



THIS WAS THE CIVIL WAR

BASIC PRODUCTS SCARCE - By early 1863, inflation had set in in the South. The Northern blockade and the ineffectiveness of the southern railroads had caused scarcities in many basic products and driven prices up. Corn meal was \$17 a bushel, coal \$20.50 a ton and wood was \$30 a cord. The wealthy could get a good meal in a

restaurant for \$25 but the poor was almost starving. The situation was to get no better, and was to cause riots for bread. Above, in a drawing from the Library of Congress collection, another aspect of the inflation is shown. It is a public auction for a "hard" \$5 gold piece. In the South such coins often brought many times their value. (UPI)

Revised Constitution Strengthens People's Rights

(This is the seventh in a series of articles about the revised Constitution proposed by the Oregon Constitutional Revision Commission. The articles were written by Hans A. Linde, professor of constitutional law at the University of Oregon and a member of the Commission.)

When we speak of the constitutional guarantees of individual freedom, most of us think of the first ten amendments of the United States Constitution — the Bill of Rights about which students are taught in school. Few people recall that this federal Bill of Rights was added to the U.S. Constitution in order to limit the powers

of the new federal government, not the state governments. Thus the First Amendment begins: "Congress shall make no law . . . abridging the freedom of speech . . ."

Until the adoption of the Fourteenth Amendment, after the Civil War, reliance against the powers of state and local government over individual rights had to be placed on the bills of rights in state constitutions.

Guaranteed By State
Today the U.S. Supreme Court has guaranteed some basic rights — such as freedom of speech and religion, and from unreasonable searches and seizures — also against state action, by finding them included in the "liberty" protected by the Fourteenth Amendment. But many others are still guaranteed only by the state, not the federal, Bill of Rights.

Oregon's Bill of Rights, adopted with the Constitution of 1859, antedates the Fourteenth Amendment and its subsequent interpretations. Although some of its language is awkward or archaic, its basic provisions are good. In some details it goes beyond the federal guarantees, but in others it falls short of them.

And over the years some matters have been placed in the Bill of Rights that rightly belong elsewhere in the Constitution. Thus the death penalty and "liquor by the drink," appear ludicrously out of place in a Bill of Rights, along with fundamental human liberties. They were moved to Article XIV of the revised Constitution.

The Constitutional Revision Commission did not take away any right of freedom guaranteed by anyone by the present Constitution. In the revised Constitution, it strengthened some rights, added some not now provided for, clarified and improved the drafting and arrangement of sections, and moved some provisions to other parts of the Constitution.

Right To Counsel
A significant change is that the traditional guarantees in criminal trials have been expressly extended to "any offense punishable by loss of liberty." This means that they will apply equally to ordinance violations tried in municipal courts, which are not now considered "crimes," although the sentence may be the same term in the same jail as is pronounced for a misdemeanor in a state court.

The most important right so extended is the right to counsel. The revised Constitution guarantees the right to one's own counsel in all proceedings (not only court trials), and the right to counsel appointed at public expense for indigent defendants faced with a possible loss of liberty. The Commission believed that anything less than this provides one kind of justice for those who can afford their own lawyers, and another kind for the poor. Yet justice at the level of the city and justice courts is the point at which most individuals have any direct experience with our legal system.

Another new provision in the revised Constitution strengthens the guarantee against double jeopardy and multi-trials of a defendant for the same act.

Due Process Clause
One new provision in the Bill of Rights is among the most controversial in the revised Constitution. It is referred to as the "due process" clause.

"Due process" is traditional language in the U.S. Constitution, as old as the Fifth Amendment. The U.S. Supreme court has interpreted it to mean primarily "fair procedure." But for a period of years early in this century, the Court sometimes also used this concept to strike down the substance of legislation that is considered unreasonable. Particularly where social or economic laws (such as minimum-wage or utility rate regulations) were involved, this involved the courts deeply in contemporary controversies.

The Constitutional Revision Commission first voted to place in the Oregon Bill of

Rights a guarantee of procedural fairness, such as that applied by the Supreme Court in federal law, by adding this clause:

"No person may be deprived of any right or privilege by any unlawful or unfair procedure . . ."

This would permit Oregon courts to enforce judicial standards of fairness above the minimum which the Fourteenth Amendment applies to all states, Oregon no more than Mississippi.

