

Nabors Saw Pilfered

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SAIPAN—Marianas parties attorney William B. Nabors testified he saw or was given copies of four Continental/Air Micronesia telex messages by an American airlines employe, but denied any involvement in efforts to use political status to influence the Civil Aeronautics board and disclaimed any financial relationship with Pan Am in yesterday's session of a

CAB hearing on the Saipan-Japan air route.

Air Mike, Pan Am and Northwest Orient Airlines are competing for the new Pacific route.

Nabors, a private practicing attorney, has participated in the hearing as counsel for the Marianas parties, which support an Am.

The sole witness yesterday, he was on the stand more than four hours.

He told the hearing he was given access to the Continental telex copies by Pan Am Saipan sales representative Stanley Torres.

Nabors said he was not told or did he ask Torres who supplied him with the telex messages.

"Did it worry you that Torres was giving you information on all these messages obtained from Continental Employee?" CAB attorney Chris Browne asked.

"No," Nabors said.

"Don't you feel as an attorney and an officer of this court an obligation to report the matter to a public official," Browne continued.

"No, because it would have been of no benefit—the record of the high court speaks for itself," Nabors replied.

Nabors wrote the CAB last night stating he had "evidence" that the Micronesian districts' protest of Administrative Law Judge Marvin Shapiro's endorsement of Pan Am to the United Nations Trusteeship Council in June was engineered by "one of the parties in this case," namely Air Mike.

He testified he did not attempt to verify the charge with members of the Congress of Micronesia.

His evidence, he said yesterday, was the "Hydeman telexes." One, which Continental/Air Micronesia attorney Lee Hydeman claims in an affidavit does not exist, first was brought to the attention of the CAB in an affidavit last November.

It was signed by former Air Mike employe John L. Sablan who claimed he copied the disputed telex verbatim and that it read, in part:

"Urgent request your effort to urge Congress of Micronesia Amaraich/Salii/Henry/Nakayama/Tenerio (sic) to file complaint to United Nations Trusteeship Council of Judge Shapiro's recommendation of Pan Am. Hydeman."

Nabors said in testimony he "expressed a sigh of disbelief" when he first saw the contents of the alleged message — disbelief at what he considered Air Mike's efforts in influencing COM members.

When asked on what basis he considered the reliability of Torres' copy, Nabors said, "I was satisfied in my own mind that the information was correct."

Much time was spent in yesterday's session on the question of Nabors' legal relationship with Sablan.

He testified Sablan never retained him as his attorney and that he received no fees from him.

Yet Nabors also first deemed himself counsel for Sablan in November 1973 when he presented the affidavit signed by Sablan to the CAB just prior to oral arguments before the CAB in Washington.

He said his trip to Washington was at Pan Am expense.

"No normal request was made by John Sablan and no agreement was made by me," Nabors said.

When questioned after the day's session, Nabors said, "I had no formal legal relationship with Sablan, but would not hesitate to provide him with such legal assistance as he may need involving this case because he was willing to sacrifice — resign — from Air Mike — because of his sentiment in agreement with my client, the Marianas parties."

Telexes

Nabors said in testimony that he was asked numerous times by Continental Air Mike officials for a copy of the "Hydeman telex."

"I told them they could not have a copy."

Nabors told the hearing he did not have a copy when he was approached.

"They did not ask me if I had a copy — I did not tell them I did not."

Sablan testified last week he notified Nabors upon learning about the disputed telex. Yesterday Nabors denied that.

When asked by Air Mike attorney James Lloyd if he ever had been involved in an effort to use political status in an effort to get the CAB to make a ruling in the case, Nabors said, "We were made aware of a letter from the Department of State stressing the delicate nature of status negotiations discussed by the COM — I am unaware of any ultimatum referred to in what you've read."

"The Marianas negotiations are just as delicate," he added.

Nabors also testified that Pan Am has no financial interest in Pacific Industries Inc., a company he formed to build and operate a hotel here.

He also said neither he nor the company has any financial interest in Pan Am's planned Inter-Continental Hotel on Saipan.

Hydeman is scheduled to be today's first witness.