

Chief Justice, Clarence Thomas, signs a copy of his oath of office yesterday for a formal swearing-in ceremony. Waiting for him are (from left) Sandra Day O'Connor, John Paul Stevens, Byron White, Chief Justice. Missing from the scene is the ninth justice, Harry Blackmun.

Isolated, scientists say

Gene therapy may help treat cancer, genetic ailments

Scientists have an unprecedented means of restoring a patient's blood and immune systems when they are damaged by radiation, chemotherapy or disease. The so-called "hematopoietic stem cells" isolated by the researchers are unique in that they give birth to any of the red and white blood cells and platelets that circulate in the body. Scientists believe that giving a patient purified stem cells would be so much safer and quicker-acting a method of rebuilding a patient's blood-forming

cells that it could virtually replace the traumatic and risky bone marrow transplants used now in patients undergoing aggressive cancer treatments or who have severe blood diseases.

In addition, the availability of purified stem cells is viewed as a potential boost for gene therapy. Genes designed to treat inherited disorders would be more effective and last longer when implanted in stem cells. Up to now, genes have been inserted in other blood cells because scientists could not identify the stem cells.

"The implications are that you could manipulate the entire blood system," said Dr. Leonard Zon, a pediatrician and hematologist at Children's Hospital. **CELL, Page 44**



1987 AP PHOTO
FFNEY
Member to succumb

Defense bill curbs B-2, shifts \$1b to Soviets

By Michael K. Frisby
GLOBE STAFF

WASHINGTON - House and Senate negotiators virtually completed a \$291 billion defense budget yesterday that authorizes the president to redirect \$1 billion in military funds to humanitarian aid to the Soviet Union.

In addition, conferees approved broad-based funding for the Strategic Defense Initiative, confirmed a potentially fatal blow to production of the troubled B-2 bomber and supported a change allowing women to fly in combat.

Negotiators reached a compromise on the B-2 and other provisions by Thursday evening, but yesterday ended in a bitter dispute

over the proposal to assist the Soviet Union by providing emergency food and medical aid to help alleviate expected winter shortages.

Conservative Republicans, led by Sens. Trent Lott of Mississippi and Robert Smith of New Hampshire, demanded a vote on the Soviet aid in the Senate Armed Services Committee, but late yesterday committee aides said the Republicans had lost in their bid to stop the plan.

The bill does not order that the money be spent but instead allows President Bush to decide whether to spend all or part of the funds.

The defense authorization bill for fiscal 1992, which began Oct. 1, would provide \$4.15 billion for the Strategic Defense Initiative, the mis-

DEFENSE, Page 6

Baker, in closing, sounds warning to Israel, Palestinians meet tomorrow

By Ethan Bronner
GLOBE STAFF

MADRID - The first phase of the Middle East peace conference limped to an ugly close yesterday with Israel and its Arab neighbors accusing one another of terror, oppression and the shameless distortion of history.

Secretary of State James A. Baker 3d closed the session by lamenting that the parties "failed to deal adequately with the human dimension of the conflict," and warning that if the peace effort ran aground, the world would judge the region's leaders harshly.

The atmosphere became so poisonous that Syria was threatening not to attend the next, vital phase of the US-sponsored process - direct bilateral talks between Israel and each Arab delegation.

Officials of Israel and the Jordanian-Palestinian delegation said they would hold their first bilateral discussion tomorrow, but simply to set the procedural rules and venue for the following one-on-one session.

The location of the next rounds remained a focus of bitter dispute,

with Israel insisting they be held permanently in the Jewish state and Arab counterparts insisting they be held in the corresponding Arab country, or in a neutral location such as a city in Europe. Baker implied, saying the talks should be held in Madrid or, at least, in Europe.

"We cannot negotiate under duress," said the Palestinian spokeswoman, Hanan Ashrawt, explaining why her group refused to hold talks in Israel or in a Palestinian city in the occupied territories.

"We cannot negotiate in a place where our phones are tapped, our movements are monitored and we are subject to censorship and harassment. We need neutral ground," she said.

Syria's Foreign Minister Farouk S. al-Qadhi said simply that the Syrians liked it in Madrid and saw no reason to move. But he declined to say when the talks would begin. Representatives of all the Arab delegations discussed the issue late last night, but the outcome of that meeting was not immediately known.

Prime Minister Yitzhak Rabin, upon returning to Israel yesterday, told reporters that Israel would support the Madrid talks. **MADRID.**

Legal trouble for man who says he was bomb target

By John Ellement and Matthew Breits
GLOBE STAFF

One day after he said he was the target of the bomb that killed a Boston police officer in Roslindale on Monday, Thomas A. Shay faced legal troubles on at least three fronts, one of which landed him in jail in lieu of \$1,000 cash bail.

The latest incident occurred last night when Boston police went to Norfolk County Jail in Dedham and arrested the 19-year-old Shay for failing to appear in court on a 1989 charge of being a common street-walker, or prostitute.

Shay, according to a police spokesman, will be kept in custody until he is arraigned Monday in Boston Municipal Court on the July 27, 1989, default warrant.

