

(BURNETT DISQUALIFICATION CHALLENGED)

SAIPAN, JUNE 14 (MNS) --- THE CASE OF TRUST TERRITORY CHIEF PUBLIC DEFENDER ROGER L. ST. PIERRE TOOK A NEW TURN THURSDAY (JUNE 13) WHEN HIS ATTORNEY, BENJAMIN ABRAMS, FILED A MOTION TO HAVE TT CHIEF JUSTICE HAROLD BURNETT RECONSIDER HIS ORDER TO DISQUALIFY HIMSELF FROM HEARING ST. PIERRE'S APPEAL.

ABRAMS, AN ASSISTANT PUBLIC DEFENDER, WOULD NOT ELABORATE ON THE GROUNDS FOR HIS MOTION OTHER THAN TO SAY THAT HE WAS "OPTIMISTIC." BURNETT, WHO DISQUALIFIED HIMSELF MONDAY (JUNE 10), WILL HOLD A HEARING ON THE MOTION NEXT WEEK.

THE MOTION FILED BY ST. PIERRE STATES THAT "GROUNDS DO NOT EXIST FOR ASSERTING DISQUALIFICATION."

THE ACTION IS THE LATEST IN A SERIES OF EVENTS WHICH HAVE CONTINUED FOR OVER A YEAR IN THE CASE OF ROGER L. ST. PIERRE. THE TRUST TERRITORY CHIEF PUBLIC DEFENDER SINCE 1962. ST. PIERRE WAS INFORMED OF THE GOVERNMENT'S INTENTION TO REMOVE HIM FROM HIS POSITION IN APRIL, 1973.

THE TT BASED ITS DECISION ON ADMINISTRATION CHARGES THAT ST. PIERRE IMPROPERLY ACCEPTED A MONETARY GIFT IN CONNECTION WITH THE 1969 CHONG HEE ESTATE CASE IN THE MARSHALLS. ST. PIERRE HAS CONTENDED THAT HE IS A TRUST TERRITORY EMPLOYEE RATHER THAN A U.S. CIVIL SERVICE OR INTERIOR DEPARTMENT EMPLOYEE AND, THEREFORE, IS NOT SUBJECT TO FEDERAL REGULATIONS. THERE ARE NO TT REGULATIONS CONCERNED WITH ACCEPTANCE OF GIFTS IN CONNECTION WITH LEGAL MATTERS.

ACCORDING TO ONE SOURCE, OVER \$100,000 HAS BEEN SPENT BY THE GOVERNMENT IN PURSUING THIS MATTER. THIS INCLUDED AN ADMINISTRATIVE HEARING HELD IN APRIL OF THIS YEAR WHEN JUDGE ROBERT SNASHALL RULED THAT WHILE ST. PIERRE WAS GUILTY OF ACCEPTING AN IMPROPER GIFT, HE SHOULD ONLY BE SUSPENDED FOR 90 DAYS.

THE TT ADMINISTRATION, HOWEVER, CHOSE TO TERMINATE ST. PIERRE'S CONTRACT, EFFECTIVE MAY 31, 1974. IN A LETTER INFORMING ST. PIERRE OF THE ACTION, HIGH COMMISSIONER EDWARD E. JOHNSTON SAID, IN PART, "THE OFFICIAL POSITION YOU HELD, PERHAPS MORE THAN ANY OTHER SINGULAR FEDERAL GOVERNMENT POSITION THE TRUST TERRITORY, LENDS ITSELF TO THE MOST WIDESPREAD AND INTIMATE APPRAISAL OF THE AMERICAN PRESENCE BY THE CITIZENS OF MICRONESIA.

"YOUR ACTIONS," THE HICOM CONTINUED, "WERE CLEARLY SUCH AS TO REFLECT UPON THE INTEGRITY OF THE GOVERNMENT OF THE UNITED STATES."

