



1940

Emergency Laws

North Dakota State Bar Association

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progress in the ever expanding administration of justice under new and changing conditions.

Of course our courts should distinguish the change—but brevity is still the soul of wit—and it can well be repeated that “adequate” brevity in this constantly increasing stream of the legal opinions of our courts would be much appreciated by the profession.

And while we are not advocates of statutory control of the decisions or the fixing of rules by that method to obtain stability, our labor is still an endless organic process to insure law to the undying body of society, it is still to the accurate, keen, just and fearless spirits of our profession to function and perform in the life of the law as it has been in the past. It is still not words but things that make the body of our law and if you haven't given much thought to old *Stare Decisis* you better begin to do so, before he gets out of control.

SEC.

EMERGENCY LAWS

For the past several years, your association has arranged with the Bismarck Tribune for the publication of the Emergency Laws and they have been sent to each member as a part of a regular issue of the Tribune. They are sent in this way to save expense. Each year we have paid part of the cost and have assisted in selecting the laws to be published. You can readily understand that it would be a useless expenditure to publish all of the Emergency Laws. For instance the renewal of the sales tax law; some repeals; some appropriations, etc. We intend to include everything of general interest, as well as those that are vital and important.

However, it takes time to obtain copies of all such laws. The force in the Secretary of State's office have their regular work and are getting out mimeograph copies of these laws as rapidly as possible. Those to be printed have been selected and are being set up for publication as fast as received from the Secretary of State's office. Headings on all of those not printed in full will be given, so that, if necessary, copies can be secured from the Secretary of State. We hope to have the publication in your hands within the next week or ten days.

SEC.

BANKRUPTCY - FRAZIER-LEMKE ACT NATURE OF PROCEEDINGS

A farmer-debtor seeks to have the land appraised and be allowed to redeem it at that appraised amount. The secured creditor, however, claimed that according to Section 75 subsection (s) (3), its request for a sale took precedence over any such