

Henley breaks down in court

Despite protests, judge seeks new trial site

HOUSTON (AP)—Ten of 15 persons questioned at a pretrial hearing in the mass murders case that Elmer Henley, 17, testified he cannot get a fair trial in Houston now or in the near future.

The witnesses were called by the prosecution to buttress a change of venue motion District Court Judge William Hatten is considering.

Both state and defense lawyers agreed Tuesday that Henley, accused in six of the 27 deaths of teen-agers, killed by what police described as a homosexual torture-murder ring, cannot get a fair trial here at this time.

Judge Hatten said he wanted to hear testimony about whether the trial should

be moved to another Texas city. Defense lawyer Will Gray is opposing a venue change.

"It would be fruitless to move the trial at this time," he said. "We've got the same situation elsewhere."

Following a quick closed meeting with lawyers, Hatten said the case most likely will be moved to Austin, Corpus Christi or San Antonio, depending on where a judge can be found to take the trial.

The defendant in the sensational case, Henley, began screaming and yelling following Hatten's decision. Henley was placed in a holdover cell near the courtroom where he banged his head against the cell bars and continued his tirade against the ruling.

"I was born in Harris County, raised

in Harris County and I have a right to be tried in Harris County," he screamed.

Hatten has been conducting pretrial hearings in the case, primarily centered on the admissibility of oral and written statements Henley gave police following his arrest. Henley is charged with six of the 27 slayings of young men police have termed victims of a sadistic homosexual torture-murder group.

"The court will grant a motion for continuance at this time and will also grant, on its own motion, a change of venue," Hatten told lawyers in the case.

Will Gray, Henley's lawyer, objected to the sudden change in trial sites. "The defendant still believes he has a right to be tried here in Harris County," he protested.

Hatten said: "It is incumbent upon the court to make a selection for a new site but I have not yet made any arrangements to talk to any other court about receiving this trial."

Also, he said, he will rule Friday on motions to suppress Henley's statements to police.

At the same time, he set a hearing for Tuesday for pretrial motions in the case of David Owen Brooks, 18, charged in four of the slayings.

Brooks' lawyer, Ted Musick, said he will, at that time, ask for a continuance and a hearing to determine Brooks' competency to stand trial.

Just prior to Hatten's unexpected ruling, 10 of 15 witnesses questioned had testified they did not think Henley

could get a fair trial in Houston.

Gray claimed Henley could not get a fair trial at this time but he opposed moving the trial altogether.

To back up his contention, Gray issued subpoenas Wednesday for city editors and news directors of major newspapers and broadcasting stations in Dallas, Fort Worth, Beaumont, Austin, Waco, Corpus Christi, San Antonio and El Paso. They were directed to bring copies of what they had published or aired on the case.

Henley is due to go on trial first in the death of Charles Coble, 17. When that trial will start is not known.

Another defendant, David Owen Brooks, 18, is charged in four of the 27 deaths and will stand trial later.

Batt News Summary

By THE ASSOCIATED PRESS

National

(AP) — Independent truckers in several states blocked service station pumps or parked-in at truck stops today to protest increasing fuel costs and low speed limits.

However, there was confusion over the timing of the shutdown, which leaders predicted would be nationwide. Some truckers said it was set for midnight Wednesday while others said it was to begin at midnight tonight.

WASHINGTON (AP)—The government disclosed plans today to create a special warning system designed to minimize radiation casualties in the "highly unlikely" event of a major accident in a nuclear power plant anywhere in the country.

The atomic energy commission said the system would involve a centralized, computer - equipped facility that would be linked with nuclear reactor facilities across the nation.

WASHINGTON (AP) — Energy chief William E. Simon says it's still too early to step up gasoline production, although stocks of crude oil are creeping upward.

In another three weeks, it would be safe to decide whether to increase gasoline production in anticipation of summer travel, Simon said Wednesday.

International

LONDON (AP) — Britain's 280,000 coal miners are voting today and Friday on whether to strike. Their leaders predict an over-

whelming "yes" despite a last-minute peace proposal from Prime Minister Edward Heath. Returns are expected to be in by Sunday; results are to be announced Tuesday, and the strike would start Sunday, Feb. 10, if the necessary 55 per cent affirmative vote is received and the government doesn't open the way to a satisfactory wage settlement.

HONG KONG (AP)—An American and five South Vietnamese servicemen captured by Chinese soldiers 11 days ago in the Parcel Islands left Hong Kong today after their release by China. The American, Gerald Emil Kosh, 27, of Lafayette Hill, Pa., walked unaided across the border river bridge although he had been reported suffering from hepatitis. He was flown to Clark Air Force Base in the Philippines for treatment, and the South Vietnamese were flown to Saigon.