JUSTICE BURNETT ISSUED A RESTRAINING ORDER ON MAY 30 WHICH PREVENTED THE TT FROM REMOVING ST. PIERRE AS CHIEF PUBLIC DEFENDER. AT THAT TIME, ABRAMS' FILED A MOTION TO HAVE THE HIGH COURT RULE ON WHETHER OR NOT ST. PIERRE IS EMPLOYED BY THE TRUST TERRITORY. BURNETT DISQUALIFIED HIMSELF FROM HEARING THE CASE MONDAY CITING HIS PARTICIPATION IN THE ADMINISTRATIVE HEARINGS, PERSONAL CORRESPONDENCE, AND OTHER UNSPECIFIED "CONSIDERATIONS."

THE RESTRAINING ORDER, HOWEVER, IS STILL IN EFFECT.

(SANTOS CHARGE DISMISSAL MULLED)

SAIPAN, JUNE 14 (MNS) --- A MOTION TO DISMISS THE TRUST TERRITORY'S CHARGES AGAINST VICENTE N. SANTOS, PRESIDENT OF THE MARIANAS ISLANDS DISTRICT LEGISLATURE, HAS BEEN TAKEN UNDER ADVISEMENT BY TT CHIEF JUSTICE HAROLD W. BURNETT, ACCORDING TO THE FRIDAY (JUNE 14) ISSUE OF THE PACIFIC DAILY NEWS.

SANTOS WAS CHARGED IN A TT GOVERNMENT CIVIL COMPLAINT, FILED APRIL 11, WITH HAVING MISUED MORE THAN \$35,000

1974
11

IN PUBLIC FUNDS SINCE 1970.

ARGUMENTS ON THE MOTION WERE HEARD IN TT HIGH COURT ON SAIPAN THURSDAY (JUNE 13). BURNETT INDICATED HE MAY RULE ON THE MOTION WITHIN A FEW DAYS.

SANTOS'S ATTORNEY, JOAQUIN C. ARRIOLA OF GUAM, MOVED LAST MONTH TO HAVE THE COMPLAINT DISMISSED ON GROUNDS THE TT LACKS THE RIGHT TO SUE IN THIS CASE. ARRIOLA'S PARTNER, DOUGLAS F. CUSHINE, ARGUED THAT THE MONEY ALLEGEDLY MISAPPROPRIATED BY SANTOS BELONGED TO THE MARIANAS DISTRICT

LEGISLATURE AND THAT THEREFORE THE TT GOVERNMENT HAS NO RIGHT TO DEMAND THAT IT BE RETURNED.

SPEAKING FOR THE TT GOVERNMENT, PONAPE DISTRICT ATTORNEY MINOR POUNDS CONTENDED THAT THE TT IS THE PROPER PARTY TO BRING THE CHARGES. HE POINTED OUT THAT THE MARIANAS GOVERNMENT IS NOT A CHARTERED GOVERNMENT SEPARATE FROM THE TT GOVERNMENT. THE DISTRICT TREASURER, WHO PAID THE EXPENDITURES REQUESTED BY SANTOS, IS A TT EMPLOYEE, ACCORDING TO POUNDS. HE ADDED THAT BECAUSE THE MONEY WAS IN THE TREASURER'S POSSESSION, THE TT HAS THE RIGHT TO DEMAND REPAYMENT.

POUNDS SAID THE MARIANAS DISTRICT LEGISLATURE COULD NOT HAVE BROUGHT THE COMPLAINT BECAUSE IT LACKS THE CAPACITY TO SUE IN ITS OWN NAME.

BURNETT ALSO IS CONSIDERING A GOVERNMENT MOTION TO ALLOW DISCOVERY OF RECORDS PERTAINING TO THE CHARGES AND THE TAKING OF DEPOSITIONS FROM PARTIES INVOLVED. BOTH SIDES WOULD HAVE FULL DISCOVERY RIGHTS IF THE MOTION IS GRANTED, THE DAILY NEWS ACCOUNT STATES. IN ITS COMPLAINT, BASED ON AN AUDIT OF THE MARIANAS DISTRICT LEGISLATURE, THE TT ASKED SANTOS TO RETURN THE \$35,346.88 IT SAID HE HAD FRAUDULENTLY TAKEN, TOGETHER WITH INTEREST AND ANY OTHER FUNDS FOUND TO HAVE BEEN ILLEGALLY USED.

