

North Dakota Law Review

Volume 6 | Number 6

Article 1

1929

Believe It or Not

Richard E. Wenzel

How does access to this work benefit you? Let us know!

Follow this and additional works at: https://commons.und.edu/ndlr

Recommended Citation

Wenzel, Richard E. (1929) "Believe It or Not," *North Dakota Law Review*: Vol. 6: No. 6, Article 1. Available at: https://commons.und.edu/ndlr/vol6/iss6/1

This Note is brought to you for free and open access by the School of Law at UND Scholarly Commons. It has been accepted for inclusion in North Dakota Law Review by an authorized editor of UND Scholarly Commons. For more information, please contact und.commons@library.und.edu.

BAR BRIEFS

PUBLISHED MONTHLY

— BY —

STATE BAR ASSOCIATION OF NORTH DAKOTA

Richard E