Meanwhile, another law enforcement agency was planning to send a videotape it made of Shay's Thursday night press conference to the FBI in order to compare Shay's voice with that of a man who called

BOMB, Page 31

Inside

REAL ESTATE: A mall for small retailers

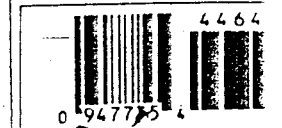
■ **After the storm:** Gov. W. Weld surveyed damage along the coast and declared six counties disaster areas. Page 21.

■ **End of an era:** Kenneth Kaunda has conceded defeat in Zambia, ending 27 years of one-party rule. Page 2.

■ **Tattoo you:** It's an illegal business in Massachusetts, but it is good for one practitioner. Living/Arts, Page 9.

FEATURES	CLASSIFIED
Ask The Globe 42	Classified
Business 26	Autos
Comics 42-43	Help Wanted
Deaths 40-41	Real Estate
Editorials 18	Apartments
Horoscope 42	Comm/Find
Living/Arts 9	Market Basket
Lottery 22	Yachts/Boats
Sports 33	
TV/Radio 17	

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as always in a log. is psychiatric problems," according to a forensic psychiatrist hired to examine Shay's father as part of a lawsuit brought against a Dedham man, who was hospitalized at the Gaebler Children at age 5. He had also lived at the Home, Spaulding Center wrote Weiner.

Shay was at Bridgewater State Hospital when he committed suicide when he was 17. At the hospital, Shay made the statement that he had been physically abused beginning at the age of 12, according to a confidential psychiatric report. The report was written by the abuser.

Shay was a member of the Department of Social Services spokesman said. "The Department of Social Services spokesman said that from at least 1980 until

nine days after Thomas A. Shay was arrested for a temporary restraining order, saying that on Oct. 30, 1981, that on other occasions he had

Coast Guard and other authorities.

In the midst of the search, Shay informed authorities that his story was a hoax, McGettrick said.

McGettrick also recalled an occasion when he was about 14 years old and was riding his bike near the Blue Hills Parkway in Milton. He said he saw Shay get into an empty refrigerator box, pull the lid closed behind him and then begin rolling the box down the busy parkway.

"He just climbed in it, closed it up and he rolled it all the way down the street," McGettrick said. "I thought it was a little suicidal, or something."

According to court records, Shay has made at least two suicide threats. Despite the history, his attorney, William C. McPhee, says he is not a threat to anyone, including himself.

"He's not a danger to himself. He is not a danger to others," said McPhee. "He is not involved in that Roslindale situation and unfortunately he finds himself caught up in an investigation that he knows nothing about."

Globe staff writer John Ellement contributed to this report.

Shay faces legal trouble on 3 fronts

McPhee vigorously objected to the bail, noting that the case involved a relatively minor charge and that Shay was willing to visit the probation office on a daily basis. He also insisted in the courtroom and with reporters afterward that Shay was unfairly being given a relatively high bail.

"Clearly there is an undercurrent that involved my client and his family and the tragic death of a Boston police officer," McPhee said. But he said Shay had "absolutely nothing" to do with the explosion that killed Hurley.

McPhee noted that Shay had been interviewed by Boston police and federal agents this week, but was not then arrested on the probation violation warrant. He also noted that Shay made himself available to reporters, a move that would have allowed authorities to locate and arrest him earlier this week.

But, they did not, he said. "Clearly, there is a very, very tragic circumstance that occurred. I'm sure that the Boston police are trying to do the best of their ability to solve the situation," McPhee said. "It appears to me that for whatever reason - whether or not it is as a target of the investigation or as a prospective witness of the investigation - that they want to keep him on ice."

According to court records, Shay had violated the terms of his probation in four ways. Records show he failed to report to probation officers and to notify them of his whereabouts, failed to document that he was attending four Alcoholics Anonymous meetings a week, and failed to make himself available for random drug testing.

Shay was arrested by Milton police on May 22, 1989, while driving a

1982 Mazda sedan that had been stolen at gunpoint from a Providence man in that city. It was unknown yesterday if Shay had been charged in Rhode Island.

Shay was convicted of receiving a stolen car and has already served 36 days of that term. Thirty of those days were spent at Bridgewater State Hospital, where Shay was sent for psychiatric evaluation after he told Norfolk County correctional officers that he was planning to kill himself, according to court records.

According to court records, Shay told Dr. Paul N. Gates in May 1989, while being held at the Norfolk County Jail, that he wanted to kill himself.

The records show that Shay told Gates he once tried to open the door of an airplane and jump out and that he had been sent to a special school for troubled children when he was 5 years old because he set his family's home on fire.

Shay was sent to Bridgewater State Hospital at Gates' recommendation. At Bridgewater, he was examined by clinical staff and was not found to be mentally ill at that moment, according to court records.

Shay, according to the court records, had been a patient in mental health institutions 10 times.

At the Quincy court, Shay was also arraigned in connection with his failure to appear in court following an April 1990 arrest by Metropolitan police on charges of operating without a license, operating without an inspection sticker and operating without insurance while driving a 1977 Chevrolet Monte Carlo.

Shay was also charged with giving a police officer a false name. Records show he told the officer his name was Thomas Ashay. A hearing date was set for Nov. 8.

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