(NEW BONDERS FOR AIRAI BRIDGE CONTRACTORS)

SAIPAN, JUNE 14 (MNS)---THE AJU CONSTRUCTION COMPANY OF KOREA HAS CONTRACTED WITH A NEW BONDING COMPANY TO SUPPORT THEIR TRUST CONTRACT TO BUILD THE AIRAI BRIDGE IN PALAU.

ACCORDING TO A SPOKESMAN FOR THE TT DEPARTMENT OF PUBLIC WORKS, AJU HAD ORIGINALLY INDICATED THAT THE NANBO INSURANCE UNDERWRITERS WERE TO PUT UP THE BONDS. HOWEVER, DIFFICULTIES IN FULFILLING ALL REQUIREMENTS OF TRUST TERRITORY CONTRACT PROCEDURES PREVENTED NANBO, AS AGENTS FOR A JAPANESE INSURANCE COMPANY, FROM ISSUING THE BONDS.

THE SPOKESMAN INDICATED THAT THE KOREAN REINSURANCE CORPORATION, WHICH IS LICENSED TO OPERATE IN GUAM, HAS DECIDED TO ISSUE AJU'S BONDS. THE BOND VALUES ARE \$4.5 MILLION FOR PERFORMANCEN, AND \$2,250,000 FOR PAYMENT.

THE TT PUBLIC WORKS DEPARTMENT IS EXPECTED TO GIVE AJU A CONDITIONAL NOTICE TO PROCEED ON THE BRIDGE CONSTRUCTION SOMETIME NEXT WEEK, THE SPOKESMAN SAID. ONE FACTOR IN THE DELAY IS THAT THE QUNSTRUCTION COMPANY IS SUBMITTING REVISED PLANS FOR THE AIRAI BRIDGE AND NOT ALL OF THE PLANS HAVE BEEN RECEIVED AT PUBLIC WORKS.

THE AIRAI BRIDGE, WHICH WILL LINK BABELTHUAP AND KOROR, IS EXPECTED TO BE COMPLETED IN MID 1977.

(CONCON ELECTION RESULTS)

SAIPAN, JUNE 13 (MNS)---THE UNOFFICIAL FINAL RESULTS OF MICRONESIA'S FIRST CONSTITUTIONAL CONVENTION ELECTION HAVE BEEN COMPILED AT TRUST TERRITORY HEADQUARTERS ON SAIPAN. THE FOLLOWING IS A LIST OF CANDIDATES AND THEIR VOTE TOTALS

0-1170

BY DELEGATE DISTRICT:

MARIANAS DISTRICT

DISTRICT 1 (ROTA, TINIAN, AND SOUTHERN SAIPAN)

JOE R. CRUZ 314
OSCAR RASA 291
ISAAC CALVO 199

DISTRICT 2 (MUNICIPAL DISTRICTS 1-4 ON SAIPAN)

LARRY CABRERA 676
JOHN LIZAMA 199

DISTRICT 3 (MUNICIPAL DISTRICTS 7 AND 11 ON SAIPAN)

LUIS LIMES 217
CARLOS CAMACHO 193
DAVE MARATITA 147
SYLVIO ADA 49

DISTRICT 4 (MUNICIPAL DISTRICTS 5,8,9,10 ON SAIPAN AND
AGRIHAN, PAGAN, ALAMAGAN, SARIGUAN, AND ANATAHAN)

JOAQUIN I. PANGELINAN 365
ALFONSO RASA 260
PAZ YOUNIS 77

YAP DISTRICT

DISTRICT 1 (YAP PROPER ELECTING TWO DELEGATES)

