

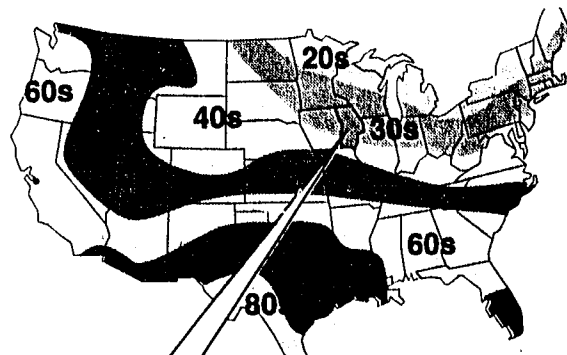
SATURDAY March 21, 1992

IOWA TODAY, FINAL EDITION
CEDAR RAPIDS, IOWA
VOL. 110 NO. 72 50 CENTS



The Gazette

A regional newspaper serving Eastern Iowa



FORECAST: A good chance of snow today.
Highs 33-39; lows 21-27. Today's daylight:
12 hrs., 11 min. See 16D.



TV VISION

'Broadway Bound'
headed for TV

Page 1T

SPORTS

Good, bad news
for Iowa matmen

Page 1C

BRIEFLY

Slow lane

Country vs. city road work

Among city dwellers' top 10 reasons for not living in the country: "Snow doesn't get removed fast enough from the streets." Why doesn't it? Country folks aren't in such a hurry for that service, some county engineers say. Details on page 1B.

Women and church

Theologian speaks at Coe

So what exactly is that "new world order"? For feminist theologian Mary Hunt, it's women and men finding ways to live and love together as equals. She spoke this week at Coe College. Details on page 6A.

Going on furlough

Ag workers cope with deficit

Iowa's agriculture secretary says he and his 502-employee department will be taking three unpaid days off to make up for a \$200,000 budget deficit and avoid layoffs later. Details on page 5B.

Plain silly

Execs arm-wrestle for slogan

DALLAS (AP) — South Carolina aviation executive Kurt Herwald left Southwest Airlines Chairman Herb Kelleher coughing and wheezing Friday morning in a best-of-three arm wrestling match over an ad slogan the companies use.

Southwest began using "Just Plane Smart" last year. Stevens had been using "Plane Smart" to tout its Greensboro-based airline service business.

Afterward, Herwald said Southwest could continue using the slogan. The stunt saved the companies hundreds of thousands of dollars in legal costs.

Go ahead, laugh

Humor helps deliver message

Playwright Tom Griffen knew well that we have to laugh at ourselves, even if we're mentally disabled. The message hits home in "The Boys Next Door," which is playing at Theatre Cedar Rapids. Review, page 3B.

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TODAY'S CHUCKLE

What you use to play "Go Fish": a deck of cods.

TOMORROW

Breaking the silence

Domestic abuse on the farm

Domestic abuse in isolated rural areas often goes unnoticed. And victims are often reluctant to come forward because of small-town grapevines. The Iowa City Domestic Violence Intervention Program hopes to change all that. Iowa Today in Sunday's Gazette.

Tax cut passed, vetoed

Los Angeles Times and Gazette staff reports

WASHINGTON — President Bush, carrying out a vow he has repeated virtually every day for several weeks, vetoed Democratic tax-cut legislation passed by both houses of Congress late Friday, complaining that it would raise taxes for wealthy Americans and "stifle growth."

Bush signed his veto message even before Congress gave final approval to the bill, which contained a tax credit for most Americans, a capital gains tax cut and other reductions. They were financed by a higher top income tax rate for the richest 1 percent of taxpayers

■ Bush freezes "pork barrel" spending, 3A

and a special "millionaires' surtax."

The bill included modified versions of six of the seven tax-cut provisions that Bush had proposed.

"Congress could not resist their natural impulse to raise taxes," the president said in a speech delivered in the White House East Room 10 minutes after the Senate completed work on the measure.

Democrats charged Bush with using the White House to launch a purely partisan campaign.

The president's action is expected to kill prospects

for any broad-scale tax relief for the rest of the year and turn the tax issue into a political football.

The vote in the House was 211-189, well short of the two-thirds majority needed to override Bush's veto. Approval in the Senate came on a vote of 50-44.

