

# EDITORIAL Weimar Jones Editor

## The Constitution---V

When the U. S. Constitution, agreed upon and drafted in secret sessions that extended over a period of nearly four months, at last was made public, it met a storm of criticism.

The delegates had exceeded their instructions, it was said. And they had. They had been instructed to patch up the old Articles of Confederation; instead, they proposed something entirely new.

There was fear of the provision that a man should not be barred from public office because of his religion; Jews, Mohammedans, and pagans might gain control of the government. There was widespread opposition, led by Virginia's George Mason, one of the ablest of the convention delegates, to the compromise permitting the slave trade to continue another 20 years. And there was dread of a strong central government. The Constitution gave it power to raise armies and create a navy, to regulate commerce, and to levy taxes. What was left to the states?

### OTHER FEARS

In addition, the state courts and the people would be at the mercy of a federal judiciary, appointed for life, critics said.

The federal district, just ceded by Maryland for the seat of the new government, was pictured as an armed fortress, from which armies would sally forth to subdue the people, and to which treasure would flow "from every corner of the land". (They would have been aghast, indeed, had they dreamed of the billions that ultimately would flow to Washington.)

Patrick Henry thought the Constitution gave the federal government the "right to keep a powerful army continually on foot, if they think it necessary to aid in the execution of their laws". Mason felt the power to tax "calculated to annihilate totally the state governments", and that establishment of a supreme court without juries would result in "a Star-Chamber as to civil cases".

### WANTED IT SPELLED OUT

Growing out of these objections, but more deep-seated than any of them, came a demand for a bill of personal rights.

The Constitution set up what was then considered a strong central government; but, with only three or four exceptions, it was silent on the rights of the individual.

Many of the delegates, no doubt, felt that these things were taken for granted; that these personal rights and freedoms, already written into the constitutions of most of the states, were assumed, unless it was specifically stated otherwise. But the people insisted they be spelled out. And while there seems to be no positive proof of it, the evidence suggests there was an unofficial agreement that a bill of rights would be adopted after ratification of the Constitution.

### 5 STATES ACTED

How strong the sentiment was for such guarantees is indicated by the fact that four states—Massachusetts, New Hampshire, Virginia, and New York — went on record as favoring such amendments, while a fifth — North Carolina — re-

fused to ratify the Constitution until formal action initiating them had been taken by Congress.

That action came with the first Congress. In September, 1789, it proposed 12 amendments. The first two, dealing with the ratio of population to representation in the House and with the pay of members of Congress, failed of ratification. The other 10, ratified by the required number of states in 1791, became the American Bill of Rights. The first eight of them deal with the rights and freedoms of the individual; the last two made it clear that the federal government was given no powers other than those delegated to it.

### POSTSCRIPT

The first 10 amendments, which appear on this page, really are not amendments, in the strict sense of that term; for, unlike the 12 adopted in later years, they changed nothing in the Constitution. Instead of amending what already had been written, they are a sort of postscript; additional articles to the Constitution proper, and thus virtually an integral part of the original document.

Nothing in the Constitution is clearer, simpler, more concise than the 10 amendments we call the Bill of Rights. Any attempt at explanation would be superfluous; for it would be hard to misunderstand their meaning. Where there is misunderstanding, it probably is due to unfamiliarity with the amendments themselves, rather than lack of clarity.

### THE UNFAMILIAR FIFTH

Some persons, for example, have advocated repeal of the fifth amendment because of recent abuse of its provision that a man may not be forced to testify against himself. Well, that is only one of five rights guaranteed the citizen in this particular amendment.

It is noteworthy that each of the last two, limiting the federal government, says the same thing, in a different way. The ninth amendment declares that "the enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." Then, approaching the matter from another angle, the tenth says:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."

The ninth holds on to all powers not delegated, and the tenth makes the point doubly clear by asserting the federal government has no powers not specifically delegated to it.

## Letters

### Wonderful Place

Editor, The Press:

I look forward each week to The Press, as it helps me to keep in touch with a lot of people I once knew.

Although I have been gone from North Carolina for seven years, I still think it's a wonderful place, with wonderful people.

MRS. KATHERINE SANDERS.

Kelso, Wash.

### Home Teachers Best

Dear Mr. Jones:

May I say that Macon County teachers, who were born and raised there, or who have lived in the county for years, understand county problems much better than "furriners". They

—Continued on page three

## Single-Entry Ledger



## Strictly Personal By WEIMAR JONES

Most Americans, it seems to me, are constantly mortgaging their salaries, if not their very souls, for things they don't need.

Take the automobile, as just one of many examples. For most of us, the automobile today has become a necessity. But all the gadgets that come with it are far from necessary; ditto all the prettying-up with chrome and whatnot. Don't misunderstand me, I like the gadgets. And I'm sure, if I ever got the chance, I'd really rare back driving one of those long, low-slung beautiful things we call a modern automobile.

But the point is, all that is really necessary, to get there and come back, is a good engine, four wheels, and reasonable protection from the weather. And the corollary of that point is that the average American, if he'd be willing to do without the unnecessary extras, would be in debt for an automobile only eight or nine

months out of the year instead of 13.

But if science sometimes makes us slaves, it also makes us free. And I would be the last to berate modern inventions; I'm all for them. They contribute vastly to the convenience and comfort and pleasure of present-day living.

