

A CONSTITUTIONAL CAUSE

The arguments for and against state legislature re-apportionment via U. S. Supreme Court edict were brought out plentifully last June, when the famous 6-3 decision was announced. It brought visions of changing political balance to residents of many states, pleasing particularly the big city machine manipulators. Many serious students of politics and history began to study a fresh the background for this decision and the consequences of it. It is certainly time for the issue to be examined widely and thoroughly. Congress must be confronted with this problem very soon.

Among interested citizens doing considerable home work is Claude Gifford, as associate editor of Farm Journal, whose address to the Iowa Farm Bureau Federation on the topic the Journal has distributed. Mr. Gifford has examined colonial law-making all the way back to the Mayflower compact and Jamestown looking for precedent for the decision. He found none. But he did find apportionment in factors other than population—by counties or other geographical, historical, or political lines—from 1700, 87 years before we had a national Constitution. His historical treatment helped put the consequences of the high courts decision in perspective.

The People's Power
Mr. Gifford has the idea that action in Boston harbor in 1773 had something to do with representation—or lack of it. Partly, at least, a more populous Britain insisted on having her way. When the "free and independent" states began to form constitutions New Hampshire at the head of the list set up two houses so that one would check on the other. Its upper house consisted of one person from each of 12 counties, a senate based on area apportionment. And so it went with one state after another, until there was experience enough for a constitutional convention.

After "four hot months" and 1,840 speeches," Mr. Gifford notes, the best from the 55 practical men who had more experience in constitution making than the rest of the world put together, came forth. The Constitution arose from the practice of 29 colonial characters or constitutions, 17 revolutionary constitutions, and 23 union plans—in all, 69 various forms of actual or contemplated government. In brief, the people made the Constitution, and reserved to themselves power to change it. Each state was guaranteed "a Republican Form of Government."

And Who Can Change It?
But, on last June 15, six major members of the Supreme Court said: seats in both houses of state legislatures must be apportioned solely and equally on population; political equality means, "one person, one vote;" citizens in big districts are denied "equal protection;" and the U. S. Senate is no sound example for state legislatures to copy. Dissenting vigorously, Justice Harlan said: "It is difficult to imagine a more intolerable and inappropriate interference by the judiciary." Added Justice Stewart: "I do not understand why the Court's constitutional rule does not require the abolition of districts and the holding of all elections at large."

Unprecedented Power
To summarize in less legal words, said Mr. Gifford, "we can see that the Supreme Court majority of six is claiming that the Court, not the people, has jurisdiction how state legislatures will be set up. . . . By this action, the majority Court declared that they, six men, can amend the Constitution—not only of the United States, but of the 50 states as well. The framers of the Constitution were careful to give this amending power to the people alone." These six, for proposing in 1787 that the Supreme Court be allowed to amend the Constitution, would have been run out of Franklin's town, added Mr. Gifford.

The farm editor said further: "The Court did not say to states who were admittedly delinquent in apportioning their legislatures: 'Live up to your state constitution and apportion as the people wish.' Instead, the six said: 'Live up to our ideas of what we think your constitution and apportionment should be.' The six have roped off state re-apportionment as an area for their judgment alone. The lower courts, they say, are going to be their agents, as the sole authority for what is 'proper' apportionment and representation. Not the people; not the states; but the courts!"

Power men win safety award

Ten years without a disabling injury has won the Newberry Duke Power Company Production and Transmission Operating Department special recognition by the Southeastern Electric Exchange.

R. F. Dorton, P & T District Superintendent, praised the men of Newberry for their fine record and said "This award recognizes the men who, by their record, show that they stress the importance of safety and safe work practices."

The Newberry Substation is part of the P & T Spartanburg Operating Division. W. A. Kennedy is the Supervisor at Newberry and J. M. Nivens is the Divisional Superintendent in Spartanburg.

PROPERTY TRANSFERS

Newberry No. 1
Eugene C. Griffith to Elizabeth D. (Mrs. E. G.) Able, one lot \$5. M. L. Trotter and H. O. Trotter to Paragas of Newberry, Inc. five lots \$15,000.

