

News Digest

By The Associated Press

Gramm-Rudman 'disabled'

Quick deficit reductions unconstitutional, court says

WASHINGTON — The Supreme Court on Monday struck down a key portion of a law requiring a balanced budget by 1991, disabling the legislative machinery Congress assembled to attack spiraling federal deficits.

By a 7-2 vote, the justices said the central provision of the Gramm-Rudman Act — ordering automatic deficit reductions — violates the constitutionally required separation of powers between the executive and legislative branches.

The law's main supporters immediately said they would introduce legislation amending the act to conform with the court's objections.

President Reagan said the decision should not deter Congress from following through with spending cuts to slash budget deficit running in the range of

\$200 billion a year.

In a written statement, Reagan said the decision brings the focus of compliance with the law "back to where it belongs: on the Congress."

Many say the absence of an automatic provision for cutting the budget will leave Congress stalemated. Supporters of Gramm-Rudman say lawmakers who voted for it will have a tough time facing voters if they balk at implementing budget cuts.

Concluding its 1985-86 term, the court also:

- Ruled in a New York case that states are free to close down for lengthy periods of time adult bookstores found to be public nuisances because of the on-premises conduct of their customers.

- Agreed to decide whether Georgia death sentences are meted out

in a racially discriminatory way. The court's decision, expected sometime in 1987, could carry enormous impact for the future of capital punishment, affecting the fates of hundreds of the more than 1,600 death row inmates nationwide.

- Said it will decide whether the Alabama state police must promote one black trooper for every white promoted to raise the percentage of black officers. The court, which last week reaffirmed the principle of affirmative action, will use the Alabama case for further examination of special on-the-job preferences.

The court also agreed to decide in a California case whether a public employer may promote a woman over a more qualified man to help get women into higher-ranking jobs.

Ferryboat attacker kills two

NEW YORK — A homeless man armed with a sword killed two people and wounded nine others aboard a Staten Island ferry Monday and told police "God told him to do it," police said.

Among the wounded were tourists in the city for the rededication of the Statue of Liberty. The attack began just after the ship, the Samuel I. Newhouse, had gone past the statue shortly after leaving Manhattan.

The attacker was subdued by a 55-year-old retired police officer, Edward del Pino, who was headed home from a night security job, Richard Condon, the first deputy police commissioner, said at a news conference.

"It was bedlam," said del Pino. "Everyone was running past me incoherently screaming."

He said he pushed past the panicked people to where the man stood over a woman and "to my horror, I see him going up and down, lunging down repeatedly with the sword."

"I yelled 'Drop it!'" he said, and fired a shot to get the man to drop the weapon.

After that, del Pino said, he ordered the man to sprawl across a seat and warned him "If you move, you're dead."

Condon identified the suspect as Juan Gonzales, 43, who told police he had bought the weapon, a 24-inch curved, thin blade with a two-inch fake pearl handle, at a shop in Times Square. He took it aboard the ferry concealed in a wrapping of newspaper.

"He said God told him to do it," Condon said.

Gonzales described himself as "a boat person who arrived in March 1977" from Cuba, Condon said.

Mandela restrictions lifted

JOHANNESBURG, South Africa — The government said Monday it lifted all restrictions against anti-apartheid activist Winnie Mandela, but the press was warned to be careful about quoting her under national emergency regulations.

Police reported that a 58-year-old white man was shot to death in the Port Elizabeth black township of Zwide after dropping off black workers, the 141st person reported killed in political violence since the emergency was declared June 12.

Also Monday, about 10,000 black gold and diamond miners were on strike or staging slowdowns to protest the detention of union leaders under the emergency declaration. The multi-racial Metal and Allied Workers Union representing 50,000 workers said its challenge of the state of emergency would be heard in the Durban Supreme Court on Tuesday.

The restrictions on Mrs. Mandela for the past 20 years governed where she could live and visit and to whom she could speak. Her husband Nelson, an

African National Congress leader, has been in jail since 1964 serving a life term for plotting sabotage.

Mrs. Mandela has openly defied many of the restraints. She has had a series of scuffles with security police since January after she ignored her banishment to the rural town of Brandfort and moved to Soweto, Johannesburg's black township.

Mrs. Mandela's name was missing from a Government Gazette listing Friday of banned people. Those so sanctioned may not be quoted by the news media and may not meet with more than two people at a time.

Under the emergency regulations, no one may be quoted saying anything considered subversive or furthering the aims of the African National Congress, the main black guerrilla organization fighting to overthrow the government and end apartheid, the system under which 5 million whites dominate 24 million voteless blacks.

Ninety-seven people remain on the list of banned people.

Reagan administration looks for Marcos role in Philippine uprising

WASHINGTON — The Reagan administration said Monday it wants to find out whether deposed Philippine President Ferdinand Marcos played a role in the latest uprising against the government of Corazon Aquino.

While rebuking supporters of Marcos for the rebellion over the weekend, the White House did not immediately make it clear whether the uprising would jeopardize Marcos' stay in this country.

Marcos was given safe haven in

Hawaii in late February, when his 20-year rule of the Philippines crumbled and he was ousted by Mrs. Aquino following a presidential election Marcos had called.

Principal Deputy press secretary Larry Speakes refused to say whether the administration contemplated any reprisals against the exiled Marcos — even if U.S. officials find that he fomented the newest challenge to Mrs. Aquino.

