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The Cedarville Herald, September 1, 1911

Cedarville University

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THE GREAT MONTGOMERY CO. FAIR

Dayton, Ohio, September 4, 5, 6, 7, 8.

Splendid Free Attractions = Parachute Jumps = Greatest Racing Program Ever Given = \$7,200 In Purses

Attend the Dayton Fair if You Wish to See the Best.

H. V. HENDRICKSON, Pres.

G. K. CETONE, Sec.

PHYSICAL DEVELOPMENT.

Our Growth is Said to Continue Even Up to the Age of Forty.

Careful studies and measurements have shown that our time of actual maturity and arrest of growth in physical characters, such as height, weight and chest girth, is much later than formerly supposed," says Dr. Woods Hutchinson in Hampton's. "Instead of reaching, as was at one time confidently stated, our full strength at twenty-three and our full chest girth at twenty-five, as a matter of fact we continue to increase, slowly it is true, in all these respects until thirty-five, thirty-eight and even forty years of age.

"By living a healthful, active, happy life and keeping up all our interests we can grow and develop and adjust ourselves and feel that we are growing until we are one day suddenly dead, without ever realizing in any distressing or painful way that we are growing old at all.

"Already old age has gone quite out of fashion. The civilized, educated man or woman of seventy is younger than the savage of forty or the peasant of fifty. What with steady spread of regular vacations and country or suburban homes and walking clubs and golf and gardens and automobiles and travel of all sorts, those who would have been considered old once are now only seventy or seventy-five years young.

"Not only is there no definite period in adult or later life when these so-called senile changes begin, but there is no period at which they become accelerated or start to progress at a more rapid rate than before. In fact, the extraordinary paradox exists that what we term old age is the time of life in which we are growing old least rapidly. The only thing that makes it appear otherwise is that we have been steadily growing old all our lives long and the thousand imperceptible accumulations have mounted to a pitch which we can recognize."

The Painful Part.
Tom Ochiltree walked into the house of representatives one afternoon with a sort of loose and careless appearance, whenupon Judge Culberson proceeded to learn what had befallen his colleague. "What's the matter, Tom? You seem pestered. Anything wrong?"

"Yes," replied Ochiltree. "I've been down to Chamberlain's playing poker all night and lost \$3,000."

Culberson extended his sympathy and then proceeded to enlighten Tom on the virtue of leading a sane, sober and frugal life. Ochiltree listened and seemed to be deeply impressed. Then, turning to his friend, he remarked: "Well, judge, I do feel bad; very bad, indeed; and I want to thank you for your wholesome and friendly advice, but the thing that is pestering my mind is the disgraceful fact that \$20 of the \$3,000 was in cash."—Chicago Tribune.

Heartfelt Appreciation.
A tourist was being conveyed through a rough country by a driver who boasted of his knowledge of all the roads, saying that he knew every stick and stone along the highway. After they had passed over a smooth piece of road they began to go bumpity-bump for several miles. Just as the buckboard came out of a hole about two feet deep the driver turned and said, "How do you like riding on a buckboard?"

At that instant the tourist happened to be about six feet in the air and remarked:

"I wouldn't miss it for the world."—Metropolitan Magazine.

Old Time Grave Robbers.
Under the laws of Draco, the most severe code ever drawn up, all grave robbers were put to death without trial. The old Athenian laws put a slave to death for disturbing a body after interment, but in the case of a freeman a "confiscation of a moiety of his possessions" was the penalty. Constantine decreed that a woman might obtain a divorce if she could prove that her husband had disturbed the remains of the dead. At one time (in the time of the seventh and eighth Henry) the English law held that "it is deemed unlawful to open a grave for a second person, except for a husband or wife."

Below the Scale.
A man who looked like a tramp went into a Walnut street bookstore and started out again almost immediately. A clerk called after him, "What did you want?" "I came in here lookin' fer work," responded the seedy wayfarer, "but I see there you've got a sign, 'Dickens Works Here All This Week For \$6.' I'd rather stave than work for them wages."—Philadelphia Public Ledger.

CONSTITUTIONAL CONVENTIONS OHIO'S FIRST CONSTITUTION

BY PROF. C. B. GALBREATH,
FORMER OHIO STATE LIBRARIAN

The first constitution of Ohio reflects in a general way the dominant views of our young republic on matters of government. There are exceptions, of course, including the declaration against slavery that came down from the ordinance of 1787. As frequently stated, the formation and adoption of this constitution were precipitated by the political conditions that prevailed in the Northwest territory. The old Federal party of Washington and Adams was not popular in the West, and the somewhat autocratic rule of Governor St. Clair, its chief exponent in this region, helped still further to array the people against it. Edward Tiffin and other friends of Jefferson wished speedily to erect a new state in order to dispose of St. Clair and add to the votes of the party of Jefferson in the electoral college. The impelling power of party enthusiasm had much to do in rushing Ohio into the Union.

