

# The Story of the Constitution

by CALEB JOHNSON

## HOW THE CONSTITUTION GREW

The Constitution was not intended to be a rigid body of law, but a broad statement of democratic principles and a set of rules for the application of those principles. For as long as the Legislative, Executive and Judicial branches of the Federal Government adhered to those principles and were guided by those rules, they were given almost a free hand to do anything that changing circumstances and conditions might require to be done. If at any time it seemed desirable to change the rules, the Constitution itself provided a method of amendment.

The growth of the Constitution, to keep pace with the growth of the nation and the changing times, has, however, been accomplished not as much by changing the rules as by successive interpretations of the rules by the Supreme Court. There have been only eleven amendments to the Constitution in the 144 years since the adoption of the first ten, which constituted the Bill of Rights. But through the decisions of the Supreme Court, the principles which were stated only in broad, general terms by the framers of the Constitution, have been clarified and applied, almost from the beginning, in new ways to meet new situations. The great body of constitutional law comprised in the decisions of the Supreme Court has become as much a part of the Constitution as the original document itself. It has been developed into something living, flexible, adaptable to every social and economic change in human affairs; yet not once, either by amendment or by interpretation, have the fundamental principles laid down in the Constitution been abandoned.

The growth of the Constitution began with the advent of John Marshall as Chief Justice of the Supreme Court in 1801. In the 34 years throughout which Marshall presided over the Judicial branch of the Federal Government, hardly a phase of the Constitution did not come before the Court for interpretation. John Marshall's decisions pointed the way to keep the Constitution abreast of the time without sacrificing the principles of democracy.

Marshall first seized upon the possibilities inherent in the clause giving Congress power to regulate commerce between the states. His successors, following his lead, have made it possible by their decisions, to expand the powers of the Federal Government in peace with social and economic evolution. No provision of the Constitution has been more zealously scrutinized than this one, as both Congress and the Executive have constantly sought to broaden the powers of the Federal Government. Upon the rather slender thread of "commerce among the several states" hangs a weight of

Federal powers that would have snapped any less elastic provision.

Through the bold exercise of its right to decide what the Constitution means, the Supreme Court has made the Constitution reflect the solid convictions of the people, throughout all the transformations brought about by forces of which the framers of the Constitution never dreamed. The inevitable result of steam and electricity, applied in railroads, telegraph and telephone, was to unify the Nation, and to give the Federal Government steadily increasing importance as compared with the individual states. The great function of the Supreme Court has been to determine how far the Federal Government might exercise its powers to meet conditions thrust upon it by such physical unification without infringing unduly upon the rights reserved to the states.

## The FAMILY DOCTOR

(By John Joseph Gaines, M. D.)

### THE COLON BACILLUS

This common guest of ours does no harm, so long as it inhabits the colon, the large bowel; but when it gets into the blood-stream, through an ulcer of the rectum or from a wound, then grave trouble may occur. Many cases of gall-bladder infection, appendicitis, and suppurating inflammation of the urinary bladder may result.

Once the colon bacillus was not considered particularly harmful. We know better now. Every health board of cities looks out for this more than common polluter of the public water-system.

My opinion is that the colon bacillus is equally dangerous, if not more so, than the typhoid germ. The microscopist may indeed find it easy to mistake the colon "bug" for the typhoid. But there is a distinct difference in form. The colon germ is thicker in its middle and more fusiform in shape.

The colon bacillus is scattered or disseminated with human excrement. It may mingle with soil. Hence the outdoor toilet, such as has been used by farm homes, is a distinctly unsanitary and dangerous proposition. The only safe model is the one with a deep pit underneath it which must be treated with un-slacked lime regularly. The content should never be permitted to accumulate on the ground, where it can be washed away by showers.

The farm home which has this equipment should tear it down at once and burn it over its own site. Then build a house-toilet with a tile drain, so that it may be deluged with strong antiseptics. This letter is not for city dwellings with modern, sanitary conveniences.

### DRUG-ADDICTS

America is a nation of drug-addiction. I do not mean opium or narcotic addiction. But I do mean that we are habitual drug users just the same.

For instance, alcohol. I believe we have a hundred alcohol addicts to one opium user. From the old grandma who sips her daily tonic containing alcohol, to the inebriate

who takes his daily libations of "white mule"—all Americans use alcohol to some degree and its subtle effect on the human system often leads to addiction.

I suppose there are not figures enough to number our tobacco users, all the most profound addicts. Tobacco contains a powerful drug, nicotine, which steals into the human system producing the most intense desire. It is appalling that so many children, young boys and girls, are becoming tobacco users. I have not room here to say more of that.

And you who lingered long over your sips, you tea and coffee fiends. You are drug-addicts, every one of you. There is a record of a lady and her grown daughter who together consumed 42 cups of strong tea daily. Both were nervous wrecks. I myself knew a laborer who boasted of drinking seven cups of coffee at each meal. So far as I know he kept it up and lived to old age.

All these people were unmistakable drug-addicts. They were distinctly within the danger-zone.

Let me say this of alcohol, tea and coffee. All of them, if used within the strict limit of temperance, are distinct benefactors of the hu-

man race. It is only EXCESS that kills. Bear this in mind always.

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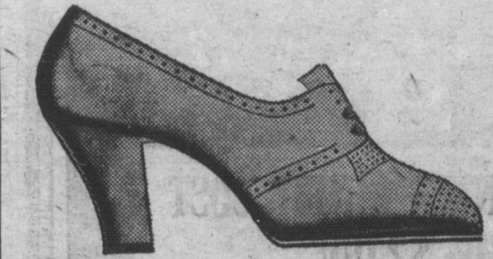
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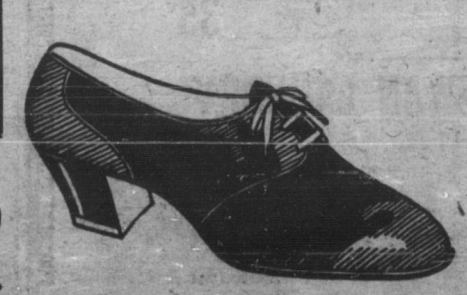
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