

EDITORIAL WEIMAR JONES, Editor

The Constitution---IV

Having outlined the functions and responsibilities — and limited the powers — of the three branches of the proposed new federal government, the constitutional convention of 1787 turned to a variety of other problems. They are treated in Articles 4, 5, 6, and 7, which appear on this page.

Article 4 deals with relations between the states.

Under section 1, each state is required to recognize the public acts, etc., of all the others.

Section 2 provides for:

1. Reciprocity in the matter of the citizen's rights; or, as this section phrases it, his "privileges and immunities". (That exact phrase is repeated in the Fourteenth Amendment.)

2. The return by one state to another of persons charged with crime.

3. The return of escaped slaves. (That was repealed, of course, when the Thirteenth Amendment abolished slavery.)

REMARKABLE FORESIGHT

One of the most remarkable exhibitions of foresight, public spirit, and altruism in the entire history of this nation is the plan worked out for the territory lying to the west of the 13 states on the Atlantic Seaboard. First of all, the states ceded their western territories to the federal government. Second, in the Ordinance of 1787, the Confederation Congress provided for the creation of new states in this western territory. Finally, the constitutional convention—in session when that ordinance was adopted by the Confederation, as one of its last acts—provided that the new states should enter the Union on complete equality with the old ones. In section 3 of Article 4, the rule is set up—and it has been followed as 35 new states, nearly three times the number of the original 13, have been admitted to the Union. This was in striking contrast to the old idea of territory as something owned, to be exploited.

GUARANTEES TO STATES

Section 4 of Article 4 is often cited as requiring of the states that they give their citizens a republican form of government. A careful reading of that section, though — especially in its context, and against the background of the convention debates — suggests it was intended, instead, as a guarantee to the states; a guarantee, first, against encroachment by the federal government; second, of protection from invasion; and, third, of aid, when desired, in suppressing domestic violence.

It is noteworthy, on the third point, that the aid had to be really desired. It was to be given only if and when the legislature asked for it; or, when the

legislature was not in session and "cannot be convened", on request of the governor.

METHOD NEVER USED

Those who drafted the Constitution were wise enough to recognize that it was not perfect; and that, in any case, changing conditions might require changes in this, the basic law of the new nation. So they provided for amendments, but saw to it that amendment should not be too easy. To change the Constitution, the vote of two-thirds of both houses of Congress, and then the approval of three-fourths of the states is required. (Article 5.)

Two methods of initiating amendments are set out. Congress may submit amendments to the states for ratification; or, on application of two-thirds of the states, Congress "shall call a convention for proposing amendments". The latter method, the proposal for change coming from the states, never has been used.

The first section of Article 6 provided that the debts of the Confederation should be assumed by the new government. (Later, it also assumed most of the debts made by the individual states in fighting the Revolutionary War.)

STRONG WORDS

Section 2 of Article 6 probably goes farther than any other in the Constitution toward making the federal government dominant; for it flatly states that the Constitution, "the laws of the United States . . . made in pursuance thereof", and all treaties shall be "the supreme law of the land". (The proposed Bricker amendment, widely discussed for a number of years, would modify this section, as well as weaken the powers of the President.)

The final section of this article requires public officials to swear to support the Constitution. Then it adds, significantly, that a man's religion shall be no bar to public office. That provision was hotly debated when the Constitution was submitted to the states for ratification, many persons insisting they wanted no non-Christian, nor even a Catholic, in public office.

NINE STATES REQUIRED

Little Rhode Island, torn apart by a struggle between the haves and the have-nots in that state, never sent delegates to the constitutional convention; and it is quite possible that the delegates who wanted the Constitution ratified were glad. Because, since approval of three-fourths of the states was required to amend the Constitution, it would have been illogical not to require three-fourths of the states to ratify it before it should become effective. With 13 states, a three-fourths vote would have required approval by 10. But with Rhode Island unrepresented, the delegates could reasonably argue that the states involved numbered only 12, and thus that nine would be three-fourths. That one-vote difference may have seemed all-important; because, at the time, there was serious doubt that even nine states would ratify.

In any case, the final article of the Constitution provided that ratification "by nine states shall be sufficient for the establishment of this constitution between the states so ratifying the same".

Suggested motto for motorists in a hurry: "Better be late than the late."

"Think You've Got The Trail, Huh, Boy?"



fication to any office or public trust under the United States.

ARTICLE VII

The ratification of the Conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September, in the Year of Our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the Twelfth. In witness whereof we have hereunto subscribed our names.

'FOR OUR OWN'

A Thought for Today

(From yesterday's talk by the editor on The Press' weekly 7:45 a.m. Wednesday program, "A Thought For Today", over Station WFSC.)

Margaret Elizabeth Sangster said it:

"We have careful thought for the stranger, And smiles for the sometime guest; But off for our own the bitter tone, Though we love our own the best."

Of all the strange things in nature, surely the strangest is human nature.

For how often do you and I manage to "put our worst foot forward"! We say or do the wrong thing, or we say or do the right thing but at the wrong time, or we say or do it in such a way that the other fellow, who ordinarily would be ready to applaud, is enraged by our attitude. At heart, we're kind, decent human beings, but, before others, we are likely to act as though we were neither kind nor decent.

