



1945

Library Books for Sale

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Recommended Citation

(1945) "Library Books for Sale," *North Dakota Law Review*. Vol. 22 : No. 8 , Article 2.

Available at: <https://commons.und.edu/ndlr/vol22/iss8/2>

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LIBRARY BOOKS FOR SALE

The Library of the late F. H. Register of over 1000 volumes including North Dakota Reports, and Northwestern Reporter, together with book cases, and office furniture. Write Mrs. L. P. Warren, 622 Fifth St., Bismarck, N. D.

The Library of Judge M. J. Englert, of over 2000 volumes including North Dakota Reports, Northwestern Reports, other reports, and encyclopedias, sectional cases, and other items. Write Hon. M. J. Englert, District Judge, Valley City, N. D.

COUNSEL FOR THE DEFENSE

In the presence of this company I have departed from my usual extemporaneous custom and have committed my remarks to writing.

The subject suggested—Counsel for the Defense—is here interpreted to refer to one who specializes in the defense of persons charged with criminal offenses.

There is in the title selected a subtle implication that one who so specializes is himself in need of a defense.

It appears to be the current fashion to discredit the practitioner of criminal law and to regard such practitioner as outside of the fold. The critics go further and invoke and exercise the social penalties so cogently defined by John Stewart Mill in his essay on Liberty: "The tendency of society to impose, by other means than civil penalties, its own ideas and practices as rules of conduct on those who dissent from them."

Suggestions have been made from time to time that criminal lawyers are often in Particeps Criminis. Unfortunately, this adverse criticism is not confined to the general public. It is all too frequently exercised by certain members of the Bar.

Now, agricultural communities like ours do not produce criminal lawyers, that is, lawyers who limit their practice to criminal law.

The experience of your speaker may afford an illustration. I think it may be fairly stated that I have tried as many criminal cases as any North Dakota lawyer now practicing, but for every such case I have tried ten or more civil actions.

It is indeed very doubtful whether the charges imputations and insinuations most frequently used with reference to criminal practice can withstand critical analysis.

It may be well to briefly review the most persistent of these charges by setting them forth here in the form of counts in an indictment.

Count One

The Practice of Criminal Law Is Distasteful

The notion here is that such practice brings the lawyer in constant contact with unpleasant and sordid persons and situations.