Newberry No. 1 Outside
Charles E. Turner to Harmon Turner, 9.88 acres, \$5 love and affection.

Carolina Butane Gas Co. to M. L. Trotter and H. O. Trotter, five lots \$15,000.

Walter B. Wallace to Catawba Lumber Co., 40 acres \$5.

Little Mountain No. 6
Russell B. Koon to William Lindsay Koon, 88 acres \$5 love and affection.

Prosperity No. 7
Rachael Hunter Sharp, to E. Hayne Hunter, Betsy Hunter Hipp, Sam Hunter, Walter Hunter, J. C. Hunter, Vera Hunter and Claire Hunter Darby, 168 acres \$5.

W. M. Harris to: H. C. Beam, one lot, \$3000; John Moran Wilson, one lot, \$2250; Larry Calvin Knott, one lot, \$3000; Howard A. Duncan, one lot, \$2250; Joseph H. Sassaman and Ruth M. Sassaman, one lot \$2250.

LEGAL NOTICE

April 12, 1965

The Newberry County Board of Education hereby publishes its policy which removes race as a factor in pupil assignment in the public schools of the district for the school year 1965-66. This policy was adopted July 28, 1964 and revised March 1, 1965.

Criteria for the Newberry County School plan is similar to that of desegregation plans approved by U. S. District Judge J. Robert Martin in suits against schools in Greenville, with the exception of item No. 6 pertaining to school bus transportation.

Applications will be considered " . . . without regard to race, color or creed." Applications are available for parents of any child in school to request transfer to another school. Transfer forms are available at the Area Superintendent's or Principal's office where the child resides. Completed applications will be acted upon within 30 days of their receipt by the County Board of Education.

Applications after May 1, 1965 (and April 1 on succeeding years) will be limited to pupils establishing residence in the district, or moving from one area of the district to another.

The full statement of policy follows:

"The following policies and procedures with respect to assignment and transfer of pupils in this district are hereby adopted.

A. The assignment of pupils seeking enrollment in the system in an elementary school for the first time or in a junior or senior high school for the first time shall be made upon conditions of the following criteria and without regard to race, color or creed:

1. The preference indicated by the pupils application.
2. Whether the educational program of the pupil can be met by the school to which assignment is sought. In the determination of the suitability of the program in the school to which transfer is sought, consideration of the following factors will be made.

a. The curricular offerings in the school to which assignment is sought and in the previous school attended, if applicable.

b. The grade level attained in previous school attended, if applicable.

c. The chronological age of the student.

d. Results of standardized tests.

e. Professional consultation and/or exchange of information between the principal of the school to which assignment is sought.

f. Personal interview with pupil and parents by an official designated by school board.

3. The capacity of the school to which assignment is sought.

4. The availability of space in schools other than the school for which entry is sought.

5. The distance the pupil lives from such school.

6. The availability of public school bus transportation.

B. Pupils shall be assigned to the schools which they attended the preceding year except those eligible for promotion to a different school, or those transferred because of overcrowded conditions. Notwithstanding, however, and as a matter of absolute right, application may be made by the parent or legal guardian of such pupils for placement in another school specified in the application therefor, in which case the reason for the requested transfer must be stated. Such application shall be considered under the direction of the Superintendent and acted upon in the light of the criteria set forth as items 1, 2, 3, 4, 5, and 6 in paragraph A herein above without regard to race, color, or creed, within 60 days from its receipt.

C. For pupils who are enrolled in Newberry county schools prior to April 1, the deadline for application for transfers which are to become effective in August or September (i. e. the beginning of the school term) will be April 1 of the year in which the transfer is to become effective. Application forms for transfer, as well as initial enrollment, are presently available in the office of the principal of each high school in the District; said forms will be delivered only to pupils, parents, legal guardians or persons in loco parentis of applicants. All applications must be made on official forms.

D. Transfer application forms to be used on behalf of pupils establishing residence in Newberry County Schools after April 1 of each year will be available at the office of the Superintendent and should be filed with the Superintendent on behalf of such pupils as soon as practicable. All applications shall be considered under the direction of the Superintendent and acted upon within 60 days.