LA PAZ, Bolivia (AP) — President Hugo Banzer's military regime claims it has put down a peasant rebellion in central Bolivia after 10 days of sporadic clashes in which five peasants were killed and more than a dozen injured. The peasants were protest-

Exa Ellis wins Newspaper Fund foundation award

A coed majoring in journalism has been selected to participate in the 1974 Newspaper Fund editorial internship program.

Exa Ellis, a senior journalism student from Bryan, is one of 46 journalism students selected from hundreds of applicants throughout the country to participate in the prestigious training program.

The Newspaper Fund, Inc., is a foundation supported by Dow Jones, Inc., with the purpose of encouraging careers in journalism. The annual program offers selected students an intensive three-week course in editing, followed by summer-long employment at a major U.S. newspaper.

Ms. Ellis will attend the editing short course at the University of Nebraska, then will report to the Arkansas Gazette in Little Rock for on-the-job training in newspaper editing.

Following the summer training period, she will receive a \$700 scholarship for continued studies until her December graduation.

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ing the government's 100 per cent increase last week in the price of a number of staple foods, but Banzer claimed they were deceived by Communist agitators.

MOSCOW (AP) — Young Anatoly Karpov, the choice of some Soviet experts to take the world chess title from Bobby Fischer next year, has two of the three victories he needs to defeat Soviet grandmaster Lev Polugaevsky in the quarter-finals of the eliminations to pick Fischer's challenger.

Legislation to restrict crime files to protect individuals

WASHINGTON (AP) — The Nixon administration's privacy legislation harnesses federal and state crime files to specific legal restrictions for the first time.

But it leaves enough loopholes to stir opposition from critics demanding still tighter limits.

In his State of the Union address Wednesday night, Nixon promised an effort to establish "a new set of standards that respect the legitimate needs of society, but that also recognize personal privacy as a cardinal principle of American liberty."

It was a promise from an administration that has been accused of widespread invasions of privacy through wiretapping, bugging and burglary.

A key element of Nixon's privacy protection program is a bill drafted largely under the supervision of Elliot L. Richardson, the attorney general who resigned after refusing to fire special Watergate prosecutor Archibald Cox.

That bill, developed in the Justice Department and circulated among other Cabinet agencies, would restrict the distribution of crime records to law enforcement agencies except in specified circumstances.

The draft has not been made public and Nixon mentioned no details, but The Associated Press obtained access to a copy.

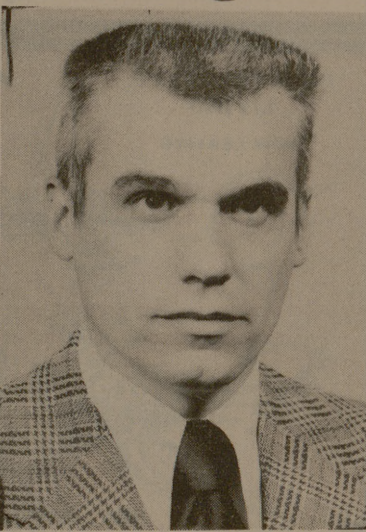
These are some of the key features:
—The restrictions would apply to any criminal justice information system operated or funded by the federal government and any other system exchanging information with federally operated or financed systems. It would cover both computerized and manual systems.

—The legislation would add the strength of law to the present policy restricting the distribution of crime files to law enforcement agencies unless specifically authorized by federal or state law.

—The legislation would prohibit the distribution of arrest records for anything except law enforcement purposes if the individual were not convicted of the charge and if there were no pending prosecution. But the provision allows certain exceptions.

—The legislation would require that an individual's files be sealed from the normal distribution channels from five to seven years after his last troubles with the law.

Livingston named to new post



K. B. Livingston

Kenneth B. Livingston has been appointed affirmative action officer for the Texas A&M University System, announced TAMU President Jack K. Williams.

As affirmative action officer, Livingston will represent the TAMU System throughout the state in its contacts with the Governor's Equal Employment Opportunity Office, the Equal Employment Opportunity Commission, the Department of Health, Education and Welfare, the Wage-Hour Division of the Department of Labor and other state and federal agencies.

Livingston moves into the newly created position on the president's staff after serving three years as TAMU's assistant personnel director. The appointment is effective Feb. 1.

"While this formalized position is new, we have had for several years a viable affirmative action program," Dr. Williams said. "This program has continually grown and has reached the point where more extensive administration is needed for it. We are pleased that Mr. Ken Livingston can accept these larger responsibilities."

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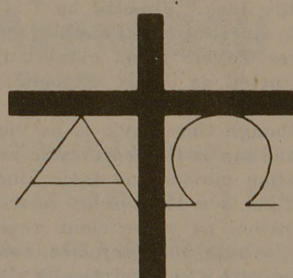
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