Well, there's one thing about us human beings that is even stranger than that—the picture drawn by those lines:

"We have careful thought for the stranger, And smiles for the sometime guest; But off for our own the bitter tone . . ."

And all that, in spite of the fact that of course we love our own the best.

Why are we like that? It might take a psychologist or a psychiatrist, or maybe a Solomon, to say. But it takes neither a specialist nor a Solomon to know that it just doesn't make sense for us to act that way.

Careful thought for the stranger?—of course.

Smiles for the sometime guest?—by all means.

But if we are smart, if we are reasonable human beings, if we value our own happiness, we'll rate things in their right order — and that means we'll save the most careful thought, the brightest smiles, for our own, for those we love the best.

Letters

Thanks Franklin People

Editor, The Press:

I should like to express my sincere thanks and appreciation to the people of Franklin for their kindness and generosity in providing food and lodging for the Civil Air Patrol cadets and senior members who participated in the recent search of that area for a lost aircraft.

JUANITA E. WILSON, Major, N. C. Wing Coordinator for Women

Asheville, N. C.

Proud Of Macon County

Dear Mr. Jones:

I would like to express the appreciation of the Franklin Squadron of the Civil Air Patrol for the assistance and cooperation given us by your newspaper during our recent search for the crashed airplane. Your accurate reporting and your publisher's willingness to release personnel to assist in the actual search reflected the spirit of true "mountain hospitality" and a feeling for others which is so evident in this county.

Don't you think we are prone to take somewhat for granted the things which we see every day? People travel for hundreds of miles to see our hills and fall color which we hardly notice, since we are accustomed to them. Likewise, I'm afraid we become somewhat accustomed to the real hospitality of our everyday neighbors. However, the events of the week of the search made me proud to be an "adopted native son" of Macon County. When it became necessary to ask for a place to house some of the out-of-town personnel who were helping in the crash search, the response was, or would be in some locations, amazing. Almost a hundred calls came in offering beds and meals for those strangers in our community, who were in need. People from all walks of life offered and gave assistance far beyond expectations. Clubs, as well as private individuals and businesses, gave time, equipment, and food to help take care of the emergency.

I, and the Franklin Squadron, would like to repeat that we are proud of Macon County and believe that there is a warm spot for this county in the hearts of those from other counties who saw what real neighborliness is, during the search. May we, through your paper, express our appreciation. To ALL you hospitable folks—a real hearty THANK YOU.

FRANK PLYLER, Commander

Franklin.

DO YOU REMEMBER?

Looking Backward Through the Files of The Press

65 YEARS AGO THIS WEEK
(1892)

A goodly number of the colored men of Macon voted (in last week's election) the Democratic ticket rather than support the third party.

The mountains were covered with snow yesterday (November 15) morning.

If you do not want gray hairs, use Hall's Vegetable Sicilian Hair Restorer.—Adv.

Old Aunt Charity Chavis, colored, died Monday morning about three miles west of town.

25 YEARS AGO
(1932)

The Macon County chapter of the American Red Cross has been swamped with requests for clothing for school children in all parts of the county.

Mrs. Logan A. Allen entertained with a quilting party at her home on Thursday, November 10.

Distribution of the fourth carload of Red Cross flour to the 47 school districts of Macon County will be made Saturday.

10 YEARS AGO

Forty members of the Franklin American Legion post gathered Tuesday night at the Slagle Memorial building for the first meal served in the building.

Last month was exceptionally warm and wet for October, a comparison with a 10-year average at the Coweta Experimental Forest revealed.

Sales of extract wood in this county total about \$480,000 a year, John Wasilik, Wayah district ranger of the Nantahala National Forest, pointed out this week.

STATE-FEDERAL RELATIONS

CONSTITUTION OF THE UNITED STATES

Fourth Installment

EDITOR'S NOTE: The fourth installment of the U. S. Constitution, which The Press has been publishing serially, appears below. This completes the original Constitution. Next week, the first ten amendments, known as the Bill of Rights, will appear.)

ARTICLE IV

SECTION 1—Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

SEC. 2—1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2. A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall on demand of the Executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up

on claim of the party to whom such service or labor may be due.

SEC. 3—1. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned as well as of the Congress.

2. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

SEC. 4—The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic violence.

ARTICLE V

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of

'UNANIMOUS'

Today, the men who drafted the U. S. Constitution are thought of as virtual saints. Well, they weren't. While many of them were dedicated statesmen, most of them were, first of all, politicians; not above a bit of deception when the situation seemed to call for it. That point is illustrated by this incident:

Like any group making a proposal, the drafters of the Constitution had hoped it would be adopted unanimously. But they were disappointed. Three delegates—George Mason and Edmund Randolph, of Virginia, and Elbridge Gerry, of Massachusetts — refused to sign the document.

Without at least the appearance of unanimity, the Constitution's chances of ratification would be lessened. There was a loophole, however, for each state had one vote, and the majority of every state delegation favored adoption. Hence the adopting clause: "Done in convention by the unanimous consent of the STATES present."

That less-than-honest phrase was devised by Gouverneur Morris, of Pennsylvania. And it's use was moved by none other than the great Benjamin Franklin!

this Constitution, when ratified by the Legislatures of three-

fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the Ninth Section of the First Article, and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI

1. All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

2. This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

3. The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qual-