



1926

## What The Supreme Court Has Said/Just A Reminder/Is This Common Sense In Law?/1927 Proceedings

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Constitution hasn't succeeded in establishing itself as the eighth wonder of the world.

The section of the law relied upon is evidently No. 21 of Title II of the National Prohibition Act, viz: "Any room, house, building, boat, vehicle, structure, or place where intoxicating liquor is manufactured, sold, kept, or bartered in violation of this title, and all intoxicating liquor and property kept and used in maintaining the same is hereby declared to be a common nuisance."

Under other recent Federal Court decisions the habitual bringing and consuming of liquor in such public places as restaurants make such places common nuisances and subject to official padlocking.

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### WHAT THE SUPREME COURT HAS SAID

"The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men at all times and under all circumstances. No doctrine involving more pernicious consequences was ever invented by the wit of man than that any of its provisions can be suspended during the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the government within the Constitution has all the powers granted to it which are necessary to preserve its existence, as has been happily proved by the result of the great effort to overthrow its just authority."

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### JUST A REMINDER

In 1896, 80% of the eligible voters went to the polls. This percentage gradually dwindled, it being recorded at 73% for 1900, 66% for 1908, 62% for 1912, and 49% for 1920. An intensive campaign brought out 52% of the eligibles for 1924. 1928 will find approximately 60,000,000 citizens entitled to make marks upon a ballot. If it took more than 30,000,000 pieces of literature to bring out 52% of the eligibles in 1924, 3% over the 1920 election, what effort will be required to make a creditable showing for 1928?

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### IS THIS COMMON SENSE IN LAW?

Prize fights may be held in most any place in the United States, and million dollar gates are trifling incidents.

Moving pictures may be taken of such prize fights.

Such moving pictures may be shown from Judson to Junkersville.

BUT—transportation of the films from state to state is a violation of law.

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### 1927 PROCEEDINGS

In view of the delay in preparation of the transcript of the proceedings of the annual meeting held at Grand Forks in September, it will be impossible to make publication as the December number of Bar Briefs, as usual. The indications are that the January, 1928, number will probably be the issue to carry these proceedings.