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Hillsboro Argus

Oregon Products—
The Argus is Printed on
Oregon Made News

Volume 42, No. 23

Hillsboro, Oregon, Thursday, July 25, 1935

Section 2, Pages 1 to 4

State, Federal Rights Viewed

Relation Probably the Most
Fundamental Problem

Editor's Note—One of a series of discussions on constitutional questions prepared by members of the U. of O. faculty for newspaper use, through co-operation of the college of social sciences and school of journalism.

(By John T. Gano)

The relation of the federal government to the states is probably the most fundamental problem of our constitutional system. Nearly every great internal conflict in our history has involved the clash of state and federal rights.

Just what is the legitimate sphere of federal action and what basis is there historically in the ever-recurring claim of each generation that the domain of the states is being infringed upon and that the constitutional system ordained by the framers is thus being overthrown?

Historically, the answer must be sought in an analysis of the constitution and its evolution over the past 150 years.

When the colonies in America declared their independence they were confronted with the task of forming new governments for each state as an independent entity, and for the United States.

The work of the second continental congress resulted in the first federal constitution—the articles of confederation, approved finally March 1, 1781. Under this constitution, the United States was merely a league of independent and sovereign states.

The federal government consisted of a congress in which each state enjoyed equal power as independent nations. There was no division of the government into departments. The congress could declare war, make peace, make treaties, borrow and coin money, fix weights and measures and establish post offices but could not levy taxes or regulate commerce. Sovereignty was vested in the states upon having their independence recognized by Great Britain in 1783 was confronted with a serious depression which brought demands for inflation and finally Shay's Rebellion of 1786.

It was apparent that the states were in control of the radical debtor element—agrarians, mechanics and laborers. The large landholders and the business interests blamed the depression upon the radicals and proclaimed the weaknesses of the articles of confederation.

"Our government," wrote General Knox, "must be braced, changed or altered to secure our lives and our property. The men of property and the men of station and principle... wish for a general government of unity, as they see that the local legislatures must naturally and necessarily tend to retard the general government."