Was "Carefully" Progressive.
But the zeal of party leaders and the progressive ideas of the Jeffersonian democracy, with its alarming and persuasive plea for a larger participation of the people in their government, did not advance our first constitution much beyond the restricted views of representative democracy generally prevalent at that early day.

The records of the convention that framed the first constitution are indeed meagre. Speeches, memorials and discussions were not reported. The printed Journal of proceedings is a mere outline of what was done from day to day, made up for the most part of formal resolutions and the record of votes. The proceedings for Nov. 6, 1800, are typical.

Mr. Bennett, from the committee appointed to prepare and report a preamble and the first article of the constitution, reported the first article of the constitution, which was received and read the first time.

Whereupon, ordered, That the said article be committed to the committee of the whole convention on Monday next.

On motion, ordered, That forty copies of the said article be printed for the use of the members and officers of the convention.

On motion, ordered, That a committee be appointed to receive and report the second article of the constitution to the supreme executive authority.

Mr. Bennett, from the committee of Mr. Paul, Mr. Boyd, Mr. Smith, Mr. Gluch, Mr. Darlington, Mr. Kiefer, Mr. Massie, Mr. Worthington, Mr. Harrison, Mr. Thomson, Mr. Chittum, Mr. Huntington, Mr. Milligan, Mr. Wallis and Mr. Caldwell.

The convention proceeded to consider the amendment reported on Thursday last, from the committee of the whole, and to the preamble of the constitution, and the same being read, was agreed to.

And then the convention adjourned until the following day, to-wit, Tuesday.

It is interesting to note with what promptitude and industry the thirty-five delegates, with Edward Tiffin in the chair, proceeded to their work. These serious and enthusiastic statesmen of the frontier wasted no time in useless delay, and jangle, and spectacular formalities.

Committees Were Named.
On the third day of the session, the committee on rules for the regulation and government of the convention made its report, which was adopted. Other committees were appointed to prepare and report as follows:

Nov. 8, 1802. A preamble and first article of the constitution.

Nov. 4. A bill of rights and a schedule for the purpose of carrying into complete operation the constitution and government.

Nov. 5. The second article of the constitution on the supreme executive authority.

Nov. 6. The third article of the constitution on the judiciary.

Nov. 12. The fourth article of the constitution, designating the qualifications of electors.

The fifth article of the constitution, declaring the manner in which militia officers shall be appointed or appointed, shall be chosen or elected.

The sixth article of the constitution, designating the manner in which sheriffs, coroners, and certain other civil officers, shall be chosen or elected.

Nov. 15. An article comprehending the general reputation and provision of the constitution.

It will be seen that the convention worked through committees, one for the consideration of each article. These committees, from time to time made reports to the convention, where they were considered in committee of the whole. These reports were usually printed, an opportunity was afforded for any delegate to offer amendments. The convention finished its work in a comparatively short time, five assembled in Chillicothe, Nov. 1, 1802. On the 29th day of that month, it had framed, engrossed, adopted and signed the first constitution of Ohio.

Inasmuch as this constitution was the work of the friends of Jefferson, his opinion concerning it may be of interest. "We are told that immediately after the formation of the constitution of Ohio, a leading citizen of our state visited the seat of the general government. In an interview with Mr. Jefferson, then president, that statesman remarked that he had received the evening before and read with much pleasure the constitution of the State of Ohio. It was an excellent document, he said, but the framers committed the grave mistake of making

too many sections and attempting to go too much into detail."

"With many other statesmen Jefferson thought that constitutions, like the Declaration of Independence, should contain broad and general provisions under which the interests of the people could be subserved through the enactment of special laws. The preamble of the constitution of the United States, which in large part was included in the preamble of our first state constitution, is an excellent example. "To establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity" is an ample and generous refuge for statesmen. Even Mr. Jefferson, himself a "strict constructionist," did not hesitate to tie himself tighter in time of need, notably on the occasion of the purchase of the Louisiana Territory.