The Iowa congressional delegation split along party lines. Democrats Sen. Tom Harkin and Reps. Dave Nagle, Cedar Falls, and Neal Smith, Altoona, voted for the tax bill. Republicans Sen. Charles Grassley and Reps. Jim Leach, Davenport, Jim Nussle, Manchester, Jim Ross Lightfoot, Shenandoah, and Fred Grandy, Sioux City, voted against the bill.



AP photo

Betty Frieberg hugs her defense attorney after a Fairfield jury found her not guilty of killing and dismembering her husband. Story on page 5A.

Abuse expert backs acquittal of Frieberg

By Dick Hogan
Gazette courts reporter

Many people on the street seem surprised that Betty Frieberg was not found guilty of something in the shooting death and dismembering of her abusive husband.

But Cris Kinhead, Cedar Rapids YWCA Critical Services Program coordinator, which includes the domestic violence program, thinks it was the right verdict.

"Based on the information I read in the paper, I do believe that she should have gotten off with an innocent verdict," Kinhead said.

"I don't think it's a license to kill. I don't condone violence of any nature. But within that we have to recognize that there is the feeling of being trapped, thinking there are no other choices of escape," Kinhead added.

"Women who are battered very seriously may feel there is no other way. There may be absolutely no other choice in

the mind of the victim other than killing the person who is battering them to escape the violence and keep themselves safe.

"Our society does not work very effectively as a whole in domestic abuse cases," Kinhead said. Even if the court orders someone to stop abusing a person or to have no contact with them, there's seldom much control over what that person chooses to do, Kinhead said.

"I think that I admire the jurors for taking a look at the whole issue of what it takes for battered women to survive. The verdict is a positive step for battered women in that it acknowledges the battered women syndrome does exist."

Does the jury's decision of not convicting Frieberg of anything send the wrong message?

"I don't think in this case that it does. I have enough faith in the court system to work effectively in situations like this."

Abortion 'gag rule' modified

From Associated Press
and Gazette staff reports

WASHINGTON — The Bush administration said Friday that doctors in federally funded clinics could give their patients advice on abortion even in situations where the life of the mother is not at risk.

The decision provides an exception in the so-called "gag rule" that forbids the clinics from directing women to get abortions. Doctors would be able to refer women to facilities that provide abortions. However, administration officials said, the doctor's advice must be based on medicine and not on social concerns.

Planned Parenthood of America said the apparent policy shift was a smoke screen that merely bolsters the gag rule.

But "We feel that the doctors are ungagged," insisted an official of the Department of Health and Human Services.

"What a physician does is not something that we're going to get involved in," said the official who spoke to reporters on condition of anonymity.

Fran Hansen, executive director of Planned Parenthood of East Central Iowa in Cedar Rapids, said the exception is not a change.

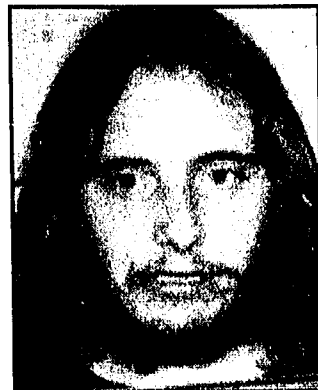
"The gag rule is not lifted," Hansen said. "This is a bone with no meat on it. A woman who can afford to go to a private physician can still receive information about abortion. A poor woman who must go to a federally funded clinic cannot receive information from the staff. To say that physicians can give this information is saying nothing at all because physicians are not the health care providers in low-income federally funded family planning clinics."

Planned Parenthood in Cedar Rapids does not receive federal funds. Hansen said the clinic is not and never will be affected by the gag rule. The clinic can continue to give women complete medical information about their health and pregnancies.