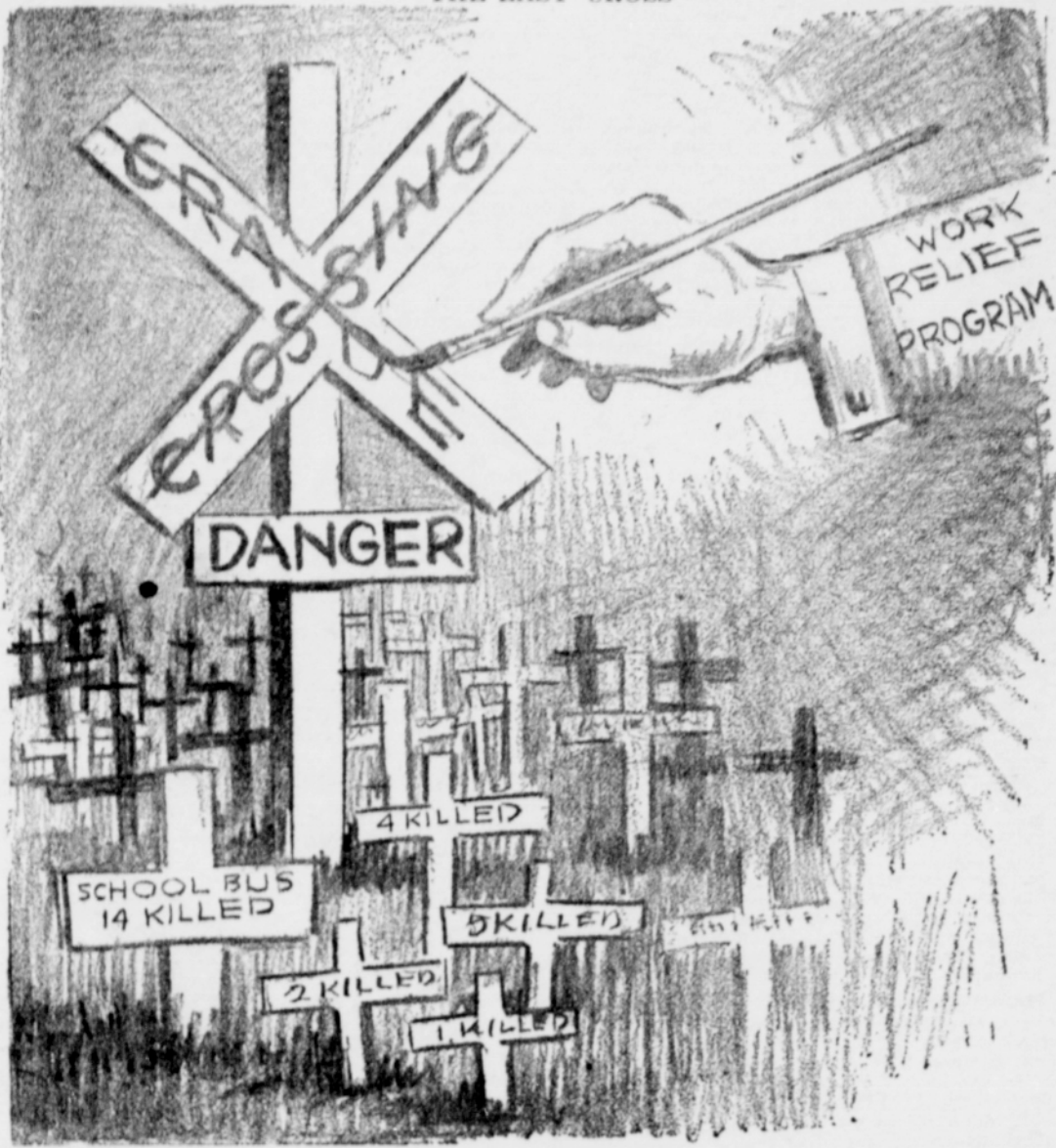
The result, ultimately, was the calling of a constitutional convention which met in Philadelphia Monday, May 14, 1787, to revise the articles of confederation. The delegates, in the main, ignored the instructions and for a period of four months engaged in drafting the constitution of the United States.

The convention was not concerned primarily with theory. It was composed of practical men interested in a workable government.

Luther Martin, delegate from Maryland, claimed there were three parties in the convention, the nationalists, the federalists, and the imperialists. The imperialists and the nationalists, combined and agreed that a national government ought to be established, consisting of a supreme legislative, executive, and judiciary.

The word "national" was struck out and "United States" inserted in its place, which Luther Martin declared was done because the other might create alarm.

While there was disagreement as to whether sovereignty rested in



the states or in the United States, all members were in agreement that the national authority, whatever the power granted to it, must with regard to those powers be supreme over state authority.

The constitution which was the product of the deliberations of the convention, in the minds of the framers established a national government with the national government supreme in those powers specifically delegated to it, and with all others remaining to the states.

The principle of the division of powers between the state and federal governments would thus seem, in general terms, extremely simple. The national government could exercise only those powers specifically granted to it, all others were reserved to the states.

In the controversy over the ratification of the federal constitution in the states the proponents of the constitution, in reality those with national leanings, became known as federalists, and those opposed to it or leaning toward complete state sovereignty became known as anti-federalists.

The struggle over ratification did not cease with the acceptance of the constitution. The new government as federalists, and those known as federalists, and those opposed to it or leaning toward complete state sovereignty became known as anti-federalists.

The first government was thus in no sense a coalition. Professor Beard points out: "When the paper document of Philadelphia became a reality, it lived on in the reason and will of the men who had constructed and adopted it. It was they who enacted the laws, enforced the decrees, raised the army, and collected the taxes, and so made the new constitution an instrument of power in the direction of national economy and in the distribution of wealth. In their hands mere words on parchment were transformed into an engine of sovereign compulsion that could not be denied anywhere throughout the length and breadth of the land."

