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## The Judge's Duty

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### THE JUDGE'S DUTY

In the history of any nation, oftentimes the cold letter of the law can not relieve human suffering and give that guaranty of civil liberty which constitutions provide. The protection of human rights is, *and by right ought to be*, the goal of every Democratic government.

When a great public disaster threatens the nation it has been *and is* our custom to protect our citizens, even tho it becomes necessary to establish rules of action for which the law does not provide. War moratoriums are examples. Acquiescence is taken for granted, and no one questions the right of executives to make such proclamations. It is only when the public danger has passed that this right has been questioned.

Today our home owners, *thru no fault of their own*, see the labor of a lifetime threatened and their homes taken away because of their utter financial helplessness. No greater disaster could befall a free people—it is a matter of great public concern, and, therefore, transcends rules of law.

Our governor has recognized this public disaster and upon the request of bankers who desired protection, declared a moratorium available to all. Thru this law the disaster was halted.

It should be the duty of a judge to lend his influence to protect the people in such an emergency. He should rise above decisions to contribute to the defense of human rights, and a judge who will use his office to deny this protection, in the face of a public calamity, and in violation of *law by proclamation*, has placed himself in the class of a "public enemy" of the nation.—USHER L. BURDICK.