E. All other rules and regulations and administrative procedures

J. Pat Koon, 81 dies at clinic

J. Pat Koon, 81, died late Friday night at Mills Clinic in Prosperity after several days serious illness. He had been in declining health for the past several years.

Mr. Koon was born and reared in Chapin and was the son of the late Noah P. Koon. Since his retirement he had made his home with his daughters in Newberry and Prosperity. His wife, Mrs. Maude Hendrix Koon, died in 1948. He was a member of Saint Peter's (Pinneywoods) Lutheran church.

He is survived by three sons, Julius W. Koon, Killen, Texas, and Ashley W. Koon, Tocomo, Wash.; three daughters, Mrs. Carroll Hawkins, Prosperity; Mrs. Chas. Howard, Charleston; Mrs. Raymond Dominick, Columbia; one brother, John Koon, Portsmouth, Va.; one sister, Mrs. Gloria Livingston, Peak; 20 grandchildren and 10 great-grandchildren.

Funeral services were held on Tuesday from St. Peter's with Rev. John Zeigler conducting the service. Interment was in the church cemetery.

Active pallbearers were Robert Hawkins, Mike Summer, George Slice Sr., James Ira Hamm, Donnelly Koon, Q. L. Shealy, Robert Koon.

Honorary escort was members of St. Peter's church council.

Building Permits

Building permits were issued by the City of Newberry during the past week to Boyd Franklin, locate mobile home, 1405 Drayton street; D. S. Jennings, erect dwelling, Harrington street; John W. Smith, repairs to dwelling, 602 Glenn street; W. J. Clamp, repairs to dwelling, 1323 Pearl street; Mrs. Louvena Spearman, addition to dwelling, 615 Coats street; John L. Epps, repairs to dwelling, Summer street; Mr. Turner, repairs to garage, 2435 Fair avenue. Value of this construction, according to permits obtained, is \$11,975.

Winston Jones' brother dies

Albert J. Jones, 46 of Route 3, Union, died Monday at a Union hospital after a brief illness.

A native of Union county, son of Mrs. Lula Galloway Jones and the late A. P. Jones, he was a member of Tabernacle Baptist church. He was a member of the American Legion Post No. 22 and was employed as a textile worker at Excelsior Woolen Mills.

Among his survivors is a brother, Winston Jones of Newberry. Funeral services were conducted Wednesday at his church and burial followed in Union Memorial Gardens.

ures heretofore existing with respect to assignment, enrollment and transfer of pupils in this district will conform with the policies as herein stated." 4-15-65

PATIENTS IN THE HOSPITAL

Mrs. Betty Ames, City.
Charles C. Bedenbaugh, City.
James S. Bedenbaugh, City.
Mrs. Emma Bobb, Prosperity.
Mrs. Estelle Bouknight, City.
Mrs. Nelva Brown, Prosperity.
Miss Annie Bynum, City.
Mrs. Attie S. Counts, City.
Charlie P. Cannon, Chapin.
Harold Cromer, City.
Miss Fannie Mae Carwile, City.
Chilton Ellett, Chapin.
Mrs. Bessie Floyd, City.
Master William Fuller, Joanna.
Mrs. Virginia Fulmer, City.
Mrs. Cory Fellers, Prosperity.
Mrs. Alma Force, City.
Willie Mae Frick, City.
Fred E. Goff, Saluda.
Lawson H. Harmon, City.
Mrs. Dovie Hamm, City.
Mrs. Erlene L. Hunnycutt, Whitmire.

Mrs. Violet Harvey, Prosperity.
Mrs. Mattie Hamrick, City.
Mrs. Dossa M. Layton, City.
Mrs. Janie McCarty, City.
Mrs. Catherine McConnell, City.
Baby Girl Morris, City.
Mrs. Florence Puckett, City.
Miss Lorraine Paris, City.
Mrs. Sarah Price, Gilbert.
Walter Regnery, City.
Holland Ruff, City.
B. Eugene Shealy, City.
Stephen Shaw, City.
Mrs. Mattie G. Smith, City.
James Fred Thomas, City.
Ira Taylor, City.
Mrs. Maggie Willingham, City.
A. J. Burton, City.
Mrs. Helen T. Gore, City.
Tally Greenwood, City.
Baby Girl Moore, City.
Mrs. Lizzie Mae Moore, City.
Mrs. Marie Daniels Reeder, City.
Mrs. Laura Suber, City.
Mrs. Rebecca Williams, Silverstreet.

