

1947

Report of Committee on American Citizenship and Bill of Rights

Minn. L. Rev. Editorial Board

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house in either Minneapolis or Ramsey County. After several public hearings covering the several controversial issues, an amended bill was worked out which was satisfactory and has been adopted by the Legislature and is now law.

Also, the so-called channeling act was passed during the session and has become law requiring that all applications for Federal aid must be channeled through the Commissioner of Aeronautics of Minnesota and prohibiting any municipality from making any individual application and contract with the Federal Government to the exclusion of the State Aeronautics Commission.

We feel that constructive legislation has been adopted but it is strongly recommended that continued effort be expended toward the increase of tax on aviation gasoline as well as on aircraft property and aircrafts to augment the state aeronautics fund so that further development of the state aeronautics program can be made, and also utilize the Federal funds now obtainable upon the equal matching basis. The action of the House has definitely retarded the program of aeronautics for Minnesota for the next biennium and Minnesota has been deprived of matching funds under the Federal Airports Act.

The names following this report are the names of the committee, but it does not necessarily follow that all named approve the report.

Respectfully submitted,

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|-------------------------------|---------------------|
| A. R. JOHANSON, Chairman | VERNON S. WELCH |
| IRVING W. BEAUDOIN, Secretary | EVERETT A. DRAKE |
| PAUL J. THOMPSON | MILTON P. FIRESTONE |
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| LINUS GLOTZBACH | HOMER R. KINNEY |
| SID BUTTZ | ERNEST A. RICHI |
| BENNETT O. KNUDSON | L. H. DOW |
| D. BLAIR RUMBLE | WILLIAM C. GREEN |
| MRS. MARY WALBRAN | |

REPORT OF THE ADMINISTRATIVE LAW COMMITTEE

No written report was filed by this committee. An oral report will be made during the Convention.

REPORT OF COMMITTEE ON AMERICAN CITIZENSHIP AND BILL OF RIGHTS

TO THE MINNESOTA STATE BAR ASSOCIATION

Your Committee reports

Report

The new Constitution of the Bar adopted at the 1946 Convention instructed this Committee to investigate "threats to civil liberties guaranteed by the Federal and State Constitutions" and outlined a course of procedure in "all cases involving denials of such rights."

To broaden the scope of action and generally accomplish the foregoing purposes, that Convention by resolution volunteered the services of the members of the Bar to the National Conference of Christians and Jews. The Secretary of that Organization for the State of Minnesota was duly

notified of the action and gave considerable publicity to it, which, according to reports, was favorably received.

The only case of consequence called to the attention of the Committee was being capably handled by the attorney reporting it.

We must realize that our hallowed Bill of Rights was set forth in the first ten amendments to our federal constitution and adopted solely to restrict the National Government and not for the purpose of dealing with the relations of persons with persons, nor persons with the State government, nor to empower the National Government to take affirmative action to protect these liberties. The acts subsequently adopted by the Congress to carry out its purposes were restricted in their application. The Federal Government under these statutes has experienced difficulty in undertaking to protect these rights.

Prior to the Civil War, the individual sought protection from the State as the guardian of his personal rights, but problems arising from that War and the experiences that followed showed that the states either could not or would not fulfill the obligation of securing the individual liberty of its various classes and kinds of citizens. As a result of this, the 13th, 14th and 15th amendments to the Federal Constitution were adopted.

The foregoing historical background is set out because it is indicative of the vital importance of these rights and the inherent difficulty of legally establishing and enforcing them. They are the very foundation of our governmental institutions guaranteeing our system of free enterprise.

When we see identical false statements derogatory to the American way of life appearing in radical newspapers in London and New York on the same day, and learn that in the secret deliberations of labor unions identical tactics are used, staged with parliamentary skill to disrupt orderly proceedings, we have conclusive proof of insidious well organized efforts that are aimed to undermine our Government.

We must differentiate between sincere protests of groups of our honest citizens against injustice and the efforts of those who initiate protests for the sole purpose of making trouble.

The one certain and definite way to protect such rights and liberties is through the power of public opinion. As lawyers we like to pride ourselves on being leaders in our communities and molders of public opinion. Because of our perspicacity we discern future developments and are able to forestall them. When any subversive movement, action or conversation starts in your community, a word by you to the right person may stop it before it gains any momentum.

In these postwar days with our social and economic systems unsettled and distorted, every lawyer must recognize his unmistakable duty to his profession to encourage the press, labor, the schools, churches, clubs and social groups to promote tolerance and see that all persons, regardless of race, color or creed, have their inalienable rights duly protected.

Respectfully submitted,

T. J. DOYLE, Chairman
DAVID E. BRONSON
HON. J. J. MORIARTY
ROBERT M. BAKER
HON. LEWIS C. SHEPLEY
L. M. HIMMELMAN
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EDWARD J. DEVITT
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MAGNUS WEFALD
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