In guidelines that are to take effect within three months, the department said, "Referral to specialized medical care for medical conditions which may complicate pregnancy still must be made, even if the ultimate result may be the termi-

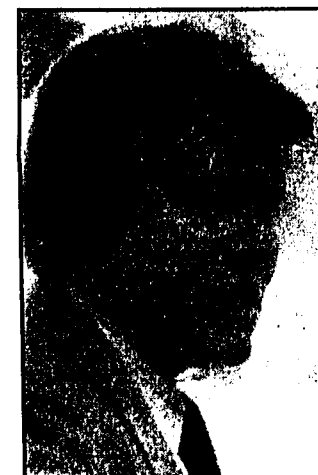
■ Turn to page 5A: Abortion

MURDERED MISSING UNSOLVED



Victim: Ron Novak, 24
Hometown: Rural Center Point
Classification of case: Murdered
Date of murder: Dec. 23-24, 1983
Place of murder: Rolling Acres Rd. rural Center Point

Do you have information?
Contact Dennis Fisher of the
Linn County Sheriff's Dept.
(319)398-3521



Victim: John Wall, 33
Hometown: Cedar Rapids
Classification of case: Murdered
Date of murder: Oct. 1-2, 1986
Place of murder: Dallas, Texas

Do you have information?
Contact the Dallas Police
Department's Homicide
Division (214)870-1633

Drugs, diamonds: Deadly motives

Killers missed \$32,000 in cash

Suspect never brought to trial

By Jeff Burnham
Gazette staff writer

It was one of those wintry Iowa nights when going outside could be deadly.

Wind chills were plummeting to 100 degrees below zero. Like most people, Ron Novak was staying home the night of Friday, Dec. 23, 1983.

Unlike most, the rural Center Point man was being watched. Some think he knew it and was worried, even with two watchdogs and three guns.

Any worries were tempered by the anticipation of his girlfriend and best friend stopping by later in the evening. Such anticipation was uncommon for a 24-year-old bachelor who thrived on privacy — "severely anti-social" as a brother puts it.

But car troubles would keep both visitors away. Novak never knew that.

At some point, a vehicle drove up. Footprints in the snow showed someone got out and went to the back door, while a second person may have also gotten out and waited behind a tree.

Detectives and relatives have spent the last eight years trying to figure out what happened next. When found the next afternoon, Novak's frozen body was face down near the back door in an unheated store-room.

His hands had been bound

■ Turn to page 5A: Novak

By Jeff Burnham

Diamonds are forever. So, seemingly, is the investigation into the murder of a Cedar Rapids diamond trader.

More than five years have elapsed since John Wall was shot to death in Dallas, but investigators have made little progress.

Setting this case apart from most unsolved murders is that an arrest was made practically right off the bat. Tyrone Tyler, a Dallas accountant with a notorious reputation, was charged with first-degree murder less than two months after Wall's body was found Oct. 2, 1986.

There has been no trial. Tyler has never been asked to plead guilty or not guilty. A judge has set and rescheduled 47 court dates for the two sides to discuss the case.

All along, Tyler has been free to go on with his life, apparently unhindered by the accusation that he ended Wall's life.

John Wall was born in Mechanicsville and graduated from Lincoln-Stanwood High School in 1971. He moved to Iowa City, where he got married and ran a vacuum cleaner distributorship in the late 1970s.

That's when Wall started using drugs, his first wife says, which is why she divorced him. "He got into

■ Turn to page 5A: Wall

Nagle learns 4 checks bounced

By David Lynch
Gazette Washington reporter

WASHINGTON — Rep. Dave Nagle, D-Iowa, Friday learned he wrote four checks that exceeded his balance at the House bank between November 1989 through June 1991, for a total of \$610.

He said he had an explanation — deposits were not immediately posted by the bank — but "no excuses."

The bank, which was closed last fall after the congressional check-bouncing scandal broke, never notified Nagle that he was overdrawn, and it never returned any of the checks for lack of funds. All four checks were written for "cash."

"I accept responsibility, and I apologize," Nagle said.

Nagle, the 3rd District congressman, is expected to be locked in a heated race for the newly redrawn 2nd District next fall with 2nd District Rep. Jim Nussle, R-Iowa. Nussle was among the group of seven freshmen Republican House members who demanded full disclosure of the

check-bouncers last fall and has proposed a series of stringent congressional reform measures.



Dave Nagle
"I apologize"

form bill calls for an end to the free prescription drugs service and closing the House gym.

■ Turn to page 5A: Checks

Novak: Detectives wonder whether intruders meant to kill

■ From page 1A

behind his back. He had been shot once in the upper right arm with a .22-caliber handgun, which was never recovered. He had been beaten about the head and body with two hammers and a golf club found nearby, where his cordless telephone was also found.