And, for my money, there are four that do that job better than any others.

The first is mechanical refrigeration. Aside from its convenience; aside from the economy of avoiding waste by making it possible to keep foods almost indefinitely; aside from the eating variety it permits (remember how, in the old days, at the first "cold snap", we'd kill a hog, and then have hog meat three times a day, trying to use it all up before a warm spell came along and made it spoil?) — aside from all these, mechanical refrigeration has contributed enormously to health. An exceptionally capable and honest physician I know says, in fact, that modern refrigeration has done more to reduce the once terrible infant mortality rate even than modern medicine.

There are two other gifts of science that, in my book, are tied for second place; one for women, the electric razor. About the latter, I can speak from experience. Until I was given an electric razor, shaving was my most dreaded chore of the entire 24 hours. There was the mess of getting soap all over my face and then rubbing it in (there's still enough of the small boy in me that I don't like soap on my face). There was the brush to be soaped and then cleaned. Finally, the actual process of shaving, during which I invariably cut off

more flesh than beard; my face, and then my towel, and finally my shirt, were all bloody before I got through. . . . Now, you simply plug in the razor, run it over your face a couple of times, and the job is done. Truly, its inventor was one of the great benefactors of mankind — just as the inventor of the automatic washer was a benefactor of womankind.

And now, right quick, before some woman says, "If you were the woman of the house, you wouldn't so much as mention a mere razor in the same breath with an automatic washer!" — before some woman says that, I hasten to remark: "If I were the woman of the house, I wouldn't have to be bothered, every day in the year, with getting beard off my face."

Finally — and I'm not certain but that this should be listed first instead of third — there's instant coffee. There really is a boon to the human race.

And if you doubt it, ask some of the older folks; for there are people alive today who remember back when, if you wanted a cup of coffee, you first parched the coffee beans — parched them, that is, if you were lucky enough not to burn them up; then you ground them in a coffee mill that either was attached to the wall or stubbornly refused to be attached to your lap; next you boiled the grounds; and, finally, in desperation, you put in some white of egg in the hope it would settle

didn't much matter how awful the stuff was; by that time your desire for a cup of coffee was so overpowering, you'd have drunk anything — and smacked your lips over it.

But now! a spoonful of powdered coffee, some hot water in the cup — and you can take it right

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## DO YOU REMEMBER?

Looking Backward Through the Files of The Press

### 65 YEARS AGO THIS WEEK (1892)

Buckwheat flour in 2 lb. packages at Wright's.—Adv. A fine large banner was presented to Cartoogechaye Township last Saturday as the banner Democratic township of Macon County.

FAIR WARNING: All persons indebted to me by note or account must come up and settle at once. Some of you have been owing me from two to six years.—R. L. Porter.

### 25 YEARS AGO (1932)

Federal authorities have approved road contracts on two road projects to be undertaken in Macon County, surfacing Highway No. 28 from the foot of Palmer Street through town to the foot of the mountain, and surfacing from the foot of the mountain to Rainbow Springs.

A wild goose was shot by C. A. Waldrop on Cartoogechaye Creek Monday.

Passenger fares on the Tallulah Falls Railway reduced to 2 cents per mile, straight fare; 1½ cents, round trip fare. Adv.

### 10 YEARS AGO

The campaign to bring the N. C. Symphony Orchestra here again next spring will get under way Monday, W. W. Sloan, county chairman, has announced.

Blaine's Seed Store, which has been operated by the Blaine family for 23 years, last week was sold to Mrs. R. E. McKelvey. Despite a steady downpour of cold rain, last Friday night's football game netted the Franklin Parent-Teacher Association, which sponsored it, and the school athletic association \$116.52.

## THE BILL OF RIGHTS

# CONSTITUTION OF THE UNITED STATES

Fifth Installment

(EDITOR'S NOTE: Below are the first 10 amendments to the U. S. Constitution, generally known as the Bill of Rights. This is the fifth installment of the Constitution, which The Press has been printing serially. In the final installment, next week, the 12 amendments adopted since 1791 will appear.)

### THE BILL OF RIGHTS

#### ARTICLE I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

#### ARTICLE II

A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

#### ARTICLE III

No soldier shall, in time of peace be quartered in any house, without the consent of the owner,

nor in time of war, but in a manner to be prescribed by law.

#### ARTICLE IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

#### ARTICLE V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

#### ARTICLE VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an

impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

#### ARTICLE VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

#### ARTICLE VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

#### ARTICLE IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

#### ARTICLE X

The powers not delegated to the United States by the Constitution, nor prohibited by it to

the States, are reserved to the States respectively, or to the people.

## N. C. ANNIVERSARY

North Carolinians have reason for special interest in the Bill of Rights, for this was the only state to reject the U. S. Constitution because it failed to include the guarantees of personal rights and freedoms contained in the first 10 amendments.

In the summer of 1788, a state convention met to act on ratification of the Constitution. It refused to approve it—refused by a vote of more than 2 to 1.

And six months after Washington had been inaugurated as President and the federal government had started functioning, North Carolina was still out of the Union.

But when the first Congress passed the desired amendments, in September, 1789, and submitted them to the states, a second convention was called in this state, and it promptly ratified the Constitution — by a vote even more lopsided than the first.

That happened November 21, 1789 — 168 years ago today.