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Kinton Chickens Killed by the Heat

(By Mrs. E. L. Cox)

KINTON—Mr. and Mrs. Roy Bierly, who are in the chicken business on a large scale, lost 54 of their hens by the extreme heat during the hot wave of last week. There were also other losses reported.

Builds Barn Addition

W. C. Hall is building an addition to his barn.

Brotherhood of Evangelical churches in this district met July 16 with Mr. and Mrs. Harry Schmelzer at Mountain Home. S. H. Pomeroy, Everett D. Wright and Edward L. Cox attended from here.

Rebekah Club of Ruby Rebekah Lodge of Scholls will meet with Mrs. Gladys Aten this Friday afternoon.

Mrs. Elizabeth Wright and children, who have been visiting during the past two weeks with relatives in Waldport, returned home last Wednesday afternoon.

Misses Kathryn, Roberta and Marilee Pomeroy, daughters of Mr. and Mrs. Robert Pomeroy, had tonsil operations last week and all are getting along well.

Mrs. Fred Valentine, who has been making her home in Spokane, Wash., for some time, has been a guest the past two weeks of her brother-in-law and sister, Mr. and Mrs. Henry J. Valentine. Mrs. Valentine expects to make her home in California a little later.

Mrs. Valentine was a neighbor and friend of Mr. and Mrs. E. L. Cox when in Portland, and was entertained by them.

Mr. and Mrs. J. J. VanKleeck and daughter Miss Helen VanKleeck, who were guests for a week or so of Mr. and Mrs. Virgil Landess of Chitwood also took in some of the coast resorts and returned home during the past week.

Business and prayer meeting of the church will be held at the church August 6 at 8 o'clock. Everyone is invited to be present at the meeting. Rev. Virgil Speece, pastor of the church, will have charge of the meeting.

Mrs. Gladys Aten attended Rebekah's Past Noble Grands meeting in Sherwood last Wednesday afternoon.

No preaching service will be held at the church this Sunday as the pastor, Rev. Virgil Speece, will be in attendance at the Oregon-Washington summer assembly of the

Evangelical churches in Jennings Lodge from July 24 to August 2 Bible school will convene as usual at 10 o'clock in the morning. All are invited.

The following have been guests during the past week of Mr. and Mrs. Robert Pomeroy: Mr. and Mrs. Bert Sparks and son Clement, Mrs. George Newell, Mrs. W. A. Kirtz and Evelyn Waite, all of Portland.

Mrs. Ethel McCormick, Miss Blanche McCormick and Virgil McCormick of Hillsboro visited Mrs. Lily Bierly Sunday.

There was a big crowd at "The Rifles" on Fred Anicker's place Sunday. This is a very popular place during the warm days of summer and many take advantage of the nice cool water of the Tualatin river.

Imlay's Warehouse Runs Night Shift

(By Hazel Churchley)

REEDVILLE—J. B. Imlay & Sons are running a night shift for a week or so. They are cleaning pens grown on the Eschschde place at Oreno.

Mr. and Mrs. A. Smith of Tigard and Mr. and Mrs. A. Moore of Portland visited Mr. and Mrs. H. J. Churchley.

Betty Ryan of California is visiting her uncles, John and Jim Frank, Mr. and Mrs. C. T. Imlay, Mrs. Christiana Kelly and Miss Margaret Imlay made a business trip to Castle Rock Friday.

Mrs. C. Yoe and son of Port Huron, Mich., visited her sister-in-law, Florence Yoe, last week.

Mr. and Mrs. Young of Lisbon, N. D., visited the J. F. Lowe home this week.

Mrs. John Kirkwood fell down her back steps Monday and injured her leg between her knee and thigh with a possible fracture.

Avery Miltstead and friend, Frank Dobnikar of the U. S. S. Oklahoma are home on a furlough visiting Mr. and Mrs. D. Miltstead.

Several of the Reedville young people attended the five-and-ten carnival sponsored by the Aloha B. Y. P. U. in Kreller's grove.

Vera Lowe attended a picnic at Jantzen Beach Friday for the Portland nurses.

Mr. and Mrs. R. Schappert are spending a week at Ocean Park, Wash.

