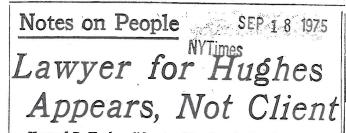
NEW YORK TIMES, THURSDAY, SEPTEMBER 18

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Howard R. Hughes did not appear in Manhattan Su-preme Court yesterday to prove that he is not dead.

But one of his lawyers was there to submit an affidavit answering a suit brought by two shareholders of an air-line taken over by Mr. Hughes in 1969.

line taken over by Mr. Hughes in 1969. Efforts by the shareholders to force Mr. Hughes to ap-pear in person to declare that he is alive smacked of blackmail, the affidavit said. The suit brought against Mr. Hughes and two companies he controls was brought by Victor and Ellen Kurtz, whose lawyer said the couple's objective was to make it possible for them to sue the Hughes companies in Delaware, where they are in-corporated. But, said Chester Davis, the lawyer for the defend-ants, in the Kurtz suit "in-ference is plain that the plaintiffs believe if they make enough of a nuisance of themselves, someone will pay them to go away; any ex-tended comment on the clan-

them to go away; any ex-tended comment on the clapextrap submitted in support of the application to declare Hughes dead would dignify it out of reason...and turn the judicial process into a theater of the absurd."

Mr. Davis moved for dis-missal of the suit, but Justice Bernard Nadel reserved decision.

In Paris, Isaac Stern, the American violinist, heaved a heavy sigh of relief when he received a telephone call in-forming him that his precious forming him that his precious Guadagnini violin

it's the devils that get all the attention.

the attention. At Bethesda Naval Medical Center yesterday, Represent-ative B. F. Sisk, the 64-year-old Democrat of Celifornia, underwent aortic surgery for three hours. The surgery was for repair of an abnormal weakening of the main artery carrying blood to the heart, caused by an aneurysm, or abnormal dilation of a por-tion of the aorta. The oper-ation included the opening of the aorta, lining it with plastic tubing, and reclosing the artery walls. Doctors at Bethesda said there were no complications... The office of Senator Philip A. Hart re-ported yesterday that a small nodule removed from the Michigan Democrat's right lung last Thursday was not cancerous. The isolated nod-ule was discovered at Bethes-da during tests to determine ule was discovered at Bethesda during tests to determine a possible primary source of a cancerous growth on Mr. Hart's arm.

Well, if she keeps talking well, if she keeps talking the way she did in Augusta, Ga., Tawny Elaine Godin, the recently chosen Miss Amer-ica, is not exactly going to endear herself below the Mason-Dixon Line. Prof-ferred the best-known South-erm breakfast dish unstandard ferred the best-known South-ern breakfast dish yesterday, the New Yorker grimaced and said "What are grits? It sounds so awful." And later: "I looked at it and smelled it, but I couldn't bring myself to eat it." ALBIN KREES