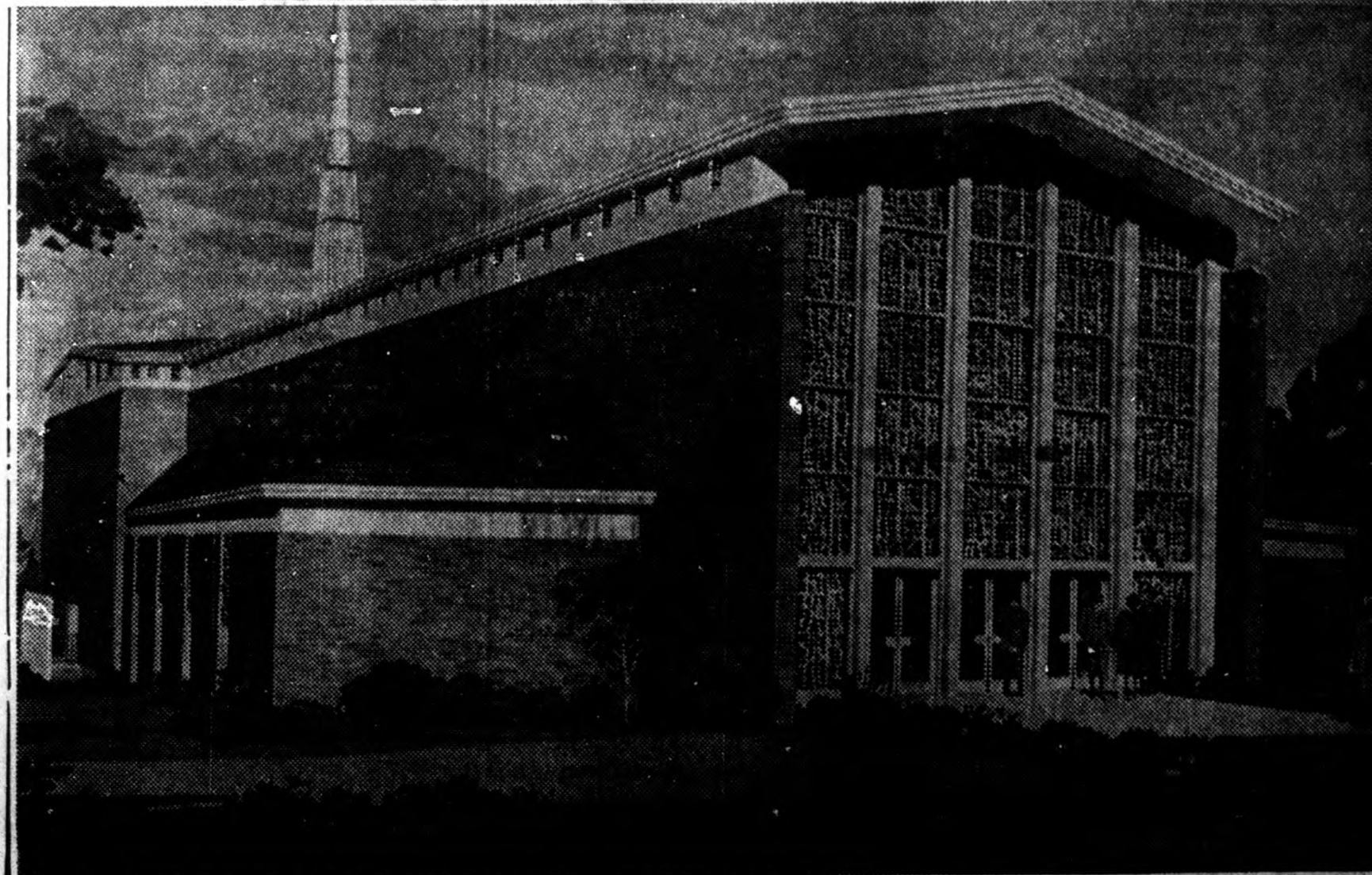
Men In Service

24TH INFANTRY DIVISION, GERMANY (AHTNC)—Specialist Four John W. Epting, son of Mr. and Mrs. John D. Epting, Route 4, underwent extensive Army training tests near Grafenwohr, Germany, April 10.

