



Battalion photo by Janet Pearce

## Mother wins hearing in child custody case

**United Press International**  
AUSTIN — A Lubbock woman seeking to regain custody of her two daughters won a new hearing before the Texas Supreme Court Wednesday in a case that could set new standards for courts in determining the legal responsibility of parents for their children's welfare.

The court agreed to hear arguments early next year from a legal aide attorney representing Dianna Chaney in her effort to regain custody of her 7- and 4-year-old daughters.

Authorities won a court order in 1977 placing the children in state custody and terminating Chaney's parental relationship with her daughters on grounds she knowingly allowed the girls to remain in a situation where they were subject to sexual abuse.

The Supreme Court agreed to hear arguments Jan. 3 on whether authorities can rely on a preponderance of evidence or must establish a clear and convincing standard of proof that a parent knowingly placed a child in dangerous circumstances.

Welfare workers were called into the case when the older girl, then a 6-year-old, was reported to be begging neighborhood children to stay at her house so she would not have to be alone with her stepfather.

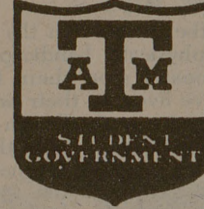
Chaney told welfare workers the girl had repeated episodes of vaginal bleeding for more than a year, but her husband told her he had thrown the girl on a chair and caused the injury.

A short time later, the mother went to prosecutors saying the daughter told her she had been abused by the stepfather.

Texas A&M University Student Senate has several vacancies that must be filled. Those interested in one of these positions should pick up an application in the Student Government office, Room 216C of the MSC. The deadline for application is 5:00 p.m., Monday, Oct. 15. For more information contact the Student Government office at 845-3051.

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**Fore!**  
Autumn weather has finally arrived, and many students are enjoying the break between hot and cold spells in a variety of ways. This student found the weather perfect for a game of golf, despite a detour into a sand trap.

## Nuptial 'contract' ruled not binding

**United Press International**  
HOUSTON — A 43-year-old woman who unsuccessfully sought \$500,000 breach of contract damages on grounds her husband failed to love and honor her until death, has agreed to a divorce settlement without appealing the case.

Susanne Evans Dickson, 43, accepted State District Judge Bruce Wettman's decision Tuesday rejecting her oral contract claim against Dr. Jesse Dickson, 45, an orthopedic surgeon.

Wettman ruled marriage vows are governed by separate law in Texas and do not constitute a legally binding contract on which a monetary damage claim can be made. Wettman said any wedding related monetary arrangements must be written.

Mrs. Dickson claimed she and her husband "entered into an express oral contract" when they married in June 1957 and she said he benefited and she relied upon the contract while she worked to put him through medical school.

Dickson replied her claims were "totally false" and that if any "contract" existed, she breached it when she filed for divorce.

Dickson's lawyer, David Gray, argued "a marriage under Texas laws is a status between the parties and is not a contract."

"Any promises or oral agreements made before, during or after the marriage itself which directly relate to the relationship of the marriage of the parties does not create a civil contract," Gray said.

Attorney Sheryl B. Johnson, representing Mrs. Dickson, replied, "to deny a party the right to enter contractual arrangements merely because they are married is to make them no more than a frustrated ward of the state with no ability to respond to their own particular life situation nor to be responsible for it."

The Dicksons agreed to an out-of-court divorce settlement after Wettman rejected the contract damage claim.

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