Missing was his wallet and several hundred dollars of "walking around money" he usually kept in it, says brother Don Novak. That there had been a violent struggle was indicated by blood that was splattered throughout the room. Detectives wondered if some of it was from the killer or killers, but lab tests were inconclusive.

IN THE adjacent kitchen, a window on a door had been broken, apparently in an attempt to open that door — which was near one of Novak's loaded shotguns. But Novak kept that door locked, and it stayed shut that night.

Outside, strong winds were blowing snow over the footprints of Ron Novak's killer or killers. By the time detectives got there, they say, it was too late to recover any useful evidence from the snow.

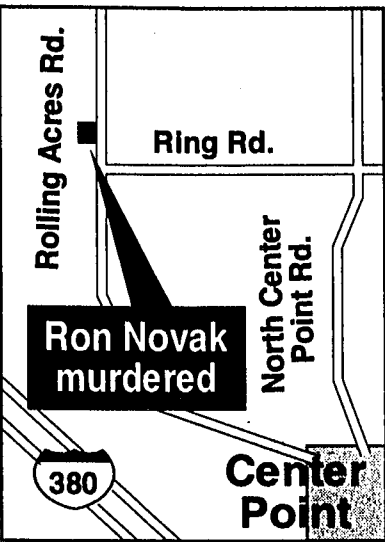
No fingerprints were to be found. The few neighbors nearby had not seen or heard anything.

Of all the evidence, perhaps most puzzling was what was found in Novak's bedroom: A small suitcase holding \$32,000 in cash and \$7,650 worth of marijuana in a green duffel bag.

"At first, we thought the motive probably was robbery," recalls Capt. Dennis Fiser of the Linn County Sheriff's Department. "But then when we found the drugs and cash out in the open like that, we weren't sure."

Among all the uncertainties, Fiser says there is little doubt the murder was drug-related. Novak was among the county's biggest dealers of marijuana, according to his best friend. That apparently was how a 24-year-old man who worked odd jobs had accumulated what the IRS later said was a net worth upwards of \$100,000 or more at the time of his murder.

Born and raised in southwest



Gazette map

Cedar Rapids, Novak graduated from Jefferson High School in 1978. He bought a farmhouse a few years later on Rolling Acres Road about three miles north of Center Point. The move was made in search of solitude, according to friends and relatives who say Novak had no intentions of farming. "He loved it out there," recalls Dale Laver, who met Novak in first grade and became his best friend.

Laver says he knew Novak sold marijuana but never knew to what extent. After the murder, detectives told Laver they had been watching Novak for several months because they considered him Linn County's biggest marijuana dealer. Fiser would say only that Novak was a suspected drug dealer who had been convicted of possession and possession with intent to deliver.

Novak apparently knew he was being watched from time to time. Laver recalls Novak being concerned about six months before about a car that had been parked overnight near his house.

DON NOVAK says his brother was concerned about someone watching him in the days before his murder, during which time his house was broken into, though nothing was taken.

Ron Novak's girlfriend told detectives that Ron was particularly anxious for her to visit him when they talked on the phone

around 8 the night of the murder.

But she told detectives that her car wouldn't start, keeping her away. On the other side of town, battery problems had persuaded Laver to cancel a planned trip out to Ron Novak's house that night.

When both tried to call Ron Novak to tell him they couldn't come, his phone went unanswered. Laver says it was no later than 9 p.m. — an hour after Ron had spoken with his girlfriend.

Laver and Novak's girlfriend became worried when repeated calls went unanswered. Ron Novak rarely left the house for long. Troubled, both figured they'd reach him the next day.

They also knew that Ron Novak — 6 feet tall, weighing more than 200 pounds and nicknamed Tarzan — could fend for himself. If things got out of hand, he had three guns and two "protective" golden retrievers, Rough and Candy.

Shortly after noon the next day, John Novak, another brother, went to the house. A medical examiner was soon there, and the murder investigation began.

Fiser suspects the killer or killers went there either to rob Novak or to collect on an old debt. Brother Don Novak believes another drug dealer did it "to eliminate the competition."

Whoever it was, Fiser thinks they did not realize Ron Novak would die, which may explain why his hands were bound behind his back with a cord from the house.