LUKE TMAN 488
SAMUEL FALANRUW 403
JOHN THARNGAN 380
RAHEL DABCHUREN 364
FERNANDO 324
BERNARD YOU 203
VICENTE YINUG 196
ROBERT RUECHO 182
ANDREW RUEPONG 96
ANDREW FIGIRMAD 85
ALOYSIUS TUNTH 56
PATRICK MANGAR 34

DISTRICT 2 (OUTER ISLANDS)

HILARY TACHELIOL 883
J. HAGLELGAM 356

PALAU DISTRICT

DISTRICT 1 (KOROR AND THE FOLLOWING MUNICIPALITIES ON
BABELTHUAP - AIRAI, AINELIK AND NGATPANG ELECTING TWO DELEGATES)

JOHNSON TORIBIONG 1,485
SANTOS OLIKONG 1,093
MINORU UEXI 829
YOICHI KOHAMA 479
LUKE BEKEBEXMAD 377
SURANGEL S.W. 190

DISTRICT 2 (KAYANGEL ATOLL AND REMAINING MUNICIPALITIES ON
BABELTUAP ELECTING TWO DELEGATES)

JOHN NGIRAKED 680
JACOB SAWAICHI 415
ICHIRO MOROS 328
KAZUO ASANUMA 292
NOBUO SWEI 220
FRANCISCO ULUDONG 149
EMIL RAMARUI 88
BONIFACIO BASILIUS 73

DISTRICT 3 (ANGAUR, PELELIUS, SONSOROL, TOBI, AND PULO ANNA)

TOSIWO NAKAMURA 176
MITSUO SOLANG 123
MARIANO W. CARLOS 114
VICTORIO UCHERBELAU 31

PONAPE DISTRICT

DISTRICT 1 (KUSAIE, ELECTING TWO DELEGATES)

HIROSI ISMAEL	657
TADAO P. SIGRAH	650
JACOB NENA	645
YOSIWO GEORGE	546
DONALD JONAH	144
CLAUDE H. PHILLIP	45

DISTRICT 2 (KOLONIA AND PINGELAP)

KIKUWO APIS	273
YASUO YAMADA	173
ITOR HARRIS	127
DELSON EHMES	103
SOSIRO ELIAM	53
OLTER PAUL	26
JOSEPH S. PHILLIP	21

DISTRICT 3 (MOKIL, NGATIK, NUKUORO, AND KAPINGAMARANGI)

APINEL MATEAK	368
GAIUS EDWIN	310

DISTRICT 4 (UH)

LEO A. FALCAM	468
SANTIAGO JOAB	1

DISTRICT 5 (MATALANIHM)

DARO WEITAL	352
MINORU LUIS	179
JOHNNY HADLEY	129
BERNARD HELGENBERGER	111
HERBERT GALLEN	85

DISTRICT 6 (KITTI)

WILLIAM EPERIAM	153
HERMAN SEMES	137
PAUL LUHK	133
EDGAR EDWARDS	116
KASIANO JOSEPH	87

DISTRICT 7 (SOKEHS)

STRIK YOMA	449
HILARY CONRAD	164
SHEM JIMMY	124
PEDRO HARRIS	24

DISTRICT 8 (NETT)

HEINRICH IRIARTE	275
IOANES EDMUND	92
MARTY RODRIGUES	86
MAX MALLARME	86
QUIRINO MENDIOLA	52
RILUS HELGENBERGER	41

MARSHALLS DISTRICT

DISTRICT 1 (MAJURO ATOLL)

JOHN FEENE	132
AMATA KAPUA	8
HENRY SAMUEL	4
CARL HEINE	3
BIRASH JOSEPH	1
ISAAC LANVI	1
TONE SAUER	1

DISTRICT 2 (ARNO AND MILI)

LANGUE KALLES	123
HENRY MOSES	116
JOAB LARAN	24
LEIT KORRIN	21
ALEE ALIK	3
ARMOND ARMONTA	2
CHUJI CHUTARO	2
AMATA KABUA	1
LEWOD RILOMETO	1