During the tests Specialist Epting took part in weapons firing and various tactical maneuvers as part of an annual program to determine the combat readiness of his unit.

Specialist Epting, a driver in Battery B, 1st Battalion of the 24th Infantry Division's 35th Artillery in Germany, entered the Army in January 1963 and arrived overseas in January 1964.

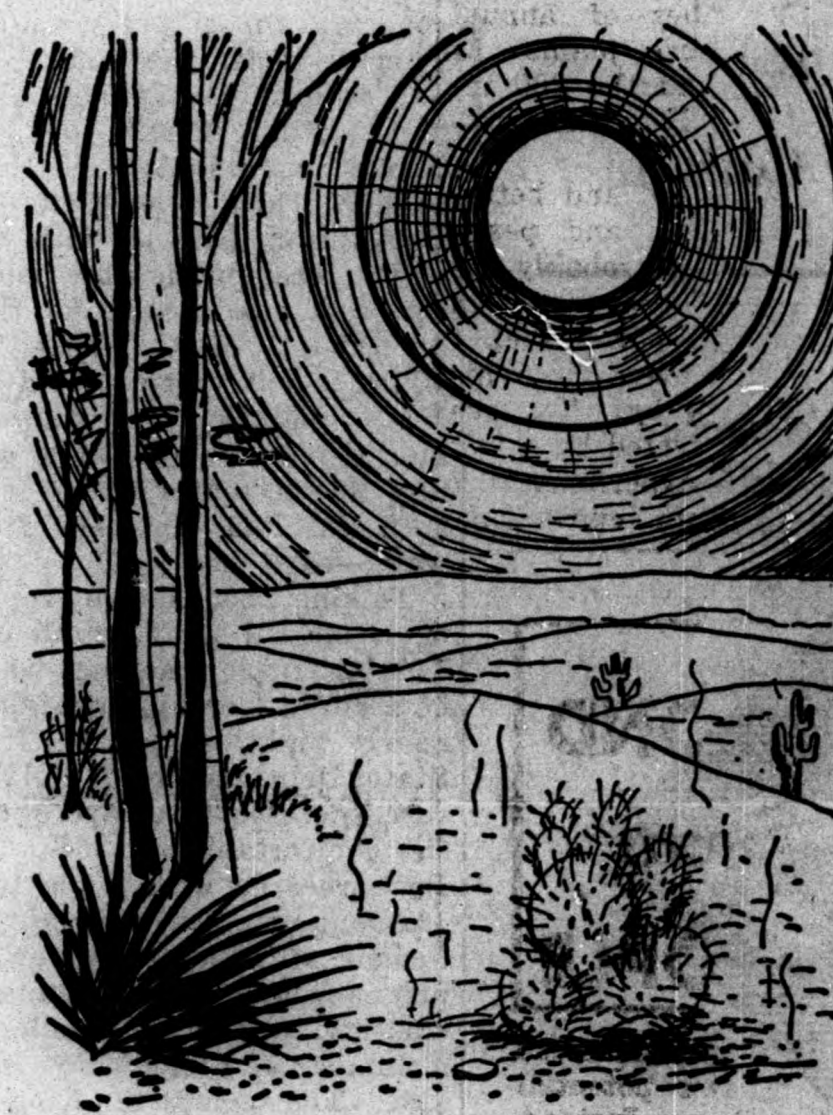
Before entering the Army Epting was employed by the Carolina Wholesale Company, Columbia. He was graduated from Newberry High school in 1958 and received his Bachelor of Arts degree from Newberry College in 1962.