FISER ALSO notes it's possible Novak was still alive when his killers left, as the autopsy found three causes of death: the beating, the gunshot and the cold.

Fiser chalks up the presence of the cash and drugs in a conspicuous location by saying either it was overlooked or they "got scared off by a passing motorist."

As to whether Novak knew his killers, Fiser isn't leaning either way. Regarding the presence of the telephone near the body, Fiser thinks either Novak was on

the phone when he let the person in, or perhaps the person pretended to be a stranded motorist and Novak took the phone to them.

Whether aware of it or not, the killers did not have to contend with Novak's protective dogs because the storeroom was isolated from the rest of the house. Those who knew the dogs say the animals would have attacked anyone who laid a finger on Novak. The presence of the dogs, which probably were barking up a storm by that time, may also have kept the killers from looking for the drugs and cash.

As for suspects, Fiser says detectives interviewed some of Novak's known associates and came up with a list of "good" suspects. "A few, we feel, were capable of doing it, but we never got enough physical evidence to charge anybody," he says, adding that each suspect has passed a lie detector test.

THE LIST OF suspects even includes one of the brothers, Don Novak. While claiming that doesn't bother him, the ex-convict says what angers him is that he has the names of the murderers but can't get Fiser to act on the information.

Among Ron Novak's relatives, Don has taken it on his shoulders to bring the killers to justice — ever since sending his brother off in style by "stuffing four joints" in Ron's shirt pocket just before the body was cremated.

Don figures the easiest way to solve the murder would be "to put a big ad in The Gazette, saying 'All the friends of Ron Novak, please send in five bucks apiece for a reward fund to find the killers,'" he says. "That's the only reason it's never been solved, these people won't sell themselves out for free."

If that doesn't happen, Don Novak threatens he'll have to take justice into his own hands someday. "There's some people who simply ain't going to be here anymore, and I'll be right behind them because I ain't going back to jail," Don Novak says. "And Ronnie's going to be saying, 'Right on!'"

know Tyler, including his mother and a half-brother.

Moore said Tyler has no criminal record in Dallas. However, The Gazette learned by telephone that Tyler pleaded guilty to assault with intent to commit murder in 1972. He was sentenced to seven years' probation.

Moore, the fourth prosecutor assigned to the case, said it's among 18 murder cases she's working on. She's one of 50 prosecutors handling murder cases.

Tyler's mother and half-brother Roger Claxton, a Dallas lawyer, declined to comment. Repeated attempts by The Gazette to locate Tyler were unsuccessful, as were repeated attempts to reach:

- His attorney, Doug Mulder; a well-known, high-priced defense lawyer who used to be the top assistant in the District Attorney's Office.

- Judge Pat McDowell, who rescheduled the hearings 47 times.

RICK SILVA, the Dallas police detective who conducted the initial investigation leading to Tyler's arrest, told The Gazette he thought the case was dismissed long ago.

"That's what (original prosecutor) Heidi Akins told me, that she'd decided not to take it to trial," he says. "Sure, jail cases take priority, but I've never heard of a case on bond taking five years."

But Akins, a prosecutor in nearby Denton, says she doesn't even remember the case.

Moore says she'll probably ask to have the murder charge against Tyler dropped unless some new information is uncovered soon.

"You always hate to dismiss a murder case," she says. "You always hope that there will be a breakthrough because with a murder, you don't dismiss lightly. I'm a perpetual optimist. But I can't say it's looking any better."

make mistakes."

He said there are major differences between the taxpayer-financed House bank and private banks, and he branded Nagle's disclosures on his private checking accounts as "damage control."

'System works,' Frieberg says after verdict given

FAIRFIELD (AP) — Betty Frieberg, who said she shot her husband in self-defense and then dismembered his body in rage, was acquitted of a murder charge Friday and burst into tears.

"Praise the Lord, the system works," she said.

The farm wife, 43, confessed to shooting her husband Harold, 59, on Sept. 30 and to cutting up his body with knives and a circular saw. Parts of the body were found spread across the farmstead near Libertyville, in southeast Iowa.

She testified her husband was pointing a gun at her. She said she was afraid he would kill her. The defense's psychiatrists noted years of abuse as a child and as a wife and said she may have re-enacted that abuse while cutting up her husband's body.

