

EDITORIAL

A Step Back

Political and personal feuding has turned Jackson Township into a confused and poorly-served community.

The township, which has to make do with a police force of three part-time men, is not getting its fair share of its small police force because of a personal feud between chief Robert Cooper and assistant chief Don Jones. Chief Cooper admits that he no longer seeks the salaried officer's assistance on police matters.

Township roads were poorly plowed during the December storm because the roadmaster and his assistant resigned, and because the supervisors could not agree on a man to replace the road master, who had also been a supervisor himself. He resigned from the two township positions at once.

And the two remaining supervisors are doing a poor job of informing the township residents about the proposed 1974 township budget, according to some citizens.

Everyone in the township seems to be angry with someone else, or unwilling to deal with them, or both.

There is a psychological theory that political and governmental relationships follow the same pattern that inter-personal relationships follow. Many claim that the late John F. Kennedy was a master at using this approach. His Cuban missile crisis handling is a good example.

Another example is the Berlin Wall confrontation. When it had reached the point that United States and Russian tanks were lined up at the wall, almost gun muzzle to gun muzzle, President Kennedy is credited with giving the order that the U.S. tanks fall back one block.

Tactically the move gave up nothing, but psychologically it was a piece of peace-preserving genius. Shortly the Russian tanks fell back a block as well. There were later a few more such fall backs, and the situation never became as tense as it was when the United States and Russia were angrily facing, eyeball-to-eyeball, over the Berlin Wall.

We think that everyone in Jackson Township should take one step backward now to give a sign to someone else that they are willing to give a little ground in order for the township to run more smoothly.

One step backward, especially when taken by the right people, can have the effect of a leap forward, in police, road and general governmental service to the taxpayers of Jackson Township.

Russ Williams

Oil on Troubled Waters

In the turbulence of national catastrophies, one of the worst things about being the "little guy," Mr. Average John Q. Citizen, is the feeling of utter hopelessness that comes with the knowledge that one can do nothing to alleviate the situation. It is for this very reason that the current energy crisis comes as a welcome relief after the Watergate debacle. There is a feeling of intense satisfaction in performing such simple acts as turning down the thermostat to 68 degrees and easing up on the gas pedal to the prescribed 50 miles per hour.

Not so with Watergate. All one could do is cringe in the corner, overcome with a feeling of hopeless embarrassment as each revelation of wrong-doing, cover-up and political manipulation was revealed by a media long since sated with any appetite it may have had to shock, to sensationalize, to be the first with the big story.

Now we can all do our bit to "promote the general welfare." So what if lurking in the background is the nagging suspicion that we are being manipulated by the oil companies, that the present shortage is contrived to produce even greater proceeds for companies already gorged with excessive profits. And maybe we cast a jaundiced eye on statistics relating to the present quantities of fuel on hand, knowing that the only available figures are those which have been furnished by the companies themselves.

Even if the oil juggernauts are "fooling," it is comforting to realize that conserving energy is something we absolutely must do in any case. Too long we have siphoned our resources into the industrial meatgrinder, spewing the expendible residue onto the garbage heaps of the nation. The point of no return has been reached. It just happened to come sliding in on oil slick.

Helen Villame

Conservative View

by James J. Kilpatrick

Impeachment; Vote by March 1

If members of the House will not fix an absolute deadline for the impeachment of Richard Nixon, the people in their own minds should fix a deadline of their own: March 1, 1974.

Such a deadline, I submit, would give the House Judiciary Committee abundant time in which to act. In his memorandum of Nov. 13, chairman Peter Rodino disclosed an orderly plan for investigation in three broad areas of "criminal offenses, non-indictable offenses, and campaign and personal finances." That plan now is being pursued by a professional staff with a million dollars to spend.

It is a fair surmise that 90 percent of the evidence necessary for committee action already has been gathered by the General Accounting Office, by the Senate Watergate Committee, and by other agencies public and private. All that is required for the first step of impeachment is a body of evidence sufficient to establish probable cause. It would be up to the Senate, later on, to decide if the evidence proved guilt beyond a reasonable doubt.

Two months surely would seem time enough for the House to receive a bill of impeachment against the President, and to vote it up or vote it down. If March 1 passes without such a vote, a fed-up public would be fully entitled to join in the demand voiced by Sen. George Aiken of Vermont: Impeach the guy, or get off his back!

The House committee is not suffering for want of articulate support. The AFL-CIO, the American Civil Liberties Union, and Americans for Democratic Action are howling for Mr. Nixon's scalp. To The Nation magazine, the question of impeachment is not if, but when. A Senate document on the history of impeachment is into its second large printing. Newspapers across the country are filled with pro and con debate. Constitutional lawyers, chewing their cud, are as happy as cows in the clover. The Methodist Church, the Unitarians, and the Quaker's Friends Committee have all joined in calling for impeachment.

