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Harris County judges lenient on dealers despite drug war

HOUSTON (AP) — Judges and juries in Harris County give drug peddlers probation in one of every eight cases, despite a massive push nationally and locally to get dealers

off the streets.
While Harris County drug dealers have been more likely to go to prison than those in Dallas County, 12 percent still returned to the streets after leaving courtrooms here, court re-

cords show. Last year, 16 percent of the county's convicted drug dealers won probation, compared to 40 percent in Dallas County courts. And for the first half of 1989, 1,005 drug dealers convicted in Harris County were sent to prison and 116 were released on probation, the *Houston Post* re-

Prison terms depended largely on the luck of a random draw that de-termined which drug dealers faced

victed of drug dealing to prison dur-ing the first six months of the year.
"Drug dealers belong behind

ported Sunday.

which judge, the newspaper said.
State district judges Ted Poe and Michael McSpadden, both widely known for their tough law-and-or-der stands, sent all defendants conbars," Poe said. "If they choose to make a profit on the weaknesses of other humans, they ought to pay a

McSpadden said he only grants probation if the undercover officers

Most are addicts selling to support their habits. There's no way to resolve the drug issue by locking

who made the arrest recommend it because the dealer could be used as

Although Poe said dealers at any

everybody up.

— Woody Densen Harris County judge

Judges Woody Densen and Miron Love, however, granted probation to about 40 percent of the drug dealers during that same period. Eighteen dealers in Love's countroom got prodealers in Love's courtroom got pro-bation, and 15 got the same in Densen's court.

age deserve prison, Densen said he

Newspaper report says political contributions used for personal benefit

AUSTIN (AP) — Top members trate lawmakers' dependence on of the Texas Legislature are using money from special interest groups, their political contributions to buy critics say. homes, airplanes and cars, and to support their private businesses, a

newspaper reported Sunday. While lawmakers are asking voters to triple their \$7,200 annual state salary, some are spending more than that every month from donations to underwrite legislative duties and comfortable lifestyles while working

The Austin American-Statesman, in a copyright report, said campaign records showed expenditures rang-ing from a \$190,000 house to \$2,400

for gift cowboy boots.

Legislators also funneled money to their favorite causes, including the National Rifle Association and evangelist Billy Graham, the news-

paper said.

Such expenditures min addition to gifts and trips many legislators have taken from lobbyists — illus-

Prison vet will be freed after 41 years

NAVASOTA (AP) - Davis William West, a 68-year-old convict believed to have been in the Texas prison system longer than anyone else, is scheduled to be released this

West, who arrived at the Texas Department of Corrections in 1948, is to be discharged from the Pack I unit Tuesday after serving actual and good time earned on a 99-year sentence he received from Potter County for assaulting a 15-year-old girl with intent to commit rape. Prison officials say they recall few,

if any, other inmates who have done that much time. Any other convict nearing that length of time behind bars "is probably pushing up dai-sies," Sgt. Richard Boone, a Pack I

In the 41 years since he was sent to prison, West has been paroled twice — in 1972, when he stayed out 22 months, and again in 1983 when

They say it is hypocritical for law-

makers to accept such money while portraying themselves as underpaid and asking voters on Nov. 7 to boost their salaries to more than \$23,000

"Look who's paying for the legis-lators' lifestyle in Austin," Tom Smith of the public-interest group Public Citizen, said. "It isn't the voters. So tell me, who really owns the Legislature?" Smith

Six years ago, in the wake of criticism that they were living off political supporters, legislators banned personal use of campaign donations. But the law has many exceptions, and some of the criticized practices continue.

According to the American-Statesman's study, \$4.7 million yearly flowed into campaign coffers and office holder accounts of the 47 committee chairmen in the Legislature in 1988.

Lobbyists and political action committees contributed 63 percent of the total. Law firms and individuals made up the rest.

Under state law, office holder and campaign accounts are the same. The money legally can be used for everything from election posters to paying the tab at private clubs.

Only 16 of the 47 chairmen were raising money for contested races or as a prelude to a statewide campaign. The remainder had no opponents and no apparent plans to run for another office, the newspaper

The law allows legislators to use political contributions to defray living expenses in Austin and supplement legislative activities. Lawmakers also may pay such funds to their own businesses if the purpose is primarily political, not personal enrich-

In one instance, a legislator admits he mistakenly broke the law when he lent his nursing home \$15,000 in political contributions. There was nothing political about the business's cash-flow problems, Sen. Bill Haley, D-Center, said.

did not believe a young in fender should go to prison in ing \$10 worth of crack cocaine "Most are addicts selling port their habits," Dense

"There's no way to resolved issue by locking everybodyu Densen acknowledged h nient in granting probation, said he is strict when it come bationers following the terms out. He doesn't hesitate to someone's probation when ued drug use is confirmed.

