

## Thomas expected to cast swing vote in cigarette case

WASHINGTON — A Supreme Court apparently deadlocked in a high-stakes dispute over health warnings for cigarette smokers Monday ordered the case reheard, presumably so Clarence Thomas can cast a tie-breaking vote.

In a brief order, the justices said they will hear new arguments in the case to help them decide whether

cigarette manufacturers may be sued for allegedly misrepresenting the dangers smokers face. The new arguments will be held in January on a date yet to be determined, court officials said.

The court gave no indication that it wished to expand the scope of its inquiry or focus on a particular question that may have been left unan-

swered when the case was first argued Oct. 8.

That strongly suggests that a 4-4 deadlock prompted the need for reargument, and Thomas could cast the decisive vote after he is sworn in Nov. 1 as the court's ninth member.

Some justices expressed doubts during the Oct. 8 argument that Congress intended to let smokers sue

tobacco companies in state courts.

The case, stemming from a New Jersey family's eight-year battle with the cigarette industry, is likely to be decided by July.

"It sounds like they're deadlocked on some issues. But it doesn't tell us anything," said Cynthia Walters, a lawyer for the family of Rose Cipol-

lone. Cipollone, from Little Ferry, N.J., died in 1984 of lung cancer at age 58. She had smoked cigarettes for 42 years.

The central issue is whether federally required warnings on cigarette packs shield manufacturers from suits alleging that their advertising conceals the hazards of smoking.

## Details loom for talks

WASHINGTON — Frustrated in his efforts to arrange an Arab-Israeli settlement, former U.S. Secretary of State George Shultz used to say with a sigh: "The devil is in the details."

And it's the details that could derail the Oct. 30 Middle East peace conference Secretary of State James Baker labored for eight months to arrange.

The reason: Details also go to the heart of the Arab-Israeli conflict, and in dealing with them the Bush administration is conscious of the potentially explosive fallout.

U.S. diplomats are being assigned as liaisons to each of the Arab delegations and to the Israelis. They are available to give advice if asked and to try to snuff out procedural problems before they erupt.

"My sense is that the conference will last, assuming it occurs," a wary senior U.S. official said Friday night in Jerusalem even as the invitations were on their way.

The seating arrangements, the configuration of the negotiating table, even the titles printed on the plaques in front of the delegations still must be decided.

The conference will start Oct. 30 in Madrid under the cosponsorship of the United States and the Soviet Union. There will be 12 speakers over two to three days.

President Bush and Soviet President Mikhail Gorbachev will make speeches. So will Baker and Soviet Foreign Minister Boris Pankin.



**1949:** After the 1948 war of independence, at talks on the Mediterranean island of Rhodes, agreements signed creating armistice lines between Israel and neighboring states of Egypt, Jordan, Lebanon and Syria.

**1949:** Negotiations aimed at permanent peace held under U.N. auspices in Lausanne, Switzerland; talks fail largely on issue of Palestinian refugees.

**1973:** UN-sponsored Geneva Conference following the 1973 Yom Kippur war. Syria refuses to attend, but Egypt, Jordan and Israel present opening statements; the conference adjourns and never resumes.

**1974:** Secretary of State Henry Kissinger works out agreements disengaging Israel's forces from those of Egypt and Syria. Israel withdraws from part of the Golan Heights and the Sinai, and sets up buffer zones.

**1977-79:** Egyptian President Anwar Sadat's trip to Jerusalem in 1977 leads to Camp David talks mediated by President Carter the following year and Israel's peace treaty with Egypt, signed in March 1979. Israel gives up Sinai Peninsula, which it captured in the 1967 Middle East war.

**1981:** U.S. special envoy works out cease-fire on the Lebanese-Israeli frontier between Israel and the PLO, whose guerrillas were firing rockets into Israel. It breaks down in renewed shelling by both sides and an assassination attempt on an Israeli diplomat in London by a renegade PLO faction, leading to Israel's 1982 invasion of Lebanon.

**1983:** In May, unofficial Israeli-Lebanese peace agreement reached under U.S. auspices; falls apart when Syria refuses to accept it.

**1985-86:** Secret contacts between Israel and Jordan's King Hussein aimed at talks between Israel and a joint Jordanian-Palestinian delegation; effort collapses.

## Hostage-release reports conflict

### American's whereabouts uncertain

BEIRUT, Lebanon — There were reports that an American hostage was freed Monday, but his whereabouts were unknown and a senior Syrian official cast doubt on whether the release had taken place.

In Washington, the White House said it had no evidence of a hostage release. "We have to assume at this point he has not been released," said spokesman Marlin Fitzwater.

Another official in Washington, who spoke on condition of anonymity, said the United States had been told a hostage had been freed but was not sure where he was.

He said the situation was not alarming and that it was only a question of determining the release arrangements made by the United Nations, which has taken the lead role in the negotiations.

