Opinion

No more shortcuts for U.S. lawmakers

In declaring the "legislative veto" unconstitutional, the U.S. Supreme Court has told Congress "no more short cuts."

The initial reaction to this sweeping ruling is that it will be easier said than done. The Supreme Court just may have thrown out more laws in one decision than in its entire history, according to The Wall Street Journal. But any inconvenience or trauma should be worth the trouble if it forces lawmakers to get back on a stricter constitutional track.

This procedural device enabled Congress by a simple majority vote to scuttle executive regulations it did not like, force presidents to spend money on programs they opposed and, in the case of the War Powers Act, limit to a 60 day period the president's ability to commit troops.

Incorporated into more than 200 laws during the past 50 years, the legislative veto initially was a means to permit reorganization of the executive branch by the Roosevelt administration without the congressional interference. However, it evolved into a way to limit presidential powers and to give Congress the best of both worlds in regulatory legislation.

Through the legislative veto Congress could duck difficult policy questions by passing a vague law, then overrule by a simple majority any provisions its members did not like. The result was executive branch agencies were more answerable to congressional committees than to the president.

While acknowledging that the legislative veto was possibly a convenient shortcut to making policy, Chief Justice Warren Burger and five of his colleagues were correct in finding that it conflicts with the constitutionally prescribed manner for establishing policy.

As we all should have learned from our civics textbooks, Congress makes policy by passing a law. If the president disagrees, he vetoes it. To prevail over the president, Congress must override the veto by a two-thirds vote.

Now that Congress has been told to take a make-up course in constitutional power-sharing, many of its members should find their new assignment challenging. Although the decision appears to bolster presidential power, Congress retains the flexibility to check any abuses. It will just have to be more careful and precise in delegating authority in the future.

Considering Congress' inability to follow budget procedure, that may be asking too much. But then, we may have been expecting too little of our lawmakers for the past 50 years.

Censors, let memoirs be memoirs

President Reagan went too far in issuing his executive order, No. 12356, drafted to protect national security information from unlawful disclosure.

The order is being used by the Central Intelligence Agency to censor, in a way that makes the author unhappy, a forthcoming book by Adm. Stansfield Turner on his experience as CIA director.

There can be no question about Turner's loyalty, his experience or his judgment. If he thinks the public should know about a certain matter, that matter probably should be public knowledge. And yet the censors don't think so.

The president's new secrecy order requires tens of thousands of U.S. government officials to sign non-disclosure agreements calling for prepublication review of their writings, even after they leave the government. Previously only a very few top officials in sensitive posts, like Turner, had to sign such agreements.

If the bureaucracy can censor Turner to protect itself, it will censor anybody. That means censoring memoirs, lectures, newspaper columns and magazine articles written by perhaps 100,000 current employees of the federal government and their successors in years to come.

That's too much censorship in a republic that depends for the wisdom of its policies upon the quantity and quality of information given to its governing body, the general public.

High court clears air on auto safety

The unanimous decision on auto safety devices by the U.S. Supreme Court will save lives on the nation's highways.

The high court ruled that the Reagan administration was wrong when it acted in haste to revoke a federal requirement to equip new cars with air bags or automatic seat belts. The court ordered the department to reinstate the requirement or give precise justification for not doing so.

The abandonment action of two years ago came during President Reagan's drive against governmental regulation. It was happily received by Detroit, where it was seen as a way to save money.

Automatic safety devices are needed because most motorists refuse to buckle up in seat belts.

There are still bugs in both the air bags and the automatic seat belts. Air bags have caused accidents by suddenly inflating on their own, and automatic seat belts can be disconnected.

But these are faults that can be worked upon and corrected; they are not valid reasons for abandoning the search for safety.

Charming cabooses

It used to be that the nation's trains had two ends. Both were delightful. Now trains are about to have only one end. Nothing recommends it.

The double-ended era of railroading ended with steam locomotives chugging off to oblivion in scrap yards like huge dinosaurs sinking into tar pits. A few of these coal burners, like the prehistoric reptiles, have made it to museums. A few more of the once-thundering giants are sitting in parks, their glorious whistles cold and silent.