Mr. and Mrs. Jess Churchley and daughter have returned from a few days vacation at Yachats.

Small Home Sold
Half-acre tract and a small house owned by Kuratli & Wismer north of Hillsboro was sold to Mr. and Mrs. William Rollins of Hillsboro last week.

Blackcap Crop Nearing Finish

Mountain Home Club Plans
Show; Endeavor Elects

(By Mabel B. Allison)

MOUNTAIN HOME—This week will about complete the harvest of blackcaps in this locality. Most of the growers have had a bountiful crop, although a considerable amount of loss caused by the extraordinary hot weather has cut down the total tonnage. The picking price has been raised from 1 1/2 cents per pound to 2 cents for the later pickings. The pickers have proven loyal and steady, staying on the job even through the hottest days. Harry Schmelzer and Jerome Waldron have done the blackcap hauling for most of the growers here. Most of the mountain crop has been taken to Bodle and company at Sherwood, although a few are hauling to the Springbrook association. Others are drying and reports are that as much as 28 cents a pound for dried blackcaps has been offered.

Plan Spud Show
Chehalis Mountain Potato club met at the home of the president, James Allison, Friday evening. L. E. Francis, assistant county agent, was present. Among the topics of discussion at this meeting was of the problem of storage of potatoes and how to have potatoes ready for exhibition at the various fairs. It was decided to hold another potato show in this community later this year. Club members are making plans to attend the 4-H club picnic at Balm Grove next Sunday. August meeting will be held at the I. F. Atrop home August 16.

Endeavor Elects
Mountain Home Christian Endeavor has elected the following officers: Helen Schmelzer, president; Warren Forsythe, vice-president; Peronice Ego, secretary, and James Allison, treasurer.

Only 45 were present at Sunday school last Sunday morning. Plans are being made by some here to attend the camp meeting at Jennings Lodge next week.

Recent guests of Mr. and Mrs. Harry Saunders were Mr. and Mrs. B. O. Lekas and three children and Muriel Thurston, all of Portland; June and Marjorie Schmitt of Gladstone and Patrick Ryan of Cascade Locks. Young Ryan, who is a grandson of Mrs. Saunders, is staying until after harvest.

Mrs. Howard Shipley of Willamette was a recent house guest of Mr. and Mrs. George Allison, when she returned to her home. Virgil Allison accompanied her. He remained for a few days.

Mrs. Alex Bruce has been undergoing a series of treatments in a Portland hospital.

Club to Resume
Mountain Home Bible Study club will resume activities Wednesday. The club will meet with the leader, Mrs. George Allison. All who are interested are welcome to these meetings.

Glen Epler was re-elected to the Dilley elementary school board Thursday evening during a special district election. The first ballot was contested on the allegation that several aliens had voted.

Epler, the incumbent, received 55 votes Thursday while Roy Hiatt received 34. In the previous election Epler had won out by a 28 to 24 margin. W. L. Marshall was re-elected clerk of the district.

Our classified columns may have just what you are looking for—Read them.

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Katharine Hepburn and Charles Boyer, who are co-starred in "Break of Hearts," coming to the Venetian screen Sunday, Monday and Tuesday.

Sons, Daughters Pioneers Picnic

The Sons and Daughters of Pioneers of Oregon will hold an all-day picnic at Laurelhurst park in Portland Sunday. An invitation is extended to the general public. It is open to all. Please come with well filled lunch baskets for a happy day.

An interesting program is being prepared, consisting of old-time music in which all are expected to join.

A special invitation is extended to pioneer men and women. Come and bring your friends and neighbors and everybody that you can think of.

Neighborhood news from 30 Argus correspondents in different sections of Washington county appear in the Argus each week. Learn what your friends are doing for less than three cents a week.

Minnesota and Other State Groups Picnic

Minnesota Society of Oregon will hold a picnic reunion Sunday at Jantzen Beach park. Games, contests, and renewing acquaintances will be the feature of the day. The Indiana and Maine states societies will also hold their picnic in conjunction with the Minnesota society.

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