Numerous events in Lebanon could have delayed the process, including fierce fighting around the headquarters of the Muslim Shiite Hezbollah group in the Bekaa Valley city of Baalbek, where many of the hostages are believed held. Eight people were killed and 15 wounded in the fighting.

An editor in the Beirut office of Iran's Islamic Republic News Agency said Turner was set free at 1 p.m. The editor, who refused to be identified, said he had no further details.

He did not know where the 44-year-old computer science professor had been let go.

Nine Westerners, including Turner, are being held in Lebanon. Earlier Monday, Israel freed 15

Lebanese prisoners. The releases began eight hours after the Islamic Jihad for the Liberation of Palestine said it would release a hostage within 24 hours, or by 5 p.m. Monday.

The group also holds American Alan Steen. It did not mention either captive by name, but its statement was accompanied by a picture of Turner.

The prisoners' release occurred despite the ongoing battle between Israel and Shiite Muslim guerrillas in southern Lebanon.

The other group holding Westerners, Islamic Jihad, issued a statement later saying the Israeli raids into southern Lebanon on Monday threatened the delicate process.

Israeli warplanes blasted a guerrilla base of the pro-Iranian Hezbollah, or Party of God, wounding three civilians. The raid came a day after a Hezbollah bomb attack in the same region killed three Israeli soldiers.

Hezbollah is believed to be the parent group for Shiite factions holding most of the eight Westerners missing in Lebanon.

The Arab prisoners released included 12 Shiites and two Greek Orthodox Christians. They were released from the Khiam Prison in the zone Israel controls in southern Lebanon, according to the International Committee for the Red Cross. The Shiites included two women.

Israel also released Hezbollah activist Ali Fawaz from its jail in Ramleh, in central Israel.

## Firefighters contain Oakland fire after at least 10 die

OAKLAND, Calif. — An armada of fire trucks swarmed over the hills above Oakland on Monday as firefighters contained a deadly \$1.5 billion blaze that left at least 400 hillside homes in smoldering ruins.

The massive brush fire raced through affluent districts overlooking San Francisco Bay on Sunday and burned through the night. It killed at least 10 people, injured nearly 150 and chased 5,000 out of their homes, according to city and state officials.

Ten people were reported missing, and at least 200 non-residential buildings were destroyed.

Dawn brought an eerie sight: banks of gray smoke swirling above blackened neighborhoods, soft winds sighing through streets as quiet as a ghost town.

"You could see terrible devastation," Gov.

**“ You could see terrible devastation. What showed up . . . as burning hot spots in that black of night, this morning were clearly the charred ruins of hundreds of homes. ”**

Pete Wilson  
California governor

Pete Wilson said after surveying the area by helicopter. "What showed up . . . as burning hot spots in that black of night, this morning were clearly the charred ruins of hundreds of homes."

Wilson on Sunday declared an emergency and said he was asking President Bush to make the declaration on a national level.

Fires also raged in several Western states, including Colorado, Oregon and Washington.

The largest fires were in Montana, where wind of up to 70 mph was expected to fan flames that had already consumed 200,000 acres.

In Oakland, Fire Chief Phillip Lamont Ewell said the fire was contained at dawn and firefighters hoped to have it under control by nightfall.

Morning commuter traffic was a disaster. The fire forced closure of two highways that

connect suburban Contra Costa County to Oakland. Bay Area Rapid Transit trains also shut down.

The ravenous blaze roared out of the tinder-dry hills above Oakland and Berkeley at about midday Sunday, racing through fashionable neighborhoods tucked between woods and canyons, many commanding sweeping views of the bay.

Early damage estimates stood at \$1.5 billion, according to figures handed out by city officials. The fire burned over about 1,700 acres.

Among the victims was a family of five who died trying to escape a burning home. A fire battalion chief and a police officer also were killed, said Alameda County Supervisor Don Perata.

## Lawmakers starting to pick sides in debate over tax cuts

WASHINGTON — Congressional Democrats and Republicans lined up behind competing tax-cut plans Monday amid indications that any action likely will be delayed until the 1992 election year.

At the White House, the Bush administration withheld its endorsement from the newest plan, a middle-income tax cut proposed by Sen. Lloyd Bentsen, D-Texas, and a spokesman

said the president may offer his own middle-class bill this week.

"It's not a sure thing that it will happen but we are working on it this week," said White House spokesman Marlin Fitzwater.

Although Rep. Dan Rostenkowski, D-Ill., chairman of the House Ways and Means Committee, has insisted for months that he wants no tax bill this year, a spokesman said

Monday that he probably will offer his own version later this month.

Members of Congress draw two conclusions from the new flurry of tax-cut talks:

• Any plan that wins Republican backing will have to include a cut in taxes on capital gains.

• Democrats will insist that the bulk of any tax cut go to those with incomes of less than about \$80,000.

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