While our first constitution was criticized as too detailed and specific and this was one of the chief reasons urged by an advocate of revision in 1849, it was the briefest and most general in its provisions that the state ever had. The modern tendency is toward detailed, specific and somewhat lengthy constitutions. Our social fabric has become more complex; there is so much more to regulate. "To make sure of it and fix it so that neither the legislature nor the courts can tamper with it, we will put it in the constitution," is a course of reasoning not uncommon in our day. The results are seen in the detailed and somewhat prolix constitution of Oklahoma and the expanding basic law of Oregon, where to make sure that an act will not be thrown out by the supreme court, it is voted into the constitution in the form of an amendment. We were well on our way toward the same goal in Ohio when political conventions by endorsing amendments caught the voters of straight tickets and virtually changed our constitution at the will of the leaders of the dominant parties.

People Not Consulted.
The first constitution of Ohio was not submitted to the people for their approval. It becomes operative without this formality, another apparent lapse from the principles of the dominant element in the convention. But they wanted a new state, and they wanted it quick. What they did, if it had been submitted to a vote, would undoubtedly have been approved by an overwhelming majority of the people.

The framers of the constitution evidently believed in the short ballot. Under that instrument, in the state at large the governor only was elected by the people. Other state officials were chosen by the general assembly. The governor had very limited authority and could not exercise the veto power. This curtailment, as has been observed, was due chiefly to antipathy toward St. Clair.

Our early statesmen appreciated the importance of providing for the amendment of state constitutions. On this subject Thomas Jefferson wrote:

"No society can make a perpetual constitution, or even a perpetual law. The earth belongs always to the living generation; they may manage it then, and what proceeds from it, as they please; but persons and property make the sum of the objects of government. The constitution and the laws of their predecessors are extinguished, then, in their natural course, with those who were born being. This could preserve that being till it ceased to be itself and no longer. Every constitution, then, and every law, naturally expires at the end of thirty-four years."

On another occasion Jefferson expressed a preference for opportunity to amend "every nineteen or twenty years," and the latter was the period fixed in our constitution of 1851. Our first constitution, however, made amendment or revision possible at any time after the year 1805. This could be done only by a convention of delegates at that time. The general assembly had voted in favor of submitting the proposition and it had been approved by a majority of the people voting for representatives at the next general election.

"To recapitulate: We had in our first constitution a comparatively brief statement of basic principles, which was not sufficiently meaning in some of its provisions to make it inflexible to the changing conditions of a growing commonwealth. Under it the executive had little power and the judiciary was dominated by the legislature, in whose members, elected by the people, was vested the chief sovereign power.

"We shall see how such a government stood the test of time and met the needs of a rapidly expanding and progressive state.

Cleveland Leader.—The difference in opinion between those who favor and those who oppose the initiative, referendum and recall is as to the practicability of their proper application and the results. The end sought is good. Will they accomplish what is claimed for them?"

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Introduce BONANO at home. It will mean better health and real pleasure all around.

All its effects are good effects. BONANO inspires, calms excited nerves, aids digestion, and, being made from fruit, is corrective.

The young folks love BONANO. It is good for them too. No other drink is half so good. Give it to them morning, noon and night and between meals if they want it. Give them a hot cup at bed time. They rest better for it, awaken refreshed, ready for a day of keen study or hard play.

BONANO is quickly served. A teaspoon to a cup of water, a minute's boil, a little cream and sugar added, that is all. As a table drink it is not like any other.

Sold by leading grocers everywhere. Big, good measure, dust-proof can—25 cents. Enough to make seventy-five cups of delicious, fragrant beverage.

INTERNATIONAL BANANA FOOD COMPANY,
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Shetland Pony

To be given away

Monday, Nov. 20, '11.

At 7 o'clock p. m. In addition to the Pony will be given \$50 in Gold—divided into seven prizes, \$15, \$10, \$5, \$5, \$5, \$5 \$5. Tickets given with each 25c CASH purchase. *Save Your Tickets.*

C. C. Weimer.

Dealer in Fresh and Salt Meats, Fruits Etc. We Meet all Prices Made.

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Pays for Deposits in Any Sum.

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Our assets are \$2,201,930.46

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28 East Main St., Springfield, Ohio.

ANNOUNCEMENT

I have purchased the blacksmith tools and business of Arthur Townsley and I have consolidated the same with my harness business and am now located on South Main Street, Cedarville, where an invitation is extended to all friends to call.

I am prepared to do first class blacksmithing, wood work, harness making and repairing neatly done and at reasonable prices. All work guaranteed to please.

I am also prepared to build cement columns for porches and ornamental work as well as cement building blocks.

Friends and former patrons are urged to call when in need of work along our line.

Respectfully,
R. E. TOWNSLEY.
South Main St., Cedarville, Ohio.

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Take **Laxative Bromo Quinine Tablets**. **Seven Million boxes sold in past 12 months.** **This signature, E. W. Walker, on every box, 25c.**

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