

Other Viewpoints

No 'green light' for crackdown laws

Kansas Secretary of State Kris Kobach doesn't take "no" for an answer. So he had a predictably tortured interpretation of the U.S. Supreme Court's takedown of most of the Arizona immigration law he co-authored – that it was a win for state laws targeting illegal immigrants and a "green light" for Kansas to pass a similar crackdown. It was neither.

In striking down the bulk of the law, including measures making it a state crime to seek a job or be employed without authorization, the court underscored that illegal immigration is a federal issue. "The state may not pursue policies that undermine federal law," Justice Anthony Kennedy wrote for the majority.

Yet Kobach somehow read the decision as a call for Kansas to pursue policies that undermine federal law.

Even the court's move to uphold the "papers, please" provision – which compels Arizona law enforcement officers to check the residency status of people they have detained for other reasons and they suspect are in the country illegally – was a matter of timing, rather than an endorsement. The justices just thought it premature to judge the provision "without the benefit of a definitive interpretation from the state courts."

If Kansas passed a similar ID-check law next year, as Kobach urges, it would only invite its own costly legal fight. The defense of Arizona's law has cost nearly \$3 million so far (in its case, mostly covered by private donations).

There can also be economic costs. In Alabama, farmers and contractors have complained that state's harsh law (also courtesy of Kobach) has led legal as well as illegal workers to flee, and a University of Alabama economist predicted it could cost the state as much as \$10.8 billion in annual gross domestic product.

Kobach has seen victory in other defeats, too, including his failure to overturn state laws in Kansas and elsewhere allowing certain children of undocumented residents to pay in-state tuition rates at state colleges and universities.

To their credit, state lawmakers of both parties have shut down the annual attempts to repeal Kansas' 2004 law.

Influenced by the Kansas Chamber and other business groups, the Legislature even has declined to require businesses to check the immigration status of new employees with the federal E-Verify database – something that would seem like common sense to many Kansans.

For all of its moonlighting secretary of state's unequivocal pronouncements on cable news, Kansas has shown good judgment in declining to act rashly on illegal immigration. Gov. Sam Brownback, who has been a voice of reason on the issue in the past, should help ensure that doesn't change as so many other faces change in Topeka next year.

Meanwhile, elected officials at the federal level should take the court's decision as a hard shove toward comprehensive immigration reform.

– *The Wichita Eagle, via the Associated Press*

Write us

The Colby Free Press encourages Letters to the Editor on any topic of general interest. Letters should be brief, clear and to the point. They must be signed and carry the address and phone number of the author.

COLBY FREE PRESS

155 W. Fifth St. (USPS 120-920) (785) 462-3963
Colby, Kan. 67701 fax (785) 462-7749

Send news to: colby.editor @ nwkansas.com

State award-winning newspaper, General Excellence, Design & Layout, Columns, Editorial Writing, Sports Columns, News, Photography. Official newspaper of Thomas County, Colby, Brewster and Rexford.

Sharon Friedlander - Publisher
sfriedlander @ nwkansas.com

NEWS

News Editor

colby.editor @ nwkansas.com

Kayla Cornett - Sports Editor
colby.sports @ nwkansas.com

Marian Ballard - Copy Editor
mballard @ nwkansas.com

Christina Beringer - Society Reporter
colby.society @ nwkansas.com

Sam Dieter - News Reporter
sdieter @ nwkansas.com

ADVERTISING

colby.ads @ nwkansas.com

Kathryn Ballard

Advertising Representative
kballard @ nwkansas.com

Kylee Hunter - Graphic Design
khunter @ nwkansas.com

BUSINESS OFFICE

Ray Schindler - Office Manager
rschindler @ nwkansas.com

Evan Barnum - Systems Administrator
support @ nwkansas.com

NOR'WEST PRESS

Richard Westfahl - General Manager

Jim Jackson, Jim Bowker, Gary Meyer, Pressmen

Lana Westfahl, Judy McKnight, Kris McCool, Stacy Brashear, Tracy Traxel, Mailing

THE COLBY FREE PRESS (USPS 120-920) is published every Monday, Wednesday, Thursday and Friday, except the days observed for Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and New Year's Day, by Nor'West Newspaper, 155 W. Fifth St., Colby, Kan., 67701.