As steam power vanished, monotonous diesels with dull horns took their place at the front of the train. So interest naturally shifted to the rear, to the charming caboose. Cabooses were built of various blends of wood and metal. They came in various configurations, each of which generally fit into one of three service categories: long-distance, "through freights," branch-line or local runs, and yard work.

In their heyday, cabooses were equipped for living on the rails. There was a time when senior freight conductors had them fitted out to their personal specifications for use on the trains they commanded.

But today, the caboose bunks are empty, except for a short nap, and caboose cookery is practically a dead art. Train crews finish their shifts and stay in motels overnight. Little maintenance is done on the run and emergency equipment is easily stored in engines.

Alas, the nation's railroads are serious about sending the delightful red end of their trains the way of the steam locos. The Burlington Northern, for instance, is just starting negotiations with the United Transportation Union to determine the fate of the company's 1,390 cabooses.

It's simply a matter of dollars, of saving money on purchasing, equipping, and maintaining the cabooses and on the energy to pull them along. They can't compete with Holiday Inn's king-sized beds, color TVs and disco bars. No need to worry about hot boxes with sealed bearings and trackside computerized sensors. Plenty of room for the typical train's four-man crew in the diesels.

Within a decade most of approximately 14,000 cabooses will be junked. Some cabooses, of course, will go to museums, parks and playgrounds — a nice charitable deduction for a railroad.

The crews that rode in them, though, and the public that enjoyed watching a proper two-ended train and waving to the rear brakeman, might find some satisfaction in eating in a restaurant of several cabooses hitched together.

Well, the railroads are going to toss out their neat red cars. But, fortunately, they will never get their hands on all those splendid cabooses with two legs.

Agree or not

Friendly suit; then let state's Supreme Court settle the hash

by S.C. Van Curen

Government by proxy, Alexander Haig style assumption, or let the Georges do it — take your pick. That's the kind of government Kentuckians had for several days since Gov. John Young Brown Jr. went into the hospital for open heart surgery.

Lt. Gov. Martha Layne Collins announced she was taking over July 2.

Considerable commotion has been generated even to the questioning of the clearness of the Statutes and the Kentucky Constitution.

The prime question to arise during this controversy is when does the lieutenant governor assume such agreements.

If the bureaucracy can censor Turner to protect itself, it will censor anybody. That means censoring memoirs, lectures, newspaper columns and magazine articles written by perhaps 100,000 current employees of the federal government and their successors in years to come.

That's too much censorship in a republic that depends for the wisdom of its policies upon the quantity and quality of information given to its governing body, the general public.

The Constitution seems clear on this subject: "Should the governor be impeached and removed from office, die, refuse to qualify, resign, be absent from the state, or be, from any cause, unable to discharge the duties of his office, the lieutenant governor shall exercise all the power and authority appertaining to the office of governor until another be duly elected and qualified, or the governor shall return or be able to discharge the duties of the office."

Mrs. June Taylor, the governor's secretary, affixed the governor's signature to six personal service contracts and an emergency regulation setting up pay schedules in the Human Resources Cabinet for Social Insurance as required for federal authorities.

Russell Dozier, the governor's legal counsel, cited KRS 11.040 for authority for Mrs. Taylor's right to sign the documents for the governor. It says, "The governor may appoint such persons as he deems necessary for the proper operation of his office to perform such duties as he may require of them."

Dozier said Mrs. Taylor is the only person on the governor's staff authorized by him to sign his name on routine documents or any he might designate.

Dozier said this has been routine practice by past governors and even a signature machine is used on occasions.

The governor was sedated in the University Hospital in Lexington when the documents were signed June 30, end of the fiscal year. He was still incapacitated July 7 at the time of this writing.

A member of the governor's staff went so far as to charge Mrs. Collins take over action as "politics" since she is the Democrat nominee for governor.

Even House Speaker Bobby Richardson thinks some clarification may be needed as to who should declare the governor incapacitated and unable to perform his duties. Richardson suggested legislation naming the House Speaker, President of the Senate and Chief Justice of the Supreme Court as a triumvirate to make such decisions.

The Constitution seems plain enough even for a grade-school child to understand. This fol-de-rol and posturing that has been going on seems asinine.

Who is better to decide the governor's condition in such an emergency as this than the governor's physician.

