

West "gateway" to downtown

It's interesting to see who has jumped on the "righteousness" bandwagon. All of a sudden, after decades of being ignored, the southside and westend are getting some long overdue attention.

But, once again it's easy to see the distinction given to the two long overlooked areas. The southside has waited patiently while all other geographic areas of Cheyenne have been improved with parks and public amenities. And now, only reluctantly is money being spent to create the park approved by voters in 2003.

Finding funds, or releasing existing funds, to help toward finally providing amenities on the southside that other areas, especially north, have taken for granted for so long, is glacier slow. It is finally happening but it has taken far too long.

People live on Cheyenne's southside. The millions of dollars being diverted to try - and I repeat, try - to create a more attractive "gateway" down W. Lincolnway from the interstates should have gone to the southside. Did I mention that's where people live? Residents, not visitors.

There are a handful of Cheyenne residents near - not on - the west gateway to downtown. A handful. And many of them are transients who may not make Cheyenne their home in the long run - those who temporarily stay at the Comea Shelter and other motels on the way in.

I had hoped the mentality would change with a new city administration but the only other new person in city government - besides Rick Kaysen - is Amber Ash and it will be an uphill battle for the two of them to change the mindset of most of the eight others who were entrenched in city office long before January 5, 2009.

I for one do not give a damned what travelers think of the "west gateway" off I-25 or I-80. So long as the road surface is in good repair, having an open view of the railroad tracks to the south is not only okay, it is encouraged. Railroads built this city, not Rock 'n Roll. And the first impression any motorist would have when they exit the interstates has to be positive - they have to consider Cheyenne "progressive." Home Depot, Outback, Little America, LaQuinta, Village Inn, other new hotels, etc., why should any city administration be ashamed of those? Toward the downtown are more decent lodging establishments, car dealers and other "non" eyesores. What they hell are they talking about - the "west gateway?"

And a grassy median is supposed to enhance attractiveness? Someone needs to travel the country a bit. Eckhardt said an executive told him he was ready to turn around and go home when he saw the west gateway. First, I don't believe Reed and second, good riddance. Prima donnas can go to Boulder. Get the hell outta our town. It's good enough for us.

U.S. Supreme Court Justice David Souter

Including the original chief justice (John Jay) and five justices nominated by George Washington in 1789, 108 different persons* have served on the United States Supreme Court. In 1812, the court was increased by one justice to seven members in all. In 1837, the number grew to eight and the following year, 1838, the number went to nine where it remains.

Franklin D. Roosevelt tried to "stack" the Supreme Court in 1937 (with six more justices) but was denied that power. One of the justices FDR was trying to neutralize was Wyoming's only Supreme Court Justice, Willis Van Devanter. According to a published source, Van Devanter retired in 1937 after Congress voted full pay for justices over seventy who retired. Some believed he left because of the fallout from FDR's attempt to increase the number of justices on the Supreme Court (Judiciary Reorganization Bill of 1937). Van Devanter served from January 1911 until June 1937.

Two men were appointed to the Supreme Court but died before they could serve; one of the original justices appointed by Washington declined to serve and a fourth man, appointed by U. S. Grant, took his oath of office on his death bed and never served on the court.

Only two women have served on the U.S. Supreme Court - Sandra Day O'Connor, appointed by Ronald Reagan and Ruth Bader Ginsburg, appointed by Bill Clinton.

There have nine recess appointments (appointed by the president while Congress was in recess) and all but one of those were later confirmed by the Senate. Eisenhower made three recess appointments - Earl Warren, William Brennan, and Potter Stewart.

The reasons for leaving the Court are almost evenly split between death and resignation. Those who resigned usually had limited years of retirement, ranging from 33 days for William Howard Taft to nearly 34 years for the first chief justice, John Jay. Most of those who retired lived fewer than ten years after retirement.

For justices serving since the law change to provide full pay for those who reached 70 and retired, almost all who did retire were about 70 or a little older. Two were exceptions - Arthur Goldberg was 56 years old when he retired in 1965 and Abe Fortas was 58 years old when he retired in 1969. They lived 25 years and 13 years, respectively, after retirement.

So, why all the information about U.S. Supreme Court justices?

Because David Souter has announced that he will retire at the end of this term of this Supreme Court. Souter was nominated in 1990 by George Bush the Elder.

* Two men were associate justices who retired and came back later as chief justice. One was a recess appointment for chief justice who was not confirmed.

Souter took his seat October 9, 1990 and is the fourth longest serving on the current Court - behind Stevens, Scalia and Kennedy. He is younger than all but Thomas, Roberts and Alito.

David Souter will, coincidentally, be 70 years old on September 17th.

Good for him.

Finally, someone will retire from the Supreme Court while in decent health and at an age to enjoy what life ahead brings to him. What he deserves.

John Paul Stevens is the oldest member of this court and he just turned 89 years old. He has been on the High Court since 1975. Ruth Bader Ginsburg just turned 76 and has cancer. Neither's retirement would tilt the balance of the court. Why not enjoy some time off at full pay before you're called away? Retire, J.P. and Ruth.

David Souter has been probably the most surprising and unpredictable pick for the court in decades - perhaps ever.

George H.W. Bush expected, of course, that Souter would be a conservative justice. He has not been. He may not be the most liberal member of that voting bloc but he most often votes with Stevens, Ginsburg and Breyer.

Justice Anthony Kennedy will be 73 in July and is the swing vote. Only his leaving would make a difference in the philosophical balance. He's going nowhere. Three of the four most conservative members are the youngest members - born in 1948 or later. Justice Antonin Scalia was born in 1936 and is a little more than four months older than Kennedy.

David Souter hasn't been very controversial on the court - except for not being the conservative Geo the Elder thought he would be - so maybe his health is better than most who wait too long to retire. Sandra Day O'Connor served 25 years and is 79 years old now - and was nearly 76 when she retired.

Souter may prove to be one of the most intelligent to have served on the U.S. Supreme Court. Knowing when to leave is pretty important. Here in Cheyenne, if it weren't for a mandatory 70 year-old retirement age, the district court judges would die in office. It's much better to have a change in the judiciary, even though there is a risk of one person or one party naming too many of the members of a court. FDR, in his 12+ years in office, nominated eight members to the Supreme Court. And wanted six more. Eisenhower, five - Truman and Nixon, four each. Other presidents since 1960 have named no more than three, with Ford only one and Carter, thank God, none.

The oldest age at death of a former Supreme Court justice was, interestingly, Oliver Wendell Holmes who was two days short of his 94th birthday when he died on March 6, 1935. There will be a quiz.



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Walk In My Shoes

The 11th Annual Walk In My Shoes will take place June 13, 2009, starting at 907 Logan Avenue.

Registration starts at 8:00 a.m. and the Walk begins at 9:00 a.m.



The Walk registration form can be found at
<http://www.wch.vcn.com/walkregis09.htm>

Registration for walkers or ghost walkers is \$12.00 prior to the event and \$15.00 on the day of the event. Contributors and sponsors are needed. Door prize donations are needed.

Call Virginia with questions or offers at 634-8499.
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