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WORLD AND NATION

Supreme Court rules for police

Associated Press

WASHINGTON — The Supreme Court, in a ruling late Monday, broadened police powers to conduct warrantless searches of cars suspected of carrying illegal drugs and made it easier to exclude from capital cases jurors who express doubts about the death penalty.

The twin victories for law enforcement officials were handed down by separate 7-2 votes in cases from Arizona and Florida.

In other matters, the court:
• Agreed to decide in a case from Virginia whether people may refuse, based on the privilege against self-incrimination, to give personal financial records to a grand jury.

• Ruled by an 8-1 vote in a Memphis, Tenn., case that a city may be forced to pay money in a successful civil rights suit against a city employee even when the city is not named as a defendant.

In the car search case, the court said police may open packages

found in a car. Before, they needed a court warrant to search packages.

The ruling allows federal prosecutors to use as evidence marijuana seized in 1981 by U.S. Customs officers in Tucson, Ariz.

The officers, acting on a tip and information from prior investigations, began tailing two suspects who drove their pickup trucks about 100 miles from Tucson to a private airstrip near Bowie, about 50 miles from the Mexican border.

The officers observed two small airplanes land and unload large packages that were placed on the trucks.

The officers later stopped the trucks, and said the packages smelled of marijuana.

The trucks were turned over to the Drug Enforcement Administration in Tucson, and three days later DEA agents took what proved to be marijuana samples from the packages.

7-year-old testifies against pre-school

Associated Press

LOS ANGELES — After months of legal maneuvers and testimony from grownups, a 7-year-old boy took the stand Tuesday in the McMartin Pre-School mass-molestation case and swore to tell the truth.

With the seven defendants, who are charged with more than 200 counts of sexual abuse of children, looking at him from about 15 feet away, the blond-haired boy answered the questions of Deputy District Attorney Glenn Stevens.

"Do you know the difference between the truth and a lie?" Stevens asked.

"Yes," the boy responded. "What happens when you tell a lie?" Stevens asked.

"I get in trouble," the boy said. He testified that "Ray and Miss Peggy" touched his genitals during a game of "Cowboys and Indians."

The boy said other games the children played at the pre-school in the coastal Manhattan Beach section were Naked Movie Star, The Alligator Game and Tickle.

Each game had two elements in common: the children were naked, while the teachers watched or participated, he said.

He was the first of 41 alleged victims in the case testifying in a preliminary hearing for the defendants, including Raymond Buckey, charged with 97 counts, and his sister Peggy Ann Buckey, all officials of the preschool which was closed last year by the state.

Their testimony is expected to take several months, and the court has requested that they be identified only as numbered John and Jane Does.

Tuesday's witness was identified as John Doe No. 7.

His testimony came as a state Senate committee was to vote on a bill

that would exempt such courtroom testimony, allowing youngsters to testify via closed-circuit television and thus avoid eye-to-eye confrontation with people accused of molesting them.

If approved, the bill would go to the full Senate for a vote Thursday, then to the Assembly and governor.

The child, wearing a blue shirt, was led into court by a bailiff and seated in the witness box.

Municipal Court Judge Aviva K. Bobb introduced herself, the attorneys and other court personnel to the child.

He testified inside a closed courtroom, where only the judge, defendants, attorneys and their staff were allowed. In an adjacent room, about 50 reporters and spectators watched on two TV monitors.

Bobb was able to shut off the cameras to delete testimony she didn't want broadcast, such as when the child stated his full name.

The camera showed just one angle, from the perspective of a court spectator, encompassing witness, judge, counsel and defendants. No closeups were shown.

What the youngsters have to say is the heart of the prosecution's case against the seven defendants, including 77-year-old school founder Virginia McMartin, who are charged with a total of 207 counts of rape, sodomy and other abuses and with conspiracy.

The hearing is to determine if there is sufficient evidence for a trial.

Prosecutors worry that the children may have trouble withstanding tough cross-examination.

Defense attorneys unsuccessfully asked Bobb four times to close the entire hearing.

Prosecutors and news media opposed closure.

Propellers key to accident

Associated Press

RENO, Nev. — Two propeller blades found a half-mile from where a turboprop airliner crashed should "hold a key" to the cause of the accident, an investigator said Tuesday, as authorities recovered the bodies of 67 victims and said two more may have died.