Love, a longtime judge of ered by many lawyers to be the fairest in Harris County, a grants probation if he thinks interrupt a first-offender's on

Both Love and Densen said

don't give probation when amounts of drugs are involved Five other district judge probation to only one or two 12 each granted probation tween three and eight drugged and one gave 10 defendants

Juries were asked to decide percent of the drug delivery 1988 and during the first six of 1989. Defense attorneys ries are likely to send convide dealers to prison, so defendan erally choose to take their

with Harris County Judges.
Harris County District Am
John B. Holmes Jr. said he in
his prosecutors from offering
tion in plea bargains with drug
ers. The only time he will rethat policy is if some form of ing work is required as a condi-probation, he said.

But despite tough talk main about cracking down on drug, ris County Sheriff Johnny Klea gen said it seems "inevitable" more drug dealers will return streets after leaving courtroo coming years.

"We're going to fight tooh nail to keep that from happen he said.

Inmates receive 4 furloughs despit strict regulation

SAN ANTONIO (AP) – least three Texas prison imma convicted of aggravated robs were among 36 Bexar Comprisoners released on furloup this year released on the prisoners desired and the prisoners desired this year, despite new restriction prohibiting such releases forward of the control of the contr

The San Antonio Expre News reported Sunday the thr were released for unsupenix leaves in Bexar County in spite

stricter regulations.

Last fall, Gov. Bill Clements suspended furlough releases ter news reports that Texas point ted several violent offends to be released on the spot "Y."

The state prison board mext, tober, but reinstated the progra in November with new res tions that exclude sex offender and drug dealers. Murderers many other violent offenders to mained eligible for furlough.

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The Express-News con prison furlough guidelines with list of Bexar County inmates wi were allowed to take leaves du ing the first seven months

In one case, a Bexar Coun man sentenced to 10 years prison for killing his wife, was lowed to visit the county from July 27 to Aug. 2 this year.

The man has been rejected parole four times, the last in was less than eight months before he took vacation.

Motorcyclists must wear helmets; 800 new laws take effect this week

AUSTIN (AP) - More than 800 new laws take effect this week, regulating everything from college athletics to cruise ship gambling. But two are considered lifesav-

Beginning Friday, all motorcyclists will be required to wear helmets. And children under 12 no longer will be allowed to ride in the beds of pickup trucks traveling more than 35 mph.

Lawmakers and law enforcement officials say both measures should begin saving lives almost immediately. We are very optimistic that this time next year, we will be talking about a substantial decrease in the number of people killed while on a motorcycle," Mike Cox, a spokesman for the Texas Department of Public Safety

According to the DPS, 295 traffic deaths in 1988 involved motorcycle riders and operators. Of those, 229

Statistics aren't kept specifically on deaths for children under 12, but officials said pickup deaths happen all too frequently.

"It's not a big number each year, but it's sure a way we can save lives," Cox said.

Sen. Carl Parker, D-Port Arthur, was an author of the new law. He said action was overdue.

"I saw some article where it quoted somebody as saying that riding in the back of a pickup was a Texas way of life," Parker said. "Well, I submit to you this is one area where Texas leads the nation and, in fact, it is a Texas way of death, and it's time to put a stop to it," he said when the bill finally passed.

Under the new helmet law, motorcyclists ticket failing to wear a helmet will face a fine of \$10 to \$50.00 ft. Violating the pickup truck law will carry fines of

Cox said the DPS will give Texans 90 days to be accustomed to both new laws, just as troopers did the mandatory seat belt law took effect. Warning to

will be issued during those first 90 days. Motorists who feel picked on by lawmakers can heart about one new statute, however. It will a

down on small-town speed traps.

The law was designed to keep towns under 5 population from using traffic fines for most of budgets. The law limits the amount of revenue

traffic fines to 30 percent of town revenues, with the cess forwarded to the state. A total of 286 new laws take effect Monday, 90 after the end of the Legislature's regular session

other 594 laws take effect Friday, Sept. 1. Among the more noteworthy - Cruise ship gambling. It's going to be legal,

Under the new law, ships can offer on-board a gambling outside state waters without stopping at a eign port, as has been required. The change was bat

by coastal lawmakers who said it will help boost to College athletics. It will be a crime to recrui lege athletes with money or gifts.