All Mrs. Collins' staff needed to do was to draft a simple statement that the governor was unable to perform his duties and gotten the doctor to certify it with his signature.

Then, she could rightly say, "I am the governor and will remain so until his doctor informa me otherwise."

The governor's staff said all the documents Mrs. Taylor signed had been approved by the governor before he underwent the heart bypass operation.

If Mrs. Taylor is legally qualified to sign the governor's name and act in his stead officially when he is incapacitated, then she can issue and sign pardons, enter contracts and do anything the governor is empowered to do.

There is the question about 11.040 which could mean that the governor is present in the office and capable of performing his duties when he delegates the physical motion of signing his name to documents he approves and passes to his secretary.

Exercising that power during the governor's absence or incapacitation is another matter.

Has the same thing been happening while the governor has been absent from the state, almost a third of his time in office?

Admittedly there is concern about the governor's health and certain property that is necessary in this delicate situation. Mrs. Collins said she didn't want to cause any waves.

This is a very clear instance where the Attorney General should exercise the duties of his office for the benefit of the public.

He should enter a friendly suit in court and let the state's Supreme Court make the decision.

The six personal service contracts total $191,595 for attorneys to represent various branches of government.

There is a danger that these contracts could be declared void after the work is performed, that is, if per chance someone should file a court action challenging their validity.

Down Memory Lane

Local pair enjoy day at Coney Island

Thursday, July 18, 1963

Construction is well underway on the new Nicholas County Feeders Supply which will be located 1½ miles south of Carlisle on Highway 36. This is the second most modern equipped feed mill in central Kentucky and is to be owned and operated by Marvin Caswell of Carlisle.

Representatives of the local Parent-Teacher Association from Moorefield, Carlisle and Nicholas County grade schools met July 10 at the home of Mrs. William Parker, extension chairman for Seventh District PTA, to discuss plans for organizing a High School Parent Teacher Association. Attending the meeting were Mrs. J.W. Eaton Jr., Mrs. Hiram Hogg, Mrs. James Reed, Mrs. Brunker Harney, Mrs. William Hunter, Mrs. Howard Irvin and Mrs. Thomas Johnson.

Mr. and Mrs. Warren Fisher, editor-publishers of the Mercury, have been on vacation the past two weeks. In their stead, Mrs. Hurst Frey, Floyd Bussell, Mrs. Edna Keller and Bill Woodall with a very much appreciated assist from Russ Metz of the Bath County News-Outlook, Owingsville, have met the Thursday publication deadlines.

The new Nicholas County Board of Education for the 1963-1964 school year are Eugene Letcher, vice-chairman; Raymond J. Wesley, Superintendent of Schools; Woodrow Gaunce, chairman; Tebay Rose, superintendent; Clay Dayton, Marion Sims, Thomas C. Johnson, Raymond House, Robert Coatney, Russell S. Wills, R.L. Talbert and Vernon Craig.

Mrs. Nathan Young has returned from a visit with her sister, Mrs. H.L. Jefferies in Columbia. She and Mr. and Mrs. Jefferies were among the 1,050 people who packed the sternwheeler, Belle of Louisville, for a journey down the Ohio to Brandenburg, where the 100th anniversary of the crossing into Indiana of Confederate Cavalry led by General John Hunt Morgan was being commemorated.

BORN — To Mr. and Mrs. Franklin Price, a daughter, Virgie Lynn, July 10, Nicholas County Hospital. — To Mr. and Mrs. Hugh Woodall, Cincinnati, a son, Thomas Emerson, July 11 at a Cincinnati hospital.

DIED — Mrs. Pearl Deaver Kinder, 83, Lexington, July 3 at a local nursing home. — Mrs. Annie Belle Bussell, 79, widow of William Bussell, July 14 at Nicholas County Hospital. — Mrs. Elan Estill Byron, 81, widow of Robert Byron, Owingsville, July 5 at home. — James Elmo Farley, 45, West Irvine, July 12 at the University Hospital, Lexington.

Thursday, July 22, 1943

Taylor Talbert Mathers and Custer Blair, local carriers for the Cincinnati Enquirer, enjoyed a day's outing Tuesday as guests of the Enquirer at Coney Island.

