

### Why the Constitution Contains Restrictive Features As to Territory, as to Commerce, as to the Sacredness of Private Contracts, as to Money.

By CALVIN CRUMBAKER

Patronizing critics of the present period condescendingly attribute many features of the Constitution to ignorance, the shortsightedness, the narrow-mindedness of the Revolutionary fathers.

How could they know the tribulations and problems of modern society? How could they know how necessary and desirable it might be to release debtors from their obligations, either by direct act or by subterfuge? How could they know that it might be expedient to burden commerce to carry out some temporarily expedient reform?

The answer is they knew by the best of all sources of information—by experience. Hamilton in desperation cried out, "There is scarcely anything that can wound the pride or degrade the character of an independent nation that we do not experience."

Under the confederation states were unblushingly violating their solemn obligations. State legislatures were engaging in acts designed to relieve debtors from their debts. Credit was all but destroyed, not because of lack of money but because of the bad faith exhibited by legislative bodies.

Commerce was at a low ebb, many states were engaging in desultory commercial warfare. Three states, wishing to punish Great Britain for violation of treaty rights, decided to close their ports to her commerce.

Connecticut immediately threw hers open, and levied import duties against Massachusetts. Pennsylvania discriminated against Delaware and New Jersey. New York levied duties against firewood from Connecticut and dairy products from New Jersey. New Jersey retaliated by taxing a lighthouse belonging to New York located on New Jersey soil. Connecticut merchants formed a league against New York and attempted a severe penalty for violation.

Pennsylvania militia, backed by the legislature, attacked the Connecticut settlers in Wyoming Valley which had been awarded to Pennsylvania. Homes were burned, men killed and wounded. A guerilla warfare raged for months. New England partisans threatened an

army to relieve their Yankee brethren.

Vermont claimed territory in New York as far as the Hudson, and a large part of New Hampshire. Troops were raised and only the good sense of General Washington averted open war.

Paper money was issued and repudiated by the various states, notably Rhode Island, South Carolina and Georgia sought to penalize those who refused paper at full value. Judges in Rhode Island who over-ruled the highhanded laws of the state were removed from office. Shay's debtor farmers in Massachusetts opened armed insurrection, finally capitulating to General Lincoln's state army.

Small wonder, indeed, that the Federal Constitution, when drawn, contained restrictive clauses. Small wonder that states who have repeatedly attempted mercantilist policies have found many times that freedom of action is denied them. It is only as expediency and local interest are bound by national policy that performance and stability are assured. A popular whim, or mania, may have to give way to stable control.

With regard to commerce, the Constitution took from the states the right to control commerce because of abuses which had led to petty reprisals which completely demoralized commerce. Congress was given the power to regulate commerce with foreign nations and among the several states and with the Indian tribes.

Even in the simple agricultural society of 1789 it was inconvenient to have the states, as feudal overlords, interfering with trade and commerce. Most commerce was local, and usually became interstate somewhat incidentally as related communities lay on opposite sides of the state line.

Historians seem to agree that the commerce of each state was largely with Great Britain rather than between the states.

The population was small, estimated at not to exceed four million. In spite of the sparse population and relatively self-supporting localities, the path to future development lay through the development of trade and commerce, and the anarchy of a feudalized confederation

was not conducive to its development.

The true significance of commerce has only appeared with the passage of time. The germ of trade existing in 1787 grew, slowly at first, and then more robustly until commerce became the outstanding characteristic of the age. The development of the railroad net, the economic interrelationship of widely separated areas, the gradual development of rate and service regulation of railroads, all bear witness of the importance of interstate commerce.

In 1835 a population 3000 per cent greater than that of 1789 occupies the territory of the United States. Each person is busy in an economic activity that must involve commerce with other states. Most of our economic activities result in interstate commerce and most of our consumption involves out of state products.

States have not lost their desires to exploit the citizens and trade of other states. Not infrequently states under guise of quarantine laws attempt to exclude the foods of other states. California excludes the fruit from Oregon, Montana excludes hay from Idaho, and sheepmen of Montana exclude Idaho sheep from the Federal forests of Montana on the ground of danger of infection.