Yet it is a curious thing. At the very time when a full head of steam should be developing, some of the steam seems already to be

leaking out. It was no trick at all to talk of impeachment when impeachment was an abstract proposition. It has become something else entirely as the House gets down to the nitty gritty. Some uncomfortable thoughts becloud the mind—thoughts of glass houses, first stones, moles in the eye, and there but for the grace of God...

There is the matter, for example, of the President's tax-free expense account. It has become a matter of record. But many members of the House and Senate, having pocketed expense money of their own, would as soon play this record pianissimo. Did the President claim a tax deduction for official papers? Ah-

hum, and er-ha, and what do you know? So did Hubert Humphrey, among scores of others recently identified in a Scripps-Howard survey.

The President amassed considerable wealth during his years in office; his tax returns have been gone over with carpet beaters and vacuum cleaners. The people, sitting as a court of public opinion, may not be informed on the law, but they have a keen sense of equity: What about John Kennedy? What about Lyndon Johnson? What sums were spent to improve their private homes? Why were these virtuous Democrats so unconcerned with the matter of Bobby Baker?

These are politicians in the House; they too have raised money for election campaigns. How close have they themselves walked to the fine line that divides the implicit bribe from the no-strings gift? The bugging of Watergate was a bad thing, but it is time now to draw a perspective: What about the bugging of Barry Goldwater?

Granted, two wrongs cannot make a right, but in law and politics, two wrongs can make a respectable precedent. Let members of the House reflect upon these matters for another two months, and then vote. Vote! By the Ides of March, the President might have this agony behind him.



Footnotes

We were lunching last week in the Press Club bar and talking about Elliot Richardson, and this short chap came in with odd attire. But everybody wears odd clothes these days, and he seemed knowledgeable so we made room for him at our table (the one after the bar, that Dan looks after) and pretty soon forgot that he seemed to be wearing ruffles. One well-known columnist tried to argue that Mr. Nixon could only be impeached for a statutory crime. "Nonsense," said the stranger, "you should read Alec on that: the impeachment process is designed 'as a method of national inquest into the conduct of public men.'"

"Alec," said my friend, blankly. "Alexander Hamilton," repeated the other; "Federalist paper Number 65."

"Smart-ass, eh?" said my friend huffily. "Yeah, but how about Nixon kicking out Richardson? You don't call that impeachable do you?" The mysterious stranger observed. "The President can displace from office a man whose merits require that he should be continued in it. What will be the motives which the President can feel for such abuse of his power, and the restraints that operate to prevent it? In the first place he will be impeachable in this House before the Senate for such an act of maladministration; for I contend that the wanton removal of meritorious officers would subject him to impeachment and removal from his own high trust."

We looked at him in astonishment. He left Dan a tip in some odd coins and walked out with a bouncy stride. A blue-eyed, ruddy-faced little fellow. I peeped where he had signed his name on the card. "James Madison Jr., of Virginia", he had written.

Yes, folks, I guess we are all going to become experts on impeachment in the year ahead, along with Rep. Rodino's new chief counsel. And that quotation above is James Madison's exact comment, on the sixteenth of June, 1789, in the House of Representatives, First Congress, of which he was a member. Courts study such comments for precedents. The key word, I think, is "maladministration." Yes, in writing the Constitution in that hot summer in Philadelphia, George Mason, (plantation neighbor of George Washington and seven years his senior) at one point included "maladministration" in the definition of impeachable offenses. But his friend Jemmy Madison called it too vague, and they substituted "high crimes and misdemeanors: as including 'maladministration' just as Rep. Madison told the House a year or two later.

It is argued now that our forebears left us no way out of the intolerable fix that we are in with President Nixon's maladministration. But that is only partly so. They provided a serviceable exit at least halfway. The question is whether we dare follow the Founding Fathers. As George Mason said in Philadelphia, "No point is of more importance that that the right of Impeachment should be continued." They put in a fire escape.

The House sets as a kind of grand jury. The Senate sits as a court if the House majority votes an indictment. In 200 years Congress has investigated 65 possible impeachment cases (55 Federal judges). The House has voted "impeachment" 12 times. The Senate has acquitted seven, convicted four, and one resigned. Its a venerable, respectable process. But it goes only part way.

To get ultimate conviction a two-thirds Senate majority of "guilty" is required. And that, currently, seems unlikely. The real question is will President Nixon resign if the House can, and does, vote an indictment? The reason would be ill-health. It would save the nation three years under a crippled presidency. It is idle to say the process shouldn't go on; it is already started. Congress voted Chairman Rodino \$1 million, of which the Republicans get one-third, and he has 30 lawyers and accountants now gathering evidence. That's the situation so far.