Three people survived Monday's crash of the chartered Galaxy Airlines gambler's special, and two of them were in critical condition.

Washoe County Sheriff Vince Swinney said the two propeller blades found about half a mile northeast of the crash site "will hold a key to unravelling the mystery about what happened."

"It's something that has to be explained," the sheriff said. "I am not an expert, but this could have been a source of the problems. It'll be one of the keys."

A Federal Aviation Administration accident prevention specialist earlier mentioned engine failure as a possible cause of the accident just after the charter airplane took off for Minneapolis early Monday, taking people home from a gambling weekend.

"It's no secret we're finding all kinds of pieces scattered around," Carl Borchers said Monday. "It's always possible there was engine failure."

But Borchers said experts would have to determine if the pieces dropped off the four-engine plane in flight or were blown away from it by the explosions that followed Monday's crash of Galaxy Airlines Flight 203.

National Transportation Safety

Board Chairman Jim Burnett said as the cleanup resumed Tuesday that teams had found "14 of the 16 propeller blades.... We will be examining them very closely for what they can tell us about whether or not the propellers were under power at the time of impact."

Officials said 67 bodies had been recovered from the wreckage Tuesday. With three survivors accounted for, teams were attempting to account for two more names on a manifest of 72 passengers and crew.

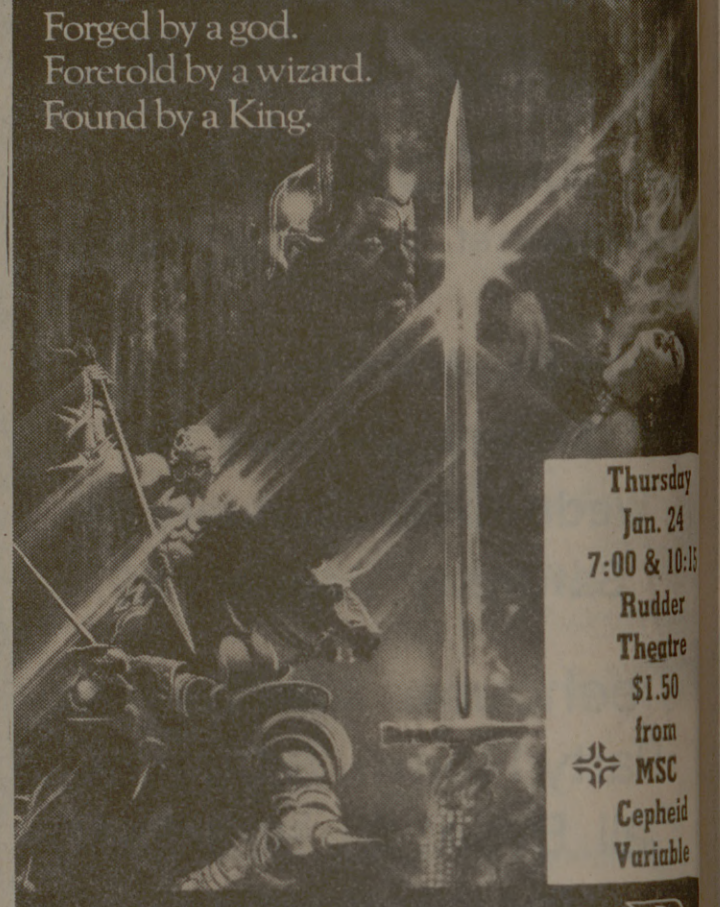
Joe Faires of the FBI disaster team said the revised manifest of 72 names was composed from updated information from FBI bureaus and records of Galaxy Airlines.

Bruce Laxalt, an attorney representing the airline, had said Monday that 67 people were aboard, including five crew members. Earlier, airport officials had said 74 people were aboard. At least two people with reservations decided at the last minute to take another flight home.

Flight 203, a four-engine Lockheed Electra 188, crashed in clear weather early Monday shortly after takeoff. Officials said the pilot apparently steered the failing plane away from motels and apartment buildings lining a highway south of downtown Reno.

The plane, chartered by Caesars Tahoe Resort-Hotel of Stateline, Nev., a subsidiary of Caesars World Inc., skidded into a recreational vehicle sales lot, destroying about 10 vehicles and setting off a series of explosions from propane and gas tanks on the vehicles and the plane's fuel tanks.

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