Sgt. John Harvey Fitch has been decorated with the Purple Heart,

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Op-Ed page

Ring-around-collar . . . playing ring-around-rosey with our intelligence

Nothing turns me off more than ring-around-the-collar. Not the ring — the commercial.

I have two basic objections to this one. The first is that the people who intone "You've got ring-around-the-collar" in a nasal, whiney voice that would cut grass are people who would never talk to their customers that way. I don't care if someone comes into the place smelling like three days in a junkyard, most sales clerks, hairdressers or cruise directors would be too polite to mention it.

Because if someone laid that dingy little line on me, I'd take off my shirt and cram it down his throat and purr, "You've got green around the gills!"

My second objection is that if you wash your neck regularly and change clothes fairly often, you'll never get ring-around-the-collar. "These dirty rings," the stereo-typical housewife moans. "I've tried soaking them out and scrubbing them out . . ." Has she ever tried tossing her husband in the tub for an hour or two and scrubbing him down with a wire brush and lye soap?

Commercials can influence your behaviour. Once in a grocery store, I was picking up some toilet tissue my wife had asked me to get when I lost my head and started squeezing the Charmin. Actually, I was hoping Mr. Whipple would show up to tell me to stop, so I could tell him the stuff isn't any softer than any other kind. Whipple has since been pushing squeezing the Charmin, which shows you what kind of a wimp he is.

A person coming to our country from a foreign land would form some strange conclusions about the populace if all they had to go by were the commercials. They would conclude that American females are noxious, oozing creatures, so offensive that they need endless sprays, powders and other special products just to make it possible for them to go out in public. They might conclude that dandruff is a particularly virulent form of venereal disease or something akin to bubonic plague.

They would be sure to decide that American males were all deaf, but responded well to visual stimuli, after watching the commercials for new cars that have scantily clad women dancing about and a maniac announcer who screams out the sponsor's message in a voice my wife might reserve for things like kids who break the good china.

Personally, I never understood what all the yelling was about in these car commercials. If I was charging that much money for something in this economic climate, I would be afraid to speak the price in a tone louder than a whisper. The only good thing about commercials is that they provide us with needed exercise. When they get too bad, we have to hoist ourselves out of that comfy chair, walk over to the set and shut them off.

Ring-around-the-collar, indeed. If I have it, it's because I have to get up so durned often to send that commercial into oblivion.

That's my way of spelling belief.

— RM —

This being the time of year for reflecting, perhaps the clan would like again to read "Desiderata" by the late Max Ehrmann, an Indiana attorney:

Go placidly amid the noise and haste, and remember what peace there may be in silence. As far as possible without surrender be on good terms with all persons. Speak your truth quietly and clearly; and listen to others, even the dull and ignorant; they, too, have their story.

Avoid loud and aggressive persons, they are vexations to the spirit. If you compare yourself with others, you may become bitter or vain, for always there will be greater and lesser persons than

Russ Metz

yourself. Enjoy your achievements as well as your plans.

Keep interested in your own career, however humble; it is a real possession in the changing fortune of time. Exercise caution in your business affairs, for the world is full of trickery. But let this not blind you to what virtue there is; many persons strive for high ideals, and everywhere life is full of heroism.

Be yourself. Especially do not feign affection. Neither be cynical about love; for in the face of all aridity and disenchantment it is perennial as grass.

Take kindly the counsel of the years, gracefully surrendering the things of youth. Nurture strength of spirit to shield you in sudden misfortune. But do not distress yourself with imaginings. Many fears are born of fatigue and loneliness. Beyond a wholesome discipline, be gentle with yourself.

You are a child of the universe, no less than the trees and the stars; you have a right to be here. And whether or not it is clear to you, no doubt the universe is unfolding as it should.

Therefore be at peace with God, whatever you conceive of Him to be, and whatever your labors and aspirations, with the noisy confusion of life keep peace with your soul.

With all its sham, drudgery and broken dreams, it is still a beautiful world. Be cheerful. Strive to be happy.

— RM —

Besides talent, all of those famous actors, writers, singers and sports figures have something we don't have. Agents.

Agents are people who, for 10% of a star's earnings, will make all the arrangements and take care of life's unpleasant details. If the star doesn't want to do something but doesn't want to say "no" flat out because it would ruin his reputation as a sweet guy, he can say, "Gee, I'd love to, but you'll have to check it out with my agent." The agent says "no" and the star is still a heckuva nice fellow while the agent is a horse's patoot.