What isn't so clear, as you try to penetrate the spectacular events ahead, is the pressure on President Nixon, and particularly on the conservative Republicans. They probably face in November one of the greatest defeats in history, what with Watergate, fuel shortage and recession. It might be moderated if Mr. Nixon quit. "I hope the public won't practice guilt-by-association" said Sen. Percy, Republican of Ill., grimly.

It is the conservative Republicans, if anyone, who have the leverage, and it is as absorbing to watch them as a football game. Vice President Ford, while a representative, voted for impeachment and for the inquiry appropriation. Not, of course, he explained carefully, to drive Mr. Nixon out, just to clear the air.

Barry Goldwater, Nestor of his party, told the *Christian Science Monitor* last week: "He chose to dabble and dabble...when all the American people wanted was the truth. I think it has come to one hell of a pass when the President of the United States has to lay bare all of his income tax papers."

Conservative columnist James J. Kilpatrick changed his mind (like many of us). On Oct. 28, he called impeachment "pure nonsense." By Nov. 11, he saw it as the "one chance to salvage the administration."

The *Wall Street Journal* felt queasy over President Nixon's tax finagling: "mistake in judgement," "unsettling," "insensitivity," it said, Dec. 14. As to the earlier missing tapes it was simply aghast: "We have arrived at the point where virtually no one believes the President's defense on a key issue...This explanation is impossible to believe and the implications of not believing it are staggering" (Dec. 5).

If the basis for impeachment is "maladministration" the House has a clear case. (Some will disagree.) But here is the secret Houston plan for surreptitious entry: "it is clearly illegal; it amounts to burglary". Mr. Nixon went along. Here is the Dean memorandum: "How can we use the available federal machinery to screw our political enemies?" Plenty of evidence that it was used. There is the attempted tampering with Judge Byrne in the Ellsberg case; the shake-down of corporations; the secret Cambodian bombing and cover up; the impoundment of 17 percent of controllable funds since 1969; the acceptance of large personal loans from multimillionaires; the mysterious \$100,000 in \$100 bills from Howard Hughes, kept three years in Mr. Rebozo's strong box; the failure to pay California income tax; the erased tapes. Go on and on. Mr. Nixon's voluntary resignation is a candle of hope for many Republicans as gloomy year of 1973 ebbs without Christmas lights.

Capitol Notes

by William Eckenbarger

Here are the awards for outstanding achievement in Pennsylvania state government in 1973:

**MEDIA EVENT OF THE YEAR:** On Oct. 3 Gov. Milton Shapp staged the first mock bill signing in Pennsylvania history. The legislation, expanding the powers of the Pennsylvania Industrial Development Authority, actually had been signed the previous week, but the governor went through a meaningless ritual for the benefit of television and still photographers.

**BEST FACT-FINDING TOUR:** 27 state legislators left blustery Harrisburg on a National Guard plane last February to inspect submarines and missiles at Key West, Fla.

**CONSUMER PROTECTION AWARD:** The state Health Department accused a California firm of making padded claims in behalf of its products to increase the size of women's bustles.

**OUTSTANDING CONTRIBUTION TO INTERNATIONAL UNDERSTANDING:** The

state lottery hawked tickets with the slogan, "No tickee, no money."

**ECONOMY IN GOVERNMENT AWARD:** The state Justice Department saved the treasury \$70 million a year by unsuccessfully defending the state's program of providing aid to the parents of non-public school children.

**HENRY VIII AWARD:** To the Pennsylvania Senate's most vociferous foes of state spending—William Duffield and Thomas Nolan—who spent several thousand dollars in state funds this year on booze and fancy meals.

**PRACTICE-WHAT-YOU-PREACH-AWARD:** The state Insurance Department kicked off a drive to make insurance policies more "readable" by spelling it "reabable".

**UNDERSTATEMENT OF THE YEAR:** "Mr. Speaker, the House is not in session every day of the week"—Rep. Max Homer (D., Allegheny).

**HAZARDOUS DUTY AWARD:** The 35-

piece Pennsylvania Air National Guard Band has spent its summer training on a concert tour in Europe.

**FENDER BENDER OF THE YEAR:** State Insurance Commissioner Herbert S. Denenberg, premier advocate of no-fault auto insurance, had a minor accident near the Harrisburg railroad station but refused to say

who was at fault. "We'd have to pay two lawyers \$20,000 each to prove it in court," he explained.

**R.I.P.: The Winner's Choice** Lottery. Born, May 1973; Died, November 1973. Death was due to circulatory problems (no one bought any tickets) brought on by complications (no one could understand it).

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