Without the provisions of the Constitution which placed the control of interstate commerce beyond the grasp of states, the country would long since have become feudalized. Development of industry and commerce would have been slackened and growth stunted.

Strangely enough, the present day problem of control of commerce is not a question of state interference with interstate commerce but a question of Federal control of intrastate commerce.

Not only may the states be restrained from interference with interstate commerce but the Federal Government can be restrained from reaching out into the states and controlling domestic commerce. The more interdependent we become the more seriously is one state affected by the laws and practices of another.

Massachusetts, with advanced child labor laws, found itself undersold and completely discomfited by Southern states that permitted both white and colored children to be exploited by industry. Immediately there was a demand that not only interstate, but by subterfuge or otherwise, intrastate commerce be turned over to the regulation of Congress.

This division of commerce into state and interstate presents difficult problems from time to time.

The line of demarcation is never permanently located. Certain principles are fully established, but others can only be announced as they arise and are disposed of.

### Winter Short Courses to Be Revived at O. S. C.

Progressive Oregon farmers interested in gaining first hand knowledge of the latest developments and the most successful methods in the many fields of scientific agriculture will have an opportunity this winter to attend an agricultural short course of several weeks duration at Oregon State college, announces W. A. Schoenfeld, dean and director of agriculture at the college.

Definite dates have not been set, but it is expected that the course will start sometime in January when farm work in Oregon is least pressing and continue for six weeks or possibly longer. While the detailed outline of the course is not yet complete, work will be available in all of the departments of the school, including farm crops, poultry, dairy and animal husbandry, veterinary medicine, farm management and agricultural economics, horticulture, soils, agricultural engineering and the new department of fish, game and fur animal management.

The work will all be of a practical nature, applicable to immediate use on Oregon farms, says Dean Schoenfeld. While all farmers are eligible to attend, the course is being designed largely in response to the needs of former 4-H club and Future Farmer members who are not continuing in an educational institution but are entering at once the business of farming.

### A A A Wheat Program Improved Say OSC Men

Actual contract signing for the new four-year wheat production control program will probably not take place until about the middle of October, according to E. R. Jackman, O. S. C. extension agronomist, who is heading the educational campaign in Oregon. Mr. Jackman and other extension officials attended a regional conference at Boise where they learned details of the new contracts and laid plans for getting the information to the growers in advance of the sign-up.

In general these Oregon representatives were favorably impressed by the terms of the new plan, they report. Growers will be safe in going ahead with fall planting on the basis of information already available, they believe. The percentage of education to be left in contracted or what are now known as "adjusted" acres has been definitely fixed at 5 per cent.

The new plan follows the old in all fundamentals, although many minor changes designed to simplify operation and make it more practical as a semi-permanent program are included. One of these changes permits the taking out of a larger number of poorer acres, rather than a fixed percentage of average acres.

A flexible payment plan is included by which the second payment will be held up until the average farm price for most of the year is determined. The amount of the second payment will then be set at the point which will insure parity prices on the amount of each grower's domestic allotment. Less need for haste in getting the contracts signed is seen this year than was

the case previously when first payment checks had to await the acceptance of the contracts. The first payment under the new plan cannot be made anyway until compliance for 1936 is shown.

In summarizing the results of the first three years of wheat adjustment control the federal leaders at the Boise conference listed three main benefits. First, it brought farmers together. Next, it increased farm income, and finally it was the start of an important land conservation program. Not all credit for the better price can be given to the wheat plan, the men admitted, although it has been an important factor in increasing the cash income of the American wheat grower.

### Rural Aid Service Now Located on OSC Campus

Corvallis—Headquarters of the Rural Rehabilitation Service for Oregon have been transferred to the Oregon State campus at Corvallis and the service placed partially under the supervision of the O. S. C. extension service, F. L. Ballard, vice-director of extension, announces.

