

ties, in custody of Kansas sheriff held to be fugitive from California for purpose of extradition. *Hedge v. Campbell*, 192 K. 623, 626, 389 P.2d 834.

21. Physical presence sufficient to support jurisdiction though defendant was returned to state without formal extradition proceedings. *State v. Eaton*, 199 K. 610, 611, 433 P.2d 347.

22. Constitutional issue whether confinement in another state's prison constitutes cruel and unusual punishment is beyond scope of extradition proceeding. *Killingsworth v. Howes*, 222 K. 209, 210, 563 P.2d 478.

23. Fourth amendment standards apply in extradition proceedings. *Wilbanks v. State*, 224 K. 66, 76, 77, 579 P.2d 132.

24. Governor's warrant valid and regular on face; no further showing of validity necessary absent contrary evidence. *Gladney v. Sheriff of Leavenworth County*, 3 K.A.2d 568, 570, 598 P.2d 559.

25. Where petitioner awaiting extradition is being held as accommodation to counsel, release not mandatory under 18 U.S.C. 3182. *Breckenridge v. Hindman*, 10 K.A.2d 50, 52, 54, 691 P.2d 405 (1984).

§ 3. New States and Territories. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Research and Practice Aids:

States ⇨ 8 et seq.; Territories ⇨ 8.
C.J.S. States § 21 et seq.; Territories § 6.
Am.Jur.2d Constitutional Law § 201.

CASE ANNOTATIONS

1. Grant of right-of-way by Congress to railroad company construed and held to be valid. *Walbridge v. Russell County*, 74 K. 341, 344, 345, 86 P. 473.

2. Protection of migratory birds within exclusive control of state. *The State v. McCullagh*, 96 K. 786, 153 P. 557. (Treaty with Great Britain for protection of migratory birds, 1916, gave congress authority to pass laws for their protection.)

§ 4. Protection and aid of states. The United States shall guarantee to every State in This Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (When the Legislature cannot be convened) against domestic Violence.

Research and Practice Aids:

States ⇨ 4.3; United States ⇨ 5; War and National Defense ⇨ 1, 35.
C.J.S. States §§ 1, 7; United States §§ 4, 5; War and National Defense §§ 1 et seq., 43.
Am.Jur.2d Constitutional Law, §§ 28, 389 et seq.

CASE ANNOTATIONS

1. State legislature has absolute power to make and change subordinate municipalities. *State, ex rel., v. City of Kansas City*, 186 K. 190, 198, 350 P.2d 37.

2. Discussed in determining state act providing for distribution of 20 "extra" representatives unconstitutional. *Harris v. Shanahan*, 192 K. 183, 184, 187, 188, 204, 387 P.2d 771.

3. Discussed; apportionment of house of representatives (dissenting opinion). *Harris v. Anderson*, 194 K. 302, 322, 325, 400 P.2d 25. *Certiorari denied*: 382 U.S. 894, 86 S.Ct. 185, 15 L.Ed.2d 150.

4. Discussed; Article 1, Section 6, of state constitution authorizing governor to issue reorganization orders does not conflict with guarantee clause. *Van Sickle v. Shanahan*, 212 K. 426, 434, 511 P.2d 223.

Article V.—PROPOSAL AND RATIFICATION OF AMENDMENTS

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

Revisor's Note:

Withdrawal of approval of amendment after ratification (*dicta*), see *Coleman v. Miller*, 146 K. 390, 400.

Research and Practice Aids:

Constitutional Law ⇨ 2, 10.
Hatcher's Digest, Constitutional Law § 2.
C.J.S. Constitutional Law §§ 4 et seq., 6.
Am.Jur.2d Constitutional Law § 20.

Law Review and Bar Journal References:

"Questions Raised by the Equal Rights Amendment," *Elinor P. Schroeder*, 48 J.B.A.K. 255 (1979).

1.
ratify
amen
for ra
399,
59 S.
2.
of vic
derso
denie

Pr
Eng
tion
agai
tutic
St
the
mad
mad
thor
pren
ever
in th
Con
O

not
sent
of tl
ecut
Unit
be t
this
ever
fice

Reser
Rej
1.
C.J
Trove
2.

Am
208,
Law

Tre
171 t
255 ()
Schuy
22 J.1
Me
Noise
W.L.,
Cit
Other
Respc