Shown above is the architect's conception of the new chapel soon to be built on the Newberry College campus. The Board of Trustees of the College have named this structure the A.G.D. Wilson Chapel, in honor of the incumbent president. The building will be located on College Street adjacent to Smeltzer Hall. The story concerning the building was published in last week's issue of The Sun.

Bearing Fruit

By this my Father is glorified, that you bear much fruit, and so prove to be my disciples. —John 15:8



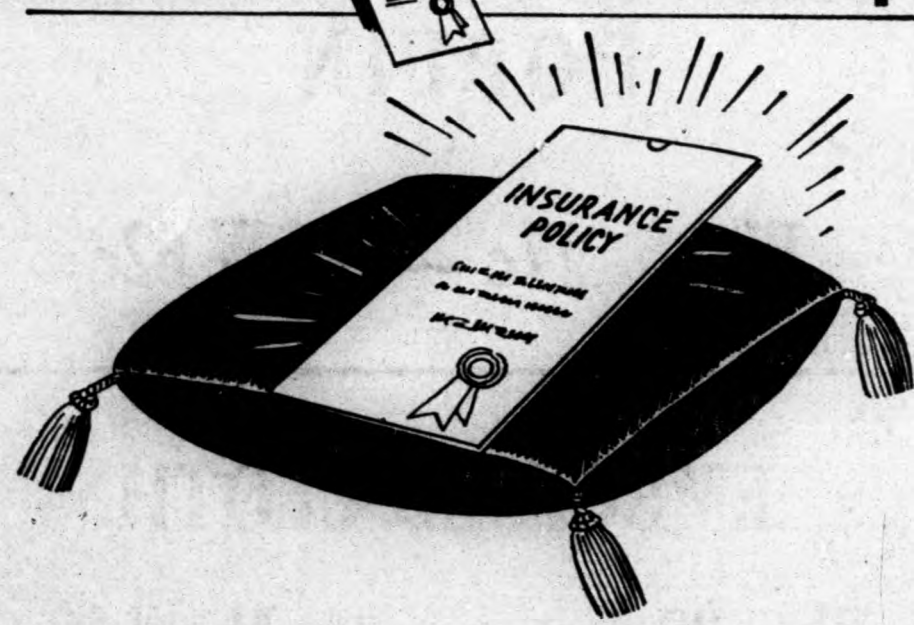
Just as a tree planted in the desert that knows no water shall never bear fruit, so is it true that a way of life that does not embrace Christian principles is wasted and barren.

God is indeed pleased when we make Christianity the "motor" of our lives; when we bring into our everyday actions and activities such things as faith, hope, dignity, kindness and consideration for others.

We are, as Christians, disciples—or followers. The pathway was clearly marked in the life and death of Jesus Christ. If we understand this, we understand why God is pleased when we make our lives useful and productive.

Read your BIBLE daily
and
GO TO CHURCH
SUNDAY

One Moment A Piece Of Paper



THEN SUDDENLY IT BECOMES
YOUR MOST VALUABLE POSSESSION

An auto accident, a fire, wind damage to your home . . . all that stands between you and a heavy loss is a piece of paper.

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R. Aubrey Harley



Zing into spring! Corvair by Chevrolet

The steering's crisper, the ride's flatter, the style's racier—even the grass looks a shade greener from behind the wheel of this new Corvair

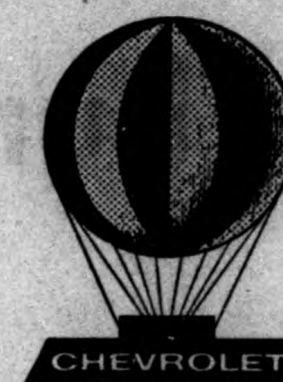
For all its finely calibrated instrumentation—tachometer, manifold pressure gauge, even an electric clock with a sweep second hand for rally buffs—the most important thing that happens when you get a Corvair Corsa

out on the road doesn't register on the dash. It registers on you.

You feel it in the steering—crisp and precise—as you double back on a curve. In the flat riveted-to-the-road stability of the new fully independent suspension. In the response of the rear engine (up to 180 hp available now in Corsa's Turbo-Charged version).

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