PERIODICALS POSTAGE paid at Colby, Kan., 67701, and at additional mailing offices. POSTMASTER: Send address changes to Colby Free Press, 155 W. Fifth St., Colby, Kan., 67701.

THE BUSINESS OFFICE at 155 W. Fifth is open from 8 a.m. to 6 p.m. Monday to Friday, closed Saturday and Sunday. MEMBER OF THE ASSOCIATED PRESS, which is exclusively entitled to the use for publication of all news herein. Member Kansas Press Association and National Newspaper Association.

SUBSCRIPTION RATES: In Colby, Thomas County and Oakley: three months \$35, one year \$85. By mail to ZIP Codes beginning with 676 and 677: three months \$39, one year \$95. Elsewhere in the U.S., mailed once per week: three months \$39, one year \$95. Student rate, nine months, in Colby, Thomas County and Oakley, \$64; mailed once per week elsewhere in the U.S. \$72.



ANDY GRIFFITH, 1926-2012

Capricious fire went where it wished

The fire that ripped through northwest Decatur County June 26 was as capricious as it was quick.

Flames raced on the wind, in some places splitting to go around a homestead.

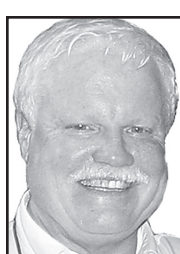
There was no stopping the fire, at least not at first, driven by 35-mph winds out of the southwest. Firemen were lucky to save the five farm homes in its path, though most of those lost all or part of their windbreaks, plus outbuildings.

The historic barn at the Art May homestead made a spectacular scene as it went up, to be sure, but a similar barn to the west – abandoned and unused, its boards dry and weathered – remained untouched. The fire didn't quite get that far.

One tongue of flames raced up a grassy draw to the northwest, stopping across the road from the site of the old St. John's Lutheran Church. That piece of the fire was moving crosswind, and it apparently didn't have enough push to breach the road.

Had it made it, the trailers, tall grass and old cedar trees on the former church lot would have fueled quite a bonfire. Safe on the corner were the belfry and bell from the old Methodist church in Traer, still on the lot after many years. The church cemetery on the west side, well tended to this day, was spared as well.

Without a quick response from fire fighters, some of the homes undoubtedly would have been lost. As it was, flames consumed the shelter belts around the homesteads, all or in part, but the main fire raced on. Firemen were able to stop and protect the houses while other crews finally got ahead of the blaze.



Steve Haynes

• Along the Sappa

Wind-driven fires can go for miles unless someone gets ahead of them. Had the wind been any worse, who knows if the fire lines along the roads would have held?

It was no surprise that the fire moved quickly through dry grass and wheat stubble. Many were surprised at the speed at which it ripped through a quarter of green corn, even in this budding drought.

Maybe we shouldn't have been. Examination showed that the corn plants did not burn. They were brittle, damaged but more melted or cooked than burned. There was no sign of actual fire damage.

In a word, the green corn did not catch fire. What did, then?

Last year's wheat stubble, left on the field for ecofallow residue had, like most stubble in open fields, been reduced to ash. The flames apparently raced through the field under the corn, cooking and probably killing the green plants.

This is not to say green corn won't burn; given the right conditions, it probably would. When it's hot enough, anything will burn.

But this fire was moving too fast to burn green, growing plants.

Grass that looked green in the ditches sometimes was a different story, however. Flames fairly jumped through the mixture of old, dry grass and new green leaves, leaving only ashes behind. It's debatable whether the green stuff even slowed the blaze.

Saturday night, dry lightning left four or more blazes scattered around the county. One at Sappa Park gave a graphic example of the power of lightning.

The bolt, a big one by the sound of it, struck a green cottonwood at the campsite of the Black Powder club. The electricity cooked the green tree, and the trunk exploded, showering the area with chunks of green wood two to three feet long, six inches deep and four to five inches wide.

The green wood didn't catch fire, but dry stuff at the base of the tree apparently did. The flames spread from there, but Norcatcur firemen efficiently snuffed the flames.