Clifford Smith, formerly county agent of Clatsop county, is acting state director of rural rehabilitation in place, having held that position for more than a year. Other members of the staff include Mrs. Clara B. Thompson, associate director in charge of home economics activities, and Glenn Weaver, assistant director.

Farm families that through some such reason as fire, flood, livestock or crop losses, or sickness have exhausted their credit facilities, but

who can be returned to a self-sustaining status by limited financial aid are eligible for rehabilitation through this service, according to Mr. Smith. Approximately 5000 farm families were granted some form of direct or work relief from various sources in Oregon in the past year, he said.

### George Scott Takes Up OSC Alumni Leadership

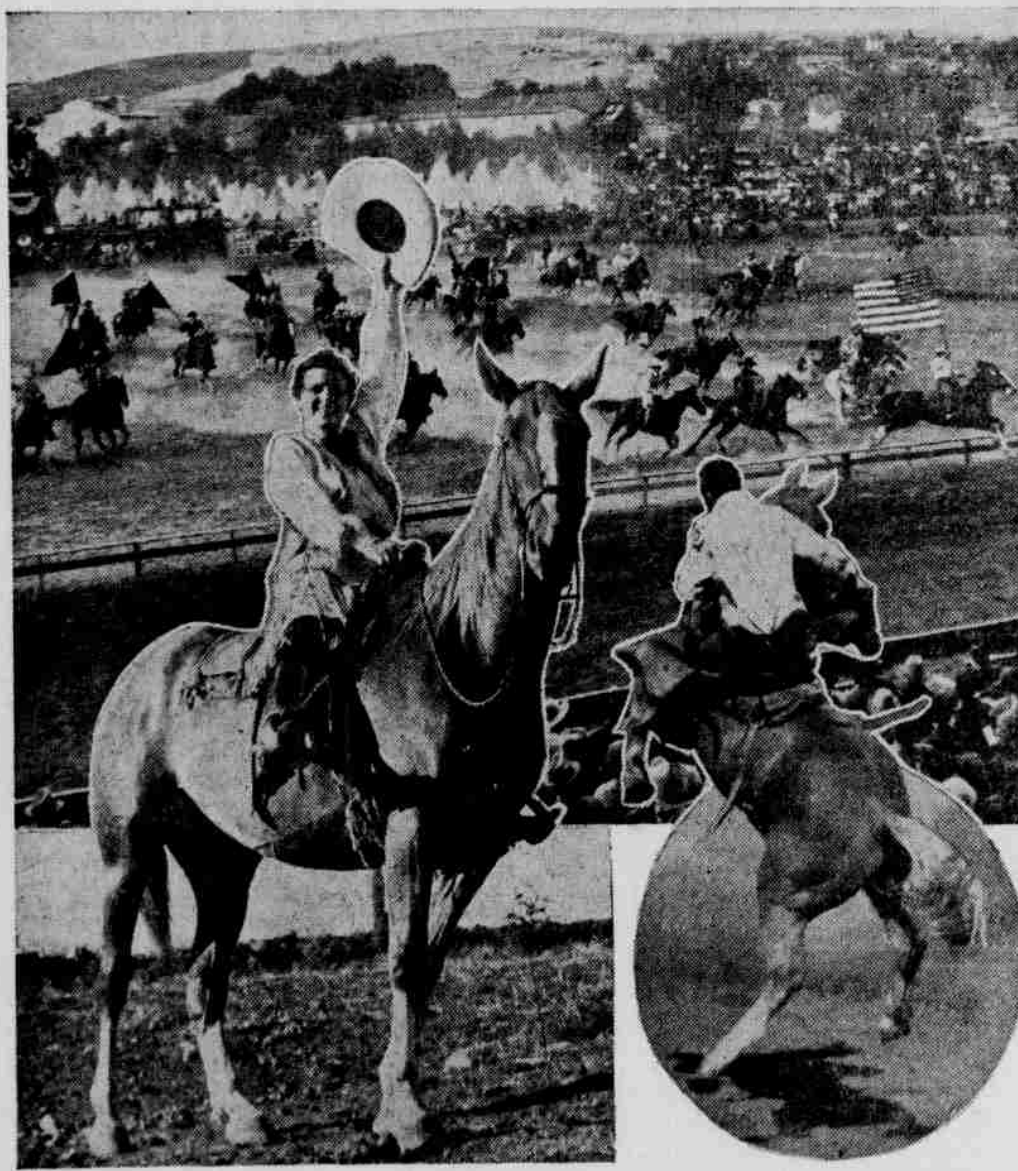
Corvallis—George Scott, freshman football coach at O. S. C. for the past two years, will take up his new duties as secretary of the Oregon State college alumni association and editor of the Oregon State Monthly here September 15. His appointment will allow E. C. Allworth, who has been handling the duties of both offices, to give full time to his work as manager of the Memorial Union building.