"Betty has from the outset, and I have in my opening statements, acknowledged that she shot Harold. There's no question about that. Did she shoot Harold with justification, acting in self-defense?" defense attorney Tom Walter said in his closing arguments.

Jefferson County Attorney Ann Taylor said the verdict meant the jury felt the abuse in Frieberg's background justified the shooting.

"I'm deeply disappointed," Taylor said at a news conference after the verdict. "I don't think her actions were appropriate."

Taylor said she's frustrated with abused wives who keep going back to their husbands when they have better options.

Defense witnesses had testified that Frieberg, as a child, was frightened of her mentally ill mother, was raped by a hired worker and saw her father having sex with his girlfriend. As an adult, they said, she was abused by Harold and her first husband.

Frieberg's daughter, Heather, 14, testified that Harold yelled and complained about the cleaning, the cooking and the chores and threatened to kill them both. She said she watched more than once when he kicked and shook her mother.

The jury got the case at 5:25 p.m. Thursday and quit for the night about three hours later. They deliberated about four hours Friday.

Abortion: 'Double talk' charged

■ From page 1A

nation of . . . pregnancy."

Doctors in the clinics can refer patients to get abortions based on medical judgment, and the government will not second-guess that judgment, the health and human services official said.

"We don't intend to try to interfere with physicians' speech," the official said.

However, the rules for other clinic staffers remained another matter. They can talk about abortion only if asked, and then they are to refer the patient elsewhere.

"We're not in the business of providing counseling on abortion," the official said.

The Planned Parenthood of America Federation denounced the guidelines, saying that they actually solidified the gag policy instead of relaxing it.

"With the gag rule in place, speech about abortion and abortion-related referrals will be censored," said David Andrews, executive vice president of the organization.

When told that the administration was calling this a lifting of the gag rule, Andrews replied: "I don't care what they said. This is more administration double talk."

The ban on abortion counseling in federally supported clinics has stirred heated opposition from abortion rights groups and in Congress. The Senate and the House passed legislation last year to override the policy, but

Bush's veto of that measure was sustained when the House fell a dozen votes short of the two-thirds majority necessary to override.

In his veto message in November, Bush maintained the policy was not meant to restrict doctors from offering the best possible medical advice to pregnant women. He said a memo he had sent to Health Secretary Louis Sullivan "makes clear that there is no 'gag rule' to interfere with the doctor-patient relationship. I have directed that in implementing these regulations, nothing prevents a woman from receiving complete medical information about her condition from a physician."

ABORTION RIGHTS advocates called that double talk and said the policy remained designed to keep health workers from advising women about abortion.

The abortion counseling ban was imposed by the Reagan administration in 1988 and continued by Bush. It was propelled into the congressional wars last year after the Supreme Court upheld it in May.

Since 1981, the federal government has financed abortions only when a woman's life is endangered by continued pregnancy. Bush has repeatedly vetoed bills to expand the federal role in paying for abortions.

Wall: Expected diamond deal to mean good Christmas

■ From page 1A

drugs and it was downhill from there." She says she was not surprised when she learned of his murder.

He moved to Cedar Rapids and started selling real estate, joining Equity Associates Realtors and marrying again in 1981. A business associate described Wall as outgoing and likable, the kind of person who doesn't go unnoticed in a crowd.

Wall was using and dealing cocaine, according to testimony in the 1989 drug trial of three prominent Eastern Iowa businessmen. Wall also started dabbling as a diamond jobber, going from acquaintance to acquaintance, store to store, town to town, trying to sell diamonds.

"There's a risk in working the way he did," a jewelry store worker later said. "Some people will kill you for \$100. And a jobber often carries \$50,000, \$100,000 worth of stuff on him."