EBEL TERILANG	1
TOKO BOTLA	1
DISTRICT 3 (WOTJE, MALOELAP, ERIKUB AND AUR)	
ISAAC LANWI	74
LAURENCE N. EDWARDS	59
DISTRICT 4 (EBONDAND NAMORIK)	
MARY LANWI	111
LEANDAR NELLAN	3
JAMO JIBAS	2
ISAAC LANWI	1
DISTRICT 5 (KILI AND JALUIT)	
CARL HEINE	316
ATAJI BALOS	62
EKPAP SILK	3
DISTRICT 6 (AILINGLAPALAP, JABWOT AND NAMU)	
KINJA ANDRIKE	20
ATJANG PAUL	12
TOKNE LOEAK	7
MORRY SAMSON	7
TIPNE PHILIPPO	6
ATLAN ANIEN	5
SAILASS ANDRIKE	4
JONATHAN MOTE	4
ANJUA LOEAK	3
HERRY R.	3
JEMBAR	2
AMATA KABUA	2
AMRAM DIMOTE	2
AINI K.	2
JOHN R. HEINE	1
LEJELLAN KABUA	1
MAITOL WATAK	1
DISTRICT 7 (KWAJALEIN, UJAE, LAE AND LIB)	
TIPNE PHILLIPPO	57
ATAJI BALOS	18
ALEK LEJANNA	6
DISTRICT 8 (MELANG, ENIWETOK, BIKINI, RONGELAP, AILINGINAE, RONGELIK, RONGO, AILUK, TAKA, BIKAR, RAONGI, AND UTIRIK)	
HEROS JACK	75
NAMO HERMIOS	14
ATAJI BALOS	4
BEMRY BUNGLICK	4
NETVA KARBEN	3
CHAM BORNICK	3
LEA EDWARDS	3
JETON ANJAIN	1
CARL HEIN	1
READ TYPHOON	1
DISTRICT 9 (MEJIT AND LIKIEP)	
TOM KIJINER	8
KANKI AMLEJ	6
LEONARD DE BRUM	1
DONAL CAPELLE	1
ALFRED CAPELLE	1
TRUK DISTRICT	
DISTRICT 1 (MOEN - TWO DELEGATES ELECTED)	
SASAUO HARUO	1,056
FRANK NOFON	875
NGAS KANSOU	563
NAOHY SELIFIS	330
SOCHKI STEPHEN	237
FUJITA PETER	99
MIASIRO ALBERT	55
DISTRICT 2 (DUBLON)	

SOUKICHI FRITZ	522
SINCHY KAPUICH	201
WERNER	1
ENIAS	1
DISTRICT 3 (UMAN)	
SOITER METI	361
CHIRO ALBERT	281
TARUMA SONI	73
TRUK DISTRICT (CONT.)	
DISTRICT 4 (PAREN, TSIS, AND FEFAN)	
MAKETO ROBERT	516
ERADIO WILLIAM	304
ENIS NEDLEC	220
DISTRICT 5 (TOL, POLLE, WONEI AND PATA-TWO DELEGATES ELECTED)	
CHUTOMU NIMWES	1,330
HANS WILLIANDER	1,108
KASIO MIDA	851
MENCHOR MOSES	282
DISTRICT 6 (UDOT, FELA-BEGUETS, EOT AND ROMALUM)	
TATASI WAINIT	562
NATSA SIREN	12
HERMES KATSURA	4
A. MATAICHY	4
MITARO DANNIS	2
SAKA	1
FIMIO OTTO	1
DISTRICT 7 (MORTLOCK ISLANDS) UNOFFICIAL WINNERS:	
MAJUEL SOUND	
KOTARO HELDARD	
ISKIA SONY	

THE TABULATION FOR DISTRICT 7 HAD NOT REACHED HEADQUARTERS BY FRIDAY (JUNE 14). RESULTS FROM DISTRICT 8 IN TRUK WERE NOT EXPECTED UNTIL NEXT WEEK.