

Prejudice may move site of Brooks trial

HOUSTON (AP)—Amid what the judge called possible prejudicial remarks by a prosecutor, a Nov. 13 date was set Tuesday to decide if the trial of David Owen Brooks, 19, should be moved from Houston.

Brooks, the father of an 8-month-old boy, is charged in four of the 27 deaths of teen-aged youths discovered in 1973 in what police say was a homosexual murder-torture ring.

District Court Judge William M. Hatten set the date for the change of venue hearing while recognizing new lawyers for the defendant. Brooks on Monday fired Ted Musick as his attorney because of Musick's plan to plead that the youthful defendant is presently insane.

The case of another defendant, Elmer Wayne Henley, 18, was transferred by Hatten to San Antonio on his own motion because of publicity here. Henley was found guilty on six murder counts in San Antonio and was given consecutive sentences totaling 594 years.

During Tuesday's hearing, Asst. Dist. Atty. Don Lambright told the judge, "I'd like to suggest a change of venue in this case. The attendant publicity has not been to any degree less than the Elmer Wayne Henley case because of the squabbling between lawyers."

Hatten replied, "As I understand it, if you make such a suggestion now in open court you put the court in a position where to not do so, change the venue, would be built in error."

Jim Skelton, Brooks' new chief lawyer, then said he could be ready to debate a change of venue motion on Nov. 13.

Alton Brooks, the defendant's father, told Judge Hatten he had hired Skelton and Elaine Hocker to defend his son. Previously, Musick and, later, Mrs. Hocker, had been appointed by the court and paid by the state to defend Brooks.

The defendant had filed an oath saying he was indigent and could not afford to hire a lawyer. He withdrew the oath Tuesday.

San Antonio drug raid

Shootouts injure two

SAN ANTONIO (AP)—Gunfire wounded a federal narcotics agent in one raid and fellow officers wounded a suspect in another raid Monday night.

Authorities said three bullets from a .30 caliber carbine struck

James Lewis, 31, a San Antonio agent of the Drug Enforcement Agency as they sought to arrest a man at a residence on San Antonio's west side.

Lewis was in undetermined condition this morning following surgery at a hospital at Lackland Air Force Base. He suffered gunshot wounds in the abdomen, officials said.

Shots were exchanged as the

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raiders kicked in a door about 10:30 p.m. at a house occupied by a man for whom they held a warrant charging a drug violation. The man, 30, and his wife were arrested and held to await formal charges.

Agents said they wounded a suspected violator during another raid in South Bexar County, where they seized 3,000 pounds of marijuana. The man, 28, was held without immediate charge.

Deep port waterway assessed

The proposed conversion of several Texas Gulf ports to handle deep-draft ocean vessels may require an enlarged intracoastal canal system.

Doctors Wesley James and Frank Slowey head a group of scientists and engineers in making an environmental study of the waterway from Brownsville to Sabine.

"This preliminary assessment will estimate the impact on the environment of operating and maintaining the existing waterway," James said. "In the initial phase of the year-long project evaluations will be made of the currently available physical, chemical and biological data along the waterway."

"About 75 per cent of all goods shipped from Texas are transported by water," he explained. "The inland waterway traffic is a major portion of this water transportation."

"If the canal is enlarged, our study will provide background information on present conditions," James went on. "The enlarged canal would hopefully be designed to protect the natural coastal features and at the same time eliminate some of the environmental problems of the present waterway."

"We will conduct a field study along the entire length of the waterway to identify environmental problem areas," he pointed out.

"There will be continuous monitoring of the quality of the water for temperature, salinity, dissolved oxygen and turbidity. Bottom sediment samples will also be collected and analyzed for sediment quality."

"This information will indicate where the canal has the greatest potential for affecting the environment," James noted. "This includes the ability of the waterway to transport pollutant from one area of the coast to another."

"We'll check specific problem areas of the coast such as selenium in the vicinity of sulphur-mining operation, mercury in the Matagorda Bay area, and zinc and cadmium in the Corpus Christi Bay area."

Other members of the team are Steve Giesler and Mike Reynolds.



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