

National

Senator votes 'present' in protest against abortion stance

Senate committee votes 17-0 in favor of O'Connor

WASHINGTON — The Senate Judiciary Committee Tuesday unanimously recommended Sandra Day O'Connor be the first woman Supreme Court justice.

The vote of 17-0 meant the full Senate could confirm her historic nomination as early as Wednesday — plenty of time for O'Connor to

claim her seat when the Supreme Court reconvenes Oct. 5.

Sen. Jeremiah Denton, R-Ala., saying he was dissatisfied that O'Connor had declined to give her "judicial view" on abortion during three days of confirmation hearings last week, cast a mild protest vote of "present."

O'Connor, an Arizona appeals

court judge, is assured Senate confirmation. While a number of conservative senators still grumbled private misgivings about her votes on abortion when she was an Arizona legislator, there was no chance serious opposition would develop.

Even Denton, who questioned O'Connor at great length about

abortion, said he would not vote against her because her reluctance to answer was partly a defect in the confirmation process.

"Thus, Mr. Chairman, my vote is to respond 'present,'" Denton concluded after reading a four-page prepared statement.

Sens. John East, R-N.C., and Charles Grassley, R-Iowa, voted

for confirmation but joined in a statement read by East saying they have reservations about O'Connor's responses to abortion questions.

While she said abortion is personally "repugnant," O'Connor refused under repeated questions to say whether her votes on the matter as a member of the highest

court would reflect that personal view.

East said O'Connor's responses to other issues dear to conservatives — in favor of the death penalty and preventive detention and against compulsory school busing — indicated she would be a good justice.

Sen. Orrin Hatch, R-Utah, another conservative, issued a prepared statement giving O'Connor unqualified support.

"Judge O'Connor made it clear that abortion is not something she supports," Hatch said. "She made it quite clear that she doesn't believe her own personal beliefs should really color or influence

the decisions she'll make later as a justice on the U.S. Supreme Court."

O'Connor told her confirmation hearings she does not believe in judicial "activism" — making law instead of merely interpreting it.

And she said she does not oppose the death penalty and she wants more common sense to be used in excluding damaging criminal evidence on technicalities.

But abortion cropped up again and again — largely because some anti-abortion senators interpreted several of her votes in the Arizona state senate to be in favor of abortion.

Whale holds two fishermen hostage

MONTEREY, Calif. — Somewhere off the coast of California swims a whale with a tale about the two fishermen who got away.

It sounds like a fish story but the two fishermen have the Coast Guard as a witness.

It began when the 36-foot fishing boat Mary Syres apparently hit the whale off the coast of Monterey Monday.

The whale hit back — hard. So hard that Norman Longacre, the boat's owner, had to cut his engine.

"It was a bunch bigger than my boat," said Longacre, who said the whale appeared to be a humpback between 50 and 65 feet long.

Then when Longacre and Richard Hallbrook tried to restart the engine, the whale banged the boat again. They tried once more

and again the whale struck the boat.

"We tried to start the engine, but he wouldn't let us go so we idled and drifted," said Longacre.

The two frightened men drifted for almost three hours, radioing for help. The whale swam alongside and occasionally nudged the boat.

Shortly after dawn, a Coast Guard 40-foot cutter showed up

and — acting as a decoy — led the whale out to sea, permitting the Mary Syres to scurry to Monterey harbor.

"The whale was sort of playful with us," Coast Guard skipper Jim Taylor said. "He swam along with us and once we got going fairly fast, he swam off to sea."

The skipper said the two fishermen were "really scared" although their boat wasn't dam-

aged. He added the whale didn't appear to be injured either.

Marine experts said the whale's behavior was unusual and not enough was known about the mammal to explain what occurred.

"There's no precedent for this," said Alan Baldrige of the John Hopkins Marine Laboratory at Monterey.

\$50 billion suit against late shah of Iran dismissed

NEW YORK — A state Supreme Court judge dismissed the Iranian government's suit to recoup \$50 billion it claims the late shah of Iran and the royal family stole before going into exile.

State Supreme Court Justice Irving Kirschenbaum told Paul O'Dwyer, a former City Council president who now represents Iranian interests, New York was an inappropriate forum for the litigation.

The events in the complaint occurred in Iran, he said, and trial in New York would require Iranian witnesses and place an "unnecessary heavy burden" on the state court system.

The suit, filed in November 1979 but delayed by State Department requests, claimed the late shah looted the Iranian treasury and accused him and his family of resorting to murder, torture and

international corruption.

Kirschenbaum told O'Dwyer to go to an international court.

O'Dwyer said that "doesn't make sense at all" because there is no international forum to hear the case.

O'Dwyer said he would appeal because the ruling was "the most inconsistent decision that has ever been rendered in this court."

Inspectors clash with workers

HOUSTON — A power company applying to operate the \$2.7 billion South Texas Nuclear Project told a federal government licensing board there have been three clashes between construction workers and quality-control inspectors during construction.

A statement submitted by Houston Lighting & Power Co. Monday cited only one physical conflict, a one-punch fight, but during testimony it was disclosed in another case a worker pulled a knife on an inspector.

Witnesses presented by HL&P before the Nuclear Regulatory Commission said there was no "pattern of intimidation" of quality inspectors at the site near Bay City.

Intervenor opposing the project were granted a motion to question each of three witnesses while the other two were outside the room.

Former project quality control manager G. Thomas Warnick said a brief fist fight March 7, 1979, climaxed a two-day dispute between a construction engineer and an inspector. He also told of two incidents in November, 1979, when an engineer "threatened to come across the table" after an inspector and when a worker pulled a knife because he thought the engineer was using his ladder.

Warnick said in each instance those involved were either reprimanded, moved to another job or fired.

The NRC board is considering whether HL&P has shown the "character and competence" to merit a license to run the plant.

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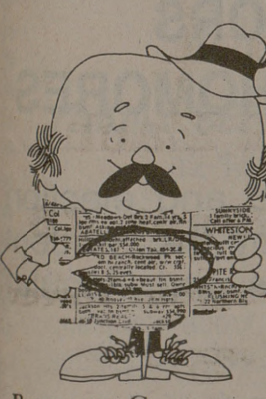
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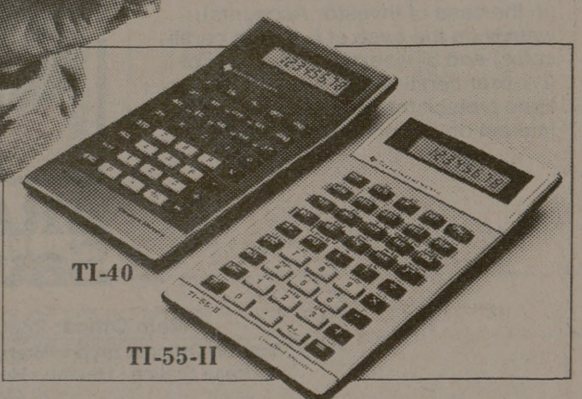
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