Substantive Due Process
Later, however, a majority of the Commission also added to the same section what

some of the proponents have called a "substantive" due process clause. The actual force of this addition would depend on future judicial interpretation. Some of its sponsors believed that it would permit Oregon courts to strike down regulations that they deem unreasonable in substance, even though the U.S. Supreme Court would not so hold under the Fourteenth Amendment. The dissenters on the Commission considered this a vague, dangerous, and unwarranted extension of the power of judges over the policies of elected state and local authorities.

Another addition will require that compensation be paid when private property is "damaged" for public use, as well as when it is "taken" by eminent domain, as at present.

In summary, the revised Constitution strengthens Oregon's Bill of Rights in the light of problems presently recognized under modern conditions and judicial experience with existing clauses. It would extend to Oregon's citizens as wide a measure of rights and liberties as any constitution in the nation.

(Next: Local government, taxes and public control.)

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Lack of Food Results in Riots

By MERTON T. AKERS
UPI Correspondent

The gaunt form of wretched famine still approaches with rapid strides," John B. Jones, the dairy-keeping clerk in the Confederate war department in Richmond, Va., wrote on March 30, 1863.

Jones was a white collar worker and was having trouble making ends meet on his salary which was shrinking because of inflation. "I am spading up my little garden, and hope to raise a few vegetables to eke out a miserable existence for my family," he wrote the same day, adding "it is strange that on the 30th of March, even in the 'sunny south,' fruit trees are as bare of blossoms and foliage as at midwinter."

The next day, still morose, he noted some prices of necessities, heading the list as "another stride of the grim specter": Corn meal, \$17 per bushel; coal, \$20.50 a ton; wood, \$30 a cord; common tallow candles, \$4 a pound.

No Food Troubles
Affluent Richmond people were having no food troubles. Mary Boykin Chestnut noted in her diary that she received wine, rice, potatoes, ham, eggs, butter and pickles about once a month from the Chestnut plantation in South Carolina.

Nor was there any dearth of luxury goods in Richmond shops. Stores displayed expensive silks and jewelry, English mutton — iced and run through the blockade — tropical fruits and champagnes.

Few had enough money to buy the luxuries but enough did to make business brisk. Some remarked it seemed strange that luxuries came up from blockade runner ports but staples like bacon, meal and flour, known to be plentiful in North Carolina, did not, the reason being given as the feeble state of the southern railroads.

The rich could buy a good meal for \$25 in Confederate money at a first class Richmond hotel but the poor people and low-paid workers found it difficult to get enough bread to live.

A few weeks earlier President Jefferson Davis had proclaimed a day of fasting and prayer. Church services were well attended that day but the sardonic jibed: "Fasting in the midst of famine!"

Quiet But Determined
A crowd of several hundred women and boys gathered early that day in Capitol Square. They were quiet and orderly but determined.

An emancipated girl of about 18 told a bystander, who asked why the crowd was forming that they were starving and that they were going to raid the bakeries and each seize a loaf of bread.

By 9 a.m. the crowd numbered about 1,000 nearly all women but with a sprinkling of men, boys and free Negroes.

Led by a six-foot woman who wore a white feather in her hat, the crowd marched out of Capitol Square past the west gate, down Ninth st. past the war department and flowed into Main and Cary sts.

Accounts differ about the stalwart leader's name. The Richmond Examiner later said her name was Minerva Meredith and described her as a local character. Other accounts call her Mrs. Mary Jackson, a painter's wife. Whatever her name, she was reported to be armed with a pistol and Bowie knife.

Along Main and Cary sts. the mob smashed show windows and pillaged shops. They impressed drays and carts along the way to haul their loot.

Some seized food but most of the rioters eagerly pillaged shoes, clothing and jewelry. Shoes and clothing were scarce articles in Richmond

and jewelry always could be traded off for necessities.

May Regret Offer
A part of the crowd was diverted to the Y.M.C.A. where they received food but most of them rejected the offer and remained in the mob.

Gov. John Letcher and Mayor Joseph Mayo met the crowd on Main st. Neither had any influence with the rioters although the mayor read the riot act to them.

Then a company of state troops was called from the armory and was posted in front of the mob.

President Davis hastened to the scene. He mounted a dray and attempted to speak to the rioters. They threw crusts of bread at him, the leavings from the loaves they had stolen from the bakeries. But in a few minutes they quieted and listened.

