

Benefits end with marriage

WASHINGTON—The Supreme Court Tuesday unanimously upheld Congress' power to cut off Social Security payments to a disabled child if any other secondary beneficiary marries someone not entitled to benefits.

For a long time, federal law provided that all secondary benefits were on marriage. But in 1955, Congress changed the rules to provide that marriage of disabled

children, widows, widowers and divorced wives to persons who themselves were eligible for benefits would not stop either income.

Otherwise the couple would have no Social Security.

The opinion by Justice John Paul Stevens reversed a decision by U.S. District Judge John Oliver of Kansas City finding the amendment unconstitutional.

It came in a suit brought by John

Jobst, disabled from birth by cerebral palsy. Jobst had been supported by his father, an insured wage-earner.

When his father died, Jobst was awarded child's insurance benefits at age 25. In 1970 he married someone not eligible for payments. But the woman was unable to support them because she also had cerebral palsy, and they later separated.

Jobst argued that the law discriminated against a disabled child in his situation compared to a child marrying another second beneficiary. Stevens found the classification much broader, since the law applies to widows and others as well. Stevens said general rules are es-

sential if an undertaking as huge as Social Security is to be administered "with a modicum of efficiency, even though such rules inevitably produce seemingly arbitrary consequences in some individual cases."

He said the general rule terminating secondary benefits upon marriage is unquestionably valid, and the 1955 exceptions for marriages between beneficiaries also are permissible.

In the court's only other opinion Tuesday, it ruled unanimously that state court suits against a national bank may be tried in any county where the bank conducts business at an authorized branch, and need not be restricted to the location listed in its federal charter.

Screw publisher sure of conviction

KANSAS CITY, KANSAS—Screw magazine publisher Al Goldstein says he is convinced he will be convicted of 12 federal obscenity charges by a jury which is expected to start deliberating his case this week.

"I feel like I've been invited to a wedding," the New York publisher said Monday. "These are not a jury of my peers. Not one of them had a sandwich with lunch."

THE OBSCENITY TRIAL for Goldstein and his former associate James Buckley began Oct. 25. The charges are related to 12 issues of Screw and Smut — self-billed as the world's dirtiest newspaper — which were mailed to Kansas in 1974.

It is his second obscenity trial in Kansas. A guilty conviction returned by a Wichita jury in 1976 was overturned because of prejudicial statements made by the prosecutor in closing arguments.

The Wichita trial cost me \$200,000 and this trial probably will cost about \$250,000," Goldstein said. "Even if I win, I've lost."

Dr. Walter Menninger, a psychiatrist at the Menninger Foundation in Topeka, is expected to testify for the defense today. It will be the first time Menninger has testified in a criminal case.

AT THE TRIAL Monday, a leading psychologist told the court photographs in an issue of Screw magazine might be considered ugly or offensive but none of them appealed to the prurient interests of the average person.

There are a good number of people who would be aroused by these pictures," Dr. Waddell Pomeroy told the court. "But the

pictures would appeal to their erotic interest in sex — not their prurient interest. Prurient is appealing to some sick, morbid or shameful interest."

The San Francisco psychologist and sexologist was one of the original partners of Dr. Alfred Kinsey and conducted 8,000 interviews for the Kinsey reports on human sexuality published in 1948 and 1953.

Defense attorney Herald P. Fahringer showed Pomeroy and the jury blown-up pages of one of the 12 issues of Smut and Screw that were mailed to Kansas. Many of the photographs depicted nudity, oral sex and sexual intercourse.

"Does this photograph appeal to the prurient interests of the average person," Fahringer asked while holding up a picture of a woman strapped to a table.

"It might appeal to the prurient interest of someone who is sadomasochistically inclined, but the average person is not sadomasochistically inclined," Pomeroy responded.

FAHRINGER THEN showed two pictures of persons urinating on each other and asked the 63-year-old psychologist if they appealed to the morbid or shameful sexual interests of the average person.

"For someone interested in what is known as water sports or golden showers — than this might appeal to their prurient interests," Pomeroy said. "But those type represent less than 1 percent of the population. For the majority of people this type of picture would be a complete turn-off. It would disgust them."

Pomeroy defined the average person as a heterosexual adult with a high school education and a normal, healthy sexual drive.

Info-gathering cruise aids satellite program

A team of Texas A&M University oceanographers, working with scientists from around the world, has just returned from a cruise aboard Texas A&M's research vessel R/V Gyre which was designed to aid NASA in their Nimbus-G satellite program.

The cruise occupied several stations from south of Galveston to the Dry Tortugas in Florida across to the mouth of the Mississippi River and finally down to the Campeche Banks north of the Yucatan Peninsula.

Dr. Sayed Z. El-Sayed was the chief scientist on the NASA-sponsored cruise. He said that the primary purpose of the "Coastal Zone Color Scanner Cruise" was to conduct baseline experiments and to collect data regarding ocean color and chlorophyll concentrations, suspended sediments and temperature.

"The information that we accumulated on the ship will be compared with observations made by NASA aircraft during overflights of the R/V Gyre and the NOAA ship Researcher," El-Sayed said.

"We would like to find out if the surface data collected by ship can be correctly correlated with the observations made from thousands of feet overhead. If these readings agree, it follows that a satellite such as the Nimbus-G could provide instantaneous information about areas of ocean high productivity, the 'Red Tide' phenomenon and the pollution of coastal waters," he said.

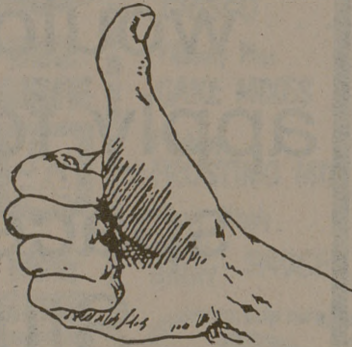
The Coastal Zone Color Scanner is a multi-spectral device designed to study processes in coastal zones by remote sensing of both color and

temperature," El-Sayed said. "It is the first such sensor specifically devoted to oceanographic measurements such as these."

The package was developed to help the oceanographic community determine if useful ocean color measurements could be achieved with such sensing," he said. "The CZCS will be one of the seven sensors that make up the payload of the Nimbus-G which is scheduled for launching in August 1978."

Among national and international organizations participating in this cruise were: NOAA/NESS; NOAA/Pacific Marine Environmental Lab, Seattle; NASA Ames Research Center; Council of Scientific and Industrial Research, South Africa; and the European Association of Scientists for Experiments in Pollution.

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