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## Meeting of Executive Committee

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# BAR BRIEFS

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## STATE BAR ASSOCIATION OF NORTH DAKOTA

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### MEETING OF EXECUTIVE COMMITTEE

Your Executive Committee met at Bismarck on March 17th. Several of the members of the committee were unable to be present, so we had a bare quorum.

It was decided by your Executive Committee, if it meets with the approval of the Bar Board, that all proceedings on the Frazier-Lemke solicitations should be suspended until the final termination of the criminal actions now pending in Federal Court.

The matter of holding a meeting of our Association was carefully considered, and the Committee finally came to the conclusion that it would be advisable to hold a meeting this year. The date was set for August 24th and 25th, at Minot. In view of the condition of our exchequer, it was decided to make this a streamlined meeting, commencing on the morning of the 24th and ending at noon on the 25th. It can readily be understood that because of the loss of a large number of our members, our income is considerably less than it has been in the past, hundreds of our members having gone into the armed forces.

In view of the fact that the attendance will probably be rather small, it was decided to dispense with the sectional meetings, and have all discussions presented to the convention as a whole. Subjects of general interest to attorneys will be presented, and a tentative program was prepared by the committee.

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It was suggested that we have papers prepared and presented to the convention on the following subjects: (1) Administrative Law, which would deal with the growth of bureaucratic government, and with the possibility of securing legislation providing for appeal from decisions of the bureaus to our courts. (2) Preference of government claims in estates. (3) Socialized medicine, from a legal viewpoint. (4) Pre-trial procedure, and (5) Soldiers' and Sailors' Relief Act. After the presentation of each paper the matter would be open for general discussion by the convention.

If any member of the bar has in mind any subject that he feels would be of particular interest, we should be glad to have him write either me or to our Secretary. As soon as our program is completed it will be published in Bar Briefs.

I trust that as many of our attorneys as possible will plan to attend this meeting. There are many grave problems confronting our attorneys these days, and we need to get together and discuss these problems, and to receive inspiration for the tasks that lie ahead.

O. B. HERIGSTAD, President

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#### BOOKS AND OFFICE EQUIPMENT

Any member interested in the purchase of Northwestern Reporter-first 300 Volumes; the latest Northwestern Digest, miscellaneous text books, and a complete set of office equipment write Myer R. Shark of Devils Lake, N. D.

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#### A BRIEF SURVEY OF COURT DECISIONS CONSTRUING THE NORTH DAKOTA BILL OF RIGHTS

By Prof. Ross C. Tisdale  
(Continued from last issue)

#### SECTION 5

The privilege of the writ of habeas corpus shall not be suspended unless when in case of rebellion or invasion the public safety may require.

As intimated by Justice Burr in *State ex rel. Cleveringa v. Klein*, *supra*, page 1, Section 5 of the Bill of Rights was intended to protect citizens against "star chamber processes." The right to personal freedom<sup>1</sup> was considered "the birthright of every free-

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<sup>1</sup>. See Cooley, *Constitutional Limitations*, 8th ed., (1927), p. 710: ". . . Personal liberty consists in the power of locomotion, of changing situation, or moving one's person to whatsoever place one's own inclination may direct, without imprisonment or restraint, unless by due course of law. It appears, therefore, that this power of locomotion is not entirely unrestricted, but that by due course of law certain qualifications and limitations may be imposed upon it without infringing upon constitutional liberty. Indeed, in organized society, liberty is the creature of law, and every man will possess it in proportion as the laws, while imposing no unnecessary restraints, surrounds him and every other citizen with protections against the lawless acts of others."