The Norcatcur crew had been passing the park when the call came in and could see the smoke. They asked if they should come on to the bigger blaze out west, and that drew a memorable quote from Chief Bill Cathcart: "If you find one," he said, "put it out."

One more interesting note: the Sappa Park fire Saturday was fanned by an east wind. Out west, the bigger fire was driven north by a south wind. The difference? Something about the storm system that passed through, no doubt.

Steve Haynes is president of Nor'West Newspapers. When he has the time, he'd rather be reading a good book or casting a fly.

Declaration a 'little miracle'

The Second Continental Congress, having been convened for six months, had been engaged in the wrestle for or against independence, the majority of delegates being against such drastic action most of this time. Surely there should be a way of reconciling their differences with Great Britain instead.

This was so even after the battles of Lexington, Concord and Bunker Hill and the British occupation of Boston. We were at war.

King George III had already rejected the Colonists Declaration of Rights. Moreover, he had declared the colonists in open rebellion. Parliament had removed the colonies from the protection of the British military, ended all British trade with them, and authorized the confiscation of any American vessel on the seas. Still, delegates could not bring themselves to separate from the British Empire.

On July 1, 1776, the Patriots finally risked "putting the question" to a tentative count but were numbly shocked by the result. Four colonies New York, South Carolina, Delaware and Pennsylvania did not support declaring independence from Great Britain. The Patriots needed to show solidarity. A vote of only nine colonies would show disunity.

This is where the brilliance of John Adams, from Massachusetts, and Richard Henry Lee, from Virginia, came into play. They got Edward Rutledge to use his influence to persuade South Carolina, for the sake of unity, to join those supporting independence, if Pennsylvania and Delaware could be persuaded to do likewise. Convinced that that could never happen, Rutledge agreed. Next, Adams and Lee worked on Delaware which had three repre-

Other Opinions

• Dr. Harold Pease
Liberty Under Fire

sentatives, one for and another against independence and a third, Caesar Rodney, who was pro declaration, was recuperating from health problems at his farm 80 miles away and probably would not be able to be there to vote the next day. Apparently he had skin cancer and a sore on his face the "size of a large apple." The Delaware delegate favoring independence sent a messenger to Rodney to try to get him to the Convention for the vote. This necessitated an 80-mile all night ride by the sick delegate.

Now to change the vote of Pennsylvania with seven delegates, four against independence. Amazingly, Adams and Lee convinced two of these to be absent for voting the next day. This would place Pennsylvania in the camp of the Patriots. New York, without instructions to vote for independence, remained neutral refusing to vote at all. Decidedly too many ifs, and would everyone keep their promise? They needed a "little miracle," perhaps three.

Sometime after lunch the next day July 2, 1776, Caesar Rodney, "caked with mud from head to foot," having ridden through a severe thunderstorm and torrential rain, "entered the assembly room, and when his name was called for Delaware he rose with difficulty but in a

clear voice stated: 'As I believe the voice of my constituents and of all sensible and honest men is in favor of Independence and my own judgment concurs with them, I vote for Independence'" (Declaration of Independence: The Keepsake Album of its Creation, by Joseph P. Cullen, American History Illustrated p. 34).

This little miracle made Delaware the 10th colony for a declaration that these colonies were free and independent states. The two lesser "miracles" followed. Pennsylvania followed as planned when the two con-delegates did not show to vote as promised, leaving a simple majority for independence, and Rutledge kept his word and persuaded South Carolina to become the 12th colony for the sake of unity. With New York abstaining the Patriots could announce to the world that the vote had carried without an opposing vote. All this happened within 26 hours, when the day before, at 10 a.m., only nine colonies supported independence.

A draft of The Declaration of Independence had been written, reviewed by committee and tabled on June 28, until after an affirmative vote for independence. This achieved, its finalization by the whole house followed on July 4, 1776, passing 12 to 0, again with New York abstaining. But could all this be vindicated on the battlefield, that seemed just as improbable perhaps needing additional "little miracles," or would these men merit only the gallows, but that is a story for another day?

Dr. Harold Pease teaches history and political science at Taft College. To read more of his articles, go to www.LibertyUnderFire.org.

Mallard Fillmore

• Bruce Tinsley