Varine Davis, wife of the president, wrote in later years:

"He reminded them of how they had taken jewelry and finery instead of supplying themselves with bread, for the lack of which they claimed they were suffering. 'He concluded by saying: 'You say you are hungry and have no money. Here is all I have; it is not much, but take it.'"

Given Five Minutes
"He then, emptying his pockets, threw all the money they contained among the mob, after which he took out his watch and said: 'We do not desire to injure anyone, but this lawlessness must stop. I will give you five minutes to disperse, otherwise you will be fired on.'"

The troops were workers at the armory. Some of the women in the mob were wives of the soldiers who stood with loaded muskets awaiting an order to fire on their own people.

The situation was tense, with the soldiers and the president fair targets for any rioter.

But within the five-minute limit Davis had set, the crowd thought better of its spree, and dispersed without the troops having to fire.

Jones said the president "seem deeply moved; and indeed it was a frightful spectacle and perhaps an ominous one, if the government does not remove some of the quartermasters who have contributed very much to bring about the evil of scarcity. . . ."

"All is quiet now (three p.m.) and I understand the government is issuing rice to the people."

He reported that those who received government rice threw it into the streets in disgust.

The riots shook the government.

Secretary of War James A. Seddon "requested" the Richmond newspapers to avoid all reference "directly or indirectly" to the riots for "obvious reasons."

But by Saturday April 4 the news broke in the Examiner, which opposed Davis, when some of the rioters appeared in police court.

Laid To 'Foreigners'
The Examiner laid the riots to "foreigners and Yankees" and criticized the government for not shooting down the mobsters on the spot.

Small Worlds Around Us

By Lynn W. Watkins

Register & Tribune Syndicate, 1963

Scorpion Walks on Water
Thanks to Supporting Film
The skeptical youngster who carefully places a needle on the surface of water is surprised to find that the needle floats.

The fact that there is always a supporting film on the water's surface is a condition in the hard-to-believe fact. This supporting ability of the water film is utilized by some insects which have perfected the technique of walking on water.

One of the experts in this field of unusual accomplishments is the water scorpion, a fresh water insect which occupies a place in just about every section of the United States where fresh water ponds, lakes or streams offer a suitable environment. So generally distributed is the water scorpion that anyone, anywhere, can visit a pond or small stream and find one or a hundred.

May Be Surprised
They will be near the shore in shallow water. Your first impression may be one of mild surprise, for they closely resemble their obnoxious namesake, the true scorpion, even to the whiplike tail which is not a tail at all, but a breathing tube.

If you are observant, you might also believe this is an un-buglike creature, as insects have six legs and this one appears to have only four. But it does have six legs, except that the front pair is developed into holding claws. These, too, resemble the claws of the true scorpion, probably accounting for the insect's name.

To the other inhabitants of the pond or stream, the water scorpion is a terrible monster. About an inch and a half long, he pounces upon his victims, seizing them with powerful foreclaws. To the amazed human observer, this creature is silly-looking but capable of accomplishing some amazing acts, one of which is walking on the water.

When you first locate a water scorpion, he will probably be suspended an inch beneath the water surface. At the rear end of his body, what looks like a long tail but in reality is a snorkel tube will be extended upward. This is the creature's breathing device.

Walks on Bottom
At the slightest motion on your part he will dive to the bottom. There he will walk along on his exceedingly long legs. He may grab some lucky aquatic insect with the jackknife-like claws. The claws are surprisingly strong for so slender an insect.

Sooner or later, he will run out of steam and have to come to the surface for a breath of air. He may arrest his ascent just before he reaches the surface and extend the snorkel up, or he may break through the water surface film and arrange his feet carefully on that thin skin. But his feet keep sinking. They are wet and he knows it, but he also knows what to do.

He balances his long, stick-like body and raises one leg, holding it there in the air until it is dry. Then, one after another, he raises the other legs, drying each. Now he is ready. With dry feet, he can walk on the water film, applying the same principle as practiced by the small boy when he lays a needle on that thin skin of surface film.

Lightly, this grotesque insect, like a ballerina, dances across the waters of the pond.

The Examiner said in an editorial.

In a few days President Davis issued a proclamation to stimulate patriotism and urging farmers to raise more food and less cotton and tobacco.

Some of the rioters were tried and convicted, one woman being sentenced to five years.

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