A Lesson on Language

Court gives public schools right to suspend foul-mouth students

WASHINGTON — Saying public schools have a duty to teach "the habits and manners of civility," the Supreme Court on Monday gave school administrators nationwide broad disciplinary powers that include suspending students who use vulgar language.

By a 7-2 vote, the court upheld the 1983 suspension of a Spanaway, Wash., high school senior for giving an assembly speech filled with crude sexual allusions.

"Schools, as instruments of the state, may determine that the essential lessons of civil, mature conduct cannot be conveyed in a school that tolerates lewd, indecent or offensive speech and conduct," Chief Justice Warren E. Burger wrote for the court.

"Surely it is a highly appropriate function of public school education to prohibit the use of vulgar and offensive terms in public discourse," Burger

said. Matthew Fraser's one-minute speech in support of a friend's candidacy for student body vice president of Bethel High School contained no dirty words, but it caused a brief uproar among his fellow students.

In the speech, Fraser described his friend as "a man who is firm — he's firm in his pants... his character is firm... a man who will go to the very end, even the climax, for each and every one of you."

His friend won the election by a wide margin.

Officials at the school in suburban Tacoma suspended Fraser for three days for violating a school rule banning disruptive conduct. Now a student at the University of California at Berkeley, Fraser sued school officials. He was forced to miss two days of school before his suspension was lifted.

In Brief

Bacteria found in Polar B'ars

GLENVIEW, Ill. — Officials searching for the source of bacteria found in ice cream bars that may have sickened more than 170 people in seven states began dismantling a Kraft Inc. plant in Virginia on Monday.

"We're going to keep at it until we find the source," said Kraft spokesman Paul Johnson from company headquarters in this Chicago suburb. He said the company hopes to reopen the Richmond plant in 30 to 60 days.

People in seven states reported flu-like symptoms after eating Polar B'ar ice cream bars. But none of those afflicted have tested positive for listeriosis, a potentially fatal disease caused by the *Listeria monocytogenes* bacteria that was found in ice cream bars at the plant.

The plant was closed Thursday after the *Listeria* bacteria were found in Checkerberry flavor Polar B'ars, which had left the factory nearly a month earlier. That day, Kraft — working with the FDA — recalled all Polar B'ars that had been made at the plant as a precaution.

Polar B'ars made at Kraft plants in Framingham, Mass., and Huntington, Ind., are not affected by the recall.

Gasoline most dangerous cargo

WASHINGTON — Although nuclear material and hazardous waste get the publicity, gasoline is the most dangerous cargo in the nation's transportation system, congressional researchers said Monday.

Gasoline accounts for half of all hazardous material carried on the highways, and its accidents result in "more deaths and damages than all other hazardous materials accidents combined," said a study by the Office of Technology Assessment.

Most gasoline truck traffic is within one state and not subject to direct federal regulations. The average trip is only 28 miles, in deliveries to service stations, researchers said.

There are 1,500 gasoline tanker truck spills reported each year to the Transportation Department, which OTA believes to be fewer than actually occur.

The office estimated that there were 225 tanker rollovers and 88 resulting fatalities each year.

Accidents could be lessened in number and severity with a better tank trailer design that has a lower center of gravity, the study said. It noted that complications such as excessive width or too much empty weight has prevented wide consideration of substitute designs proposed so far.

The department is studying regulations to improve performance of tanks, including annual leak testing and stronger manhole covers.

Live skinning marks celebration

LUSK, Wyo. — Lusk will mark its centennial later this month by skinning a man alive for the first time in 20 years.

The skinning, complete with whooping Indians, will occur during a re-enactment of the "Legend of Rawhide," a local production first performed in 1946 and later made into a full-length motion picture.

According to the celebration's organizers, the legend dates to the mid-1800s when a wagon train headed for California passed through the area.

"One trigger-happy youth, Clyde Pickett, kills an Indian Princess because he's heard the horror stories of scalplings, massacres, and mutilations done by Indians and wants to retaliate," the organizers explain in a press release.

"The Indians, formerly peaceful, are riled to white hatred for this senseless killing and demand retribution. The whites do not want to give up the guilty man for they learn that he will be skinned alive and burned."

"Clyde, being pragmatic even though impetuous, does not want to see the people he has lived with in such danger. He gives himself up to the circling hordes."

"Fear grips the wagon train and, in spite of their sympathies, they make a terrified dash to Fort Laramie 40-miles away, leaving Clyde to his horrible death at the foot of the range of foreboding blue-black buttes later named Rawhide."

The drama was played each year from 1946 until 1966, when it was halted because of rising costs.

Daily Nebraskan

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The Daily Nebraskan (USPS 144-080) is published by the UNL Publications Board Monday through Friday in the fall and spring semesters and Tuesdays and Fridays in the summer sessions, except during vacations. Readers are encouraged to submit story ideas and comments to the Daily Nebraskan by phoning 472-1763 between 9 a.m. and 5 p.m. Monday through Friday. The public also has access to the Publications Board. For information, contact John Hilgert, 475-4612. Subscription price is \$35 for one year. Postmaster: Send address changes to the Daily Nebraskan, Nebraska Union 34, 1400 R St., Lincoln, Neb. 68588-0448. Second-class postage paid at Lincoln, NE.

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