Scott is a former Oregon State football star, and is rated as one of the smartest and fastest halfbacks the Orange team has ever had. He was graduated from the school of commerce in 1929, and was appointed athletic coach and assistant principal at Baker high school. He resigned this position in June, 1933, to become coach of the freshman football team at his alma mater.

Miss Eunice Courtwright, known to Oregon State alumni everywhere for her outstanding work as records clerk for the association, will continue in this position under the new management, it is announced.

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## THRILLS OF PENDLETON ROUND-UP START TODAY



Queen of the 1935 Pendleton Round-Up, Helen Hansell of Athena, Oregon, beckons one and all to the time honored leader of all frontier exhibitions which will be held September 12, 13 and 14.

Inviting all lovers of the old West to the 26th annual Pendleton Round-Up, September 12, 13 and 14, Dr. Wilson D. McNary, president of the Pendleton Round-Up Association, draws attention to a seven point program of improvement which will make this year's show greater than ever. The points of improvement are: still better bucking contests; the finest "Westward Ho" parade in Round-Up history; increased prize money for contestants; more Indians encamped on the grounds; popular ticket prices; \$10,000 spent to improve grandstands and arena; a larger field of entries in racing, roping and bulldogging; and a more attractive "Happy Canyon" pageant and night show.

Parade Director George Strand has even sent abroad for boots of a certain cut to insure the historical accuracy of one of the many sections of the "Westward Ho" parade which will be staged on Friday, September 13th. The parade will be sponsored by the granges of Umatilla county this year and, with all the pioneer characters of stagecoach and covered wagon days, will be more elaborate and colorful than ever before. No other western exhibition has as many Indian participants as the Pendleton Round-Up and nowhere is a parade put on of the caliber of the "Westward Ho," parade in the opinion of thousands who have seen it.

The thing that insures world's championship performers in bronc riding, bulldogging and roping contests is the \$5,000 prize list for this year's exhibition,—the largest amount offered since just after the World War. In addition, \$1,500 worth of merchandise awards are

being given. Last year's field of competitors, drawn from nearly every state in the Union and from Canada, numbered 215. This year more than 300 are expected, according to E. N. "Pinky" Boylen, Arena Director, and John Hales, Competitive Events Director.

Three of the new bucking horses purchased this year by the Round-Up are "Pilot Rock," "Jack 'O Spades" and "Mystery." "Pilot Rock," a 1300 pound sensation, was acquired from Walter Smith of Pilot Rock. The other two, of which great things are expected by Livestock Director Herb Thompson, were acquired at Union, Oregon.

Advance reservations, according to Roy W. Ritner, Round-Up association secretary, are far in excess of previous years and a heavy attendance from the East is indicated. When the Round-Up makes its bow September 12, 13 and 14, packed stands are assured.



## AS THE WORLD MOVES

- No greater tribute to the power of advertising can be cited than the large automotive industry of today. Advertising was the medium which told the people of the automobile; which created in the people a desire to purchase. It was the medium that brought about quantity production costs to make possible the purchase of an automobile by people of small means.
- Had the story of the automobile never been told, we of the West might still be travelling by horse and buggy over dirt roads, slowly, laboriously and uncomfortably as the dust or mud in season prevailed.
- As the world moves its story is told in ADVERTISING. The intelligent shopper reads, and the intelligent merchant tells.