Now there is an enterprising fellow out in Madison, Wis., who will be anybody's agent, even yours. That's right. I read about him the other day. And he doesn't want 10% of your income either. All he wants is $5 a year. A bargain, right? His services, it's true will be limited. In fact, they'll be limited to saying "no." He won't say "yes" or "maybe" or "let me get back to you on that" or "let's have lunch and talk about it" or anything else. All he'll say is "no." That's it.

But Donald Von Rase (that's the agent's name) believes there are lots of times when people feel uncomfortable about saying "no." Supposed someone you've tirmed down half a dozen times invites you to another party. Suppose a neighbor calls and wants you to come over and see the slides they took on their vacation. Suppose the pushy insurance agent wants to call. Suppose your brother-in-law wants to put the bite on you for a loan. If you have hired Van Rase, all you have to say is "Hey, I'd love to but I don't know. I've got someone who handles all these things for me and you'll have to check with him." And you give them Von Rase's telephone number. They call him and the answer is always the same: "no."

He works cheap because he is looking for volume business. He's hoping to get thousands of clients. He has practically no overhead except a telephone. He doesn't need to keep files. It doesn't matter which client or what exactly the call is about because the answer is always the same: "no."

Von Rase says he doesn't give callers an impolite "no" or a brush-off "no." He gives them a very professional, businesslike "no." The Japanes, says Von Rase, have 19 different ways of saying "no" and each carries its own shade of meaning.

Of course, says Von Rase, not only will having an agent relieve you of the task of saying "no," it will add immeasurably to your image. Just being able to say you have an agent is very impressive. You don't have to say exactly what he does.

He says his scheme has just one drawback and that is his place of residence. "It would be better if my clients could say, Call my agent in New York' or 'Call my agent in Los Angeles,'" he admits. "Call my agent in Madison, Wisconsin, just doesn't have an important ring to it."

Onward, upward.

With a Bandaid on my knee

From a Small Book of Sayings and Doings from Alabama
by William D. Cochrane

The only time that I ever heard sing this song was my Dad who has long departed this life. It does have a tune but I can't write a word of music so if you have perhaps heard it then you can sing it — otherwise, I suppose you can just make up your own tune if you are interested. Anyway, here are the words:

There was an old man lived over the hill,
And if he ain't died off he's living there still,
And when he come to make his will,
All he had was a little old mill.
Foddy-link-a-died-eo
Up he called his eldest son,
Said son oh son my race is run,
And I will leave to you this mill,
If you can follow me up hill.
Foddy-link-a-died-eo
Daddy oh Daddy my name is Heck
And out of a bushel I'll take a peck
Fool oh fool the old man cried,
Just such toll no man can ride.
Foddy-link-a-died-eo
Up he called his second son,
Said son oh son my race is run,
And I will leave to you this mill,
If you can follow me up hill.
Foddy-link-a-died-eo
Daddy oh Daddy my name is Chaff
And out of a bushel I'll take half,
Fool oh fool the old man cried,
Just such toll no man can ride.
Foddy-link-a-died-eo
Up he called his youngest son,
Said son oh son my race is run,
And I will leave to you this mill
If you can follow me up hill.
Foddy-link-a-died-eo
Daddy oh Daddy my name is Hack,
I'll steal all the corn and swear to the sack,
Glory oh glory the old man cried,
He kicked up his old heels and died.
Foddy-link-a-died-eo

*****

Sign in a small country store: "If you don't see what you ast for — want it!

*****

Sign painted by a drunk sign painter — should have read: "Adam Swindle, Groceries"
It read: "A dam swindle, groceries"

*****

During the Depression of the early 30's at W.P. Brown Lumber Co. at Guin, a typical lunchtime Dinner Bucket question and answer: "Wolf, if you had a million dollars what would you do with it?"
"Well I guess I'd pay it on my debts — as far as it'd go!"

