held jobs and paid their bills are now finding themselves victims of the economy, increasingly on the wrong side of the foreclosure gavel."

White's proposal would create a non-profit Ohio Residential and Agricultural Emergency Finance Corporation. It would be funded by fees on the transfer of residential or agricultural real

estate, generating about \$18.8 million a year.

The corporation would help qualified homeowners in danger of foreclosure by subsidizing their mortgage payments to financial institutions. Contributions by homeowners, who would have to meet a dozen tests to be eligible, would be limited to 35 percent of their net effective income.

Homeowners would begin to repay the loans when their total housing expense became less than 35 percent of net effective income. Once repayment begins, a 7 percent interest rate would be charged on the unpaid balance.

Cincinnati Girl Details Battle Against Drugs

WASHINGTON (AP) — A Cincinnati teen-ager whose experience with drugs was a rocky, two-year ride has told her story to an interested White House audience — first ladies from around the world.

Robin Page, a 18-year-old junior at Walnut Hills High School, told Nancy Reagan and

17 other first ladies on Wednesday that she used pot, alcohol and speed for two years before entering and graduating from a drug treatment program in Cincinnati. Robin said she has been free of drugs for two years.

Mrs. Reagan, who hosted The First Ladies Conference on Drug Abuse, asked her guests to share their experiences and search for a common solution to keep drugs from "maiming" children.

The first ladies came from around the globe, ranging from Japan to the tiny island of Mauritius. They are all mothers, some of them professional women, and all interested in learning more about how to fight drug abuse, said James Rosebush, Mrs. Reagan's chief of staff.

In an emotional presentation, Robin said that when she started using drugs she began skipping school and not doing her work. She said her parents found forged report cards.

"I remember stealing a wallet, and my mother called the police and they came," she said. "I remember feeling ashamed because I never thought I would steal something."

Robin also told the group about an overdose incident.

"When I got to the hospital and my parents came, I felt so afraid and ashamed," she said. "My mom was holding my hand and I kept thinking 'Oh, God, don't let me wake up because I can't stand to see her face again.' I couldn't believe I'd overdosed."

Robin entered the Straight Inc. program in February 1983. The privately funded abuse rehabilitation program, founded in Florida in 1976, requires family participation.

"I prayed so many times and blamed things on God, on my parents and on my teachers," Robin said. "It never dawned on me that it was my fault or that it was because of drugs."

Robin, who graduated from the program in March 1984, plans to attend the University of Cincinnati.

When Mrs. Reagan visited Straight Inc. last September, she invited Robin to accompany her to Indiana the following day to speak to junior high school students about the harmful effects of drug and alcohol abuse.

"I'm off to a great start," Robin told the group. "I'm going to go to college."

Apollo 14 astronauts Alan Shepard, Edgar Mitchell, and Stuart Roosa returned safely to Earth Feb. 8, 1971, after the third moon landing.

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Ohio Lottery

CLEVELAND (AP) — The next "Ohio Lotto" jackpot is expected to jump to \$1.8 million because no one picked all six numbers drawn Wednesday night, state lottery officials said today.

The winning numbers in the latest semiweekly game were 4, 14, 15, 24, 31 and 35. The jackpot, which would have been \$1,020,296 Wednesday, rises if there are no winners.

The Ohio Lottery said 249 tickets listed five of the winning numbers, and each is worth \$681. Another 9,227 tickets had four of the numbers, and each will pay \$49.

Sales for the game totaled \$2,256, 018.

The next drawing will be on Saturday.

The winning number drawn Wednesday night in the Ohio Lottery's daily game, "The Number," was 838.

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