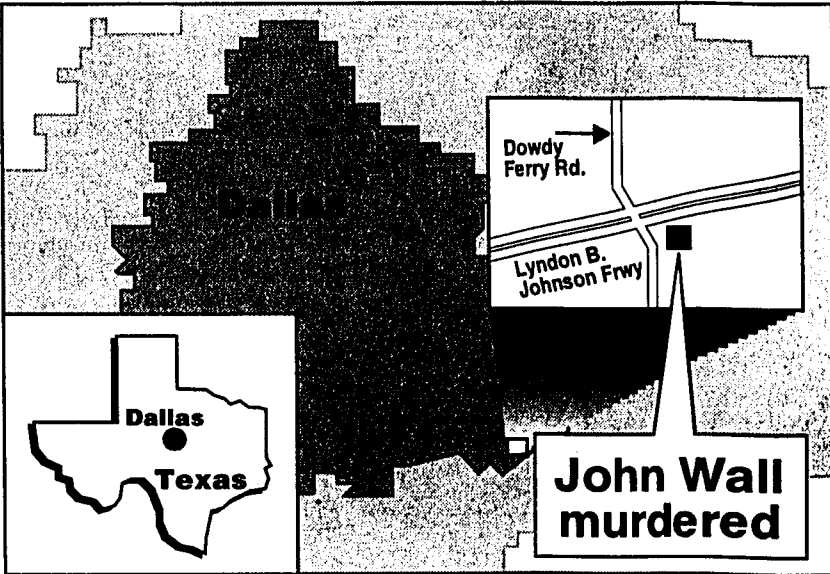
IT'S UNCLEAR WHEN or how Wall met Tyrone Tyler. Wall's second wife said Wall first sold diamonds to Tyler in July 1986 and talked of Tyler as a man who conspicuously flashed wealth.

Tyler called several times in the weeks after the sale to talk of buying 10 carats a month. On Sept. 30, Tyler called for the last time.

"All I can tell you is that it was immediate," Wall's wife said shortly after the murder. "John all of a sudden said he was leaving for Dallas. 'We've got the deal put together,' he told me. 'This is going to be a great Christmas.'"

Two days later, Wall's fully clothed body was found under a bridge, face down in a shallow creek. He had been shot once in the right cheek. An autopsy revealed no other injuries, but Wall, 33, was "acutely intoxicated" when he was killed.

The day before, police learned, Wall had called his wife to say



Gazette map

he had met Tyler at the airport and had made his hotel reservations. Wall was to be the middleman, buying diamonds from a Dallas broker and selling them to Tyler.

"It must have been premeditated murder," Wall's wife said after Tyler was arrested. "They knew when John was coming. They knew what he would have. It was like it was all mapped out and planned."

Tyler, 38 at the time, surrendered to Dallas police after learning of a warrant for his arrest about seven weeks after Wall's murder. Tyler was released from jail the same day on \$10,000 bond.

HAD TYLER NOT made bond, prosecutors say, the case would have gone to trial long ago. With overcrowded jails and several hundred murders a year, the Dallas District Attorney's Office has been forced to prioritize murder cases based on whether a defendant is in jail.

"You have to understand, there are quite a few murder defendants sitting in jail waiting for their case to go to trial," says former Dallas prosecutor LeAnn

Breeding, one of several people to handle the case against Tyler.

"It's not like they can go on with their lives, so we owe it to them to try their case before the case of someone who's out on bond."

Prosecutor Terri Moore says it's the oldest active murder case on the docket, but nothing to be alarmed about.

Perhaps contributing to the delay is that the case against Tyler is weak, the evidence against him circumstantial. "There were no eyewitnesses to the (murder) and we don't have a murder weapon," she says.

When contacted by The Gazette in December, Moore said she had been assigned the case a few months before and had not had time to read through the file yet. By late January, Moore said she had read the file but wasn't sure how to continue the investigation — especially in finding anyone who knows Tyler, including his family.

"I have to have some kind of lead on who to talk to, but the file is rather sketchy on where to start," she said.

But The Gazette had already talked with several people who

drafts at the credit union and two at the Waterloo bank. He said he didn't have a record of the amount of money involved in the overdrafts.

NUSSLE HAS BRISTLED at being asked about overdrafts in

his private checking accounts, saying it was an unfair question. In one instance, he told a reporter it was like asking people if they picked their nose.

Nussle said Friday he would have no comment beyond his earlier qualification that "people

Checks: Nagle balks at revealing private accounts

■ From page 1A

Nagle said in a telephone interview Friday afternoon he believed in full disclosure and so had looked into his private checking accounts at the House Credit Union and at the Waterloo Savings Bank.

He found that he had no over-

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