*****

TIME IS A FLEETING VILLAIN
"For what is your life?
It is even a vapour,
that appeareth for a
little time and then
vanisheth away." — James 4:14

*****

I was five, but it seem only yesterday That I looked upon the china berry tree
In our back yard and it was full of little
Green balls — then I looked again and the
Little green balls had turned to a wrinkled brown
and I was sad
I recall holding a young girl's hand and
Timidly I kissed her — then she moved away
and I felt emptiness
Twice I remember a small white church and
Both times people were singing the same
Song — Rock of Ages
and I cried
My best buddy was killed while walking beside
Me in Normandy — I was confused
And I didn't understand
As I sat in the wheel chair I pulled the lap
Robe tighter around my legs
And for a short time I was warm.

*****

"Man is born of woman, is of few days and full of trouble.
He cometh forth like a flower, and is cut down;
He fleeth also as a shadow, and continueth not." — Job 14: 1 and 2

*****

The saying "How about that?" — We have all heard that saying many, many times. According to a former Corporal in the United States Army (now deceased), of World War I vintage it happened to him. I have no reason to disbelieve his story because in the first place, he isn't around to defend himself, and in the second place it is as good as any other. So here's his story, take it or leave it.

During the late stages of World War I this corporal was sent back to the southern part of France to pick up some replacements in an old British One Tonner truck. As it turned out instead of a truck load there were only five of the replacements, so he loaded them up and headed back toward his outfit. The old truck was about on its last wheels and just before they got into the city of Rennes the old girl just up and wheezed out on them. The corporal knew very little about mechanics, especially British trucks. It was beginning to get dark on them and they still had some 20 odd miles to go, so what to do. He went from door to door trying to get one of the townsmen to put them up for the night, but most of them were still afraid of "Le Boche," afraid some of the soldiers were still in the area and said "no" to his pleas. Finally one French family said they would take one soldier. The corporal said, "OK Peters, you stay here. I'll come back for you in the morning." Peters got his duffle bag and went inside. The corporal said he would stay with the truck and in the meantime he would try to find a place for the others. He began his task, and after about an hour, just as he was about to call it quits he ran into this Madam standing outside of her House of Ill Repute and told her his troubles. She said, "I don't know, how many do you have?" . . "Let's see now, I have three without Peters," whereupon the Madam exclaimed, "How about that!!!"

*****

I knew a man in Guin that used to sing this song (too bad, again I can't write the tune), "Sal's got a meatskin laid away to grease her wooden leg every day. I raise my taters in sandy land, eat my taters in sandy land. Ever time I go to town the boys keep kicking my dog around. Makes no difference if he is a hound, better quit kicking my dog around."

Letters

To The Carlisle Mercury:

Just last week I wrote you about my family — Manna and Shanklands.

Tonight I had a call from a Carlisle girl, Mary Bailey, who now lives here on Donna Drive. She is a teacher here and worked with my son, who was principal of school here, but he now has his hardware business and his farm.

I can't believe it, praise God! I'm sure I will hear from more.

Most respectfully,
Mrs. Ethel Mae Arthur
Friendship Home
Hopkinsville, Ky. 42240

Memory Lane

Continued from page 2

according to information received here by his mother, Mrs. R.M. Fitch.

County Supt. W.B. Sumpter, who lost his left foot and leg by amputation three weeks ago at the Good Samaritan Hospital, was moved to his home on Chestnut Street Friday.

MARRIED — Miss Joan Wilson and Robert Fuller, Saturday at the Maxwell Street Presbyterian Church. — Miss Dorothy Butts and William D. Smart Jr., Monday at the Versailles Christian Church. — Miss Opal McElfreah and Raymond Elford, Sunday at the Central Christian Church, Dayton, OH — Miss Eilene Cole and Cpl. Sam W. Owings, June 10 in Maysville.

DIED — Robert Dalzell, 77, Monday at a Lexington hospital.

World's Largest
Horse Pulling Contest
Friday & Saturday
July 22 and July 23
7:30 P.M. (EDT)
SPENCER COUNTY FAIR
Taylorsville, Kentucky
New Fairgrounds

THANK YOU
For Our 30th Year!
Thanks to the people who helped make our 30th Anniversary Celebration a success. These have been 30 most pleasant years. . .due to the wonderful friendships, the abundant kindness and confidence you have shown to us by your loyal patronage.
As always, it is a pleasure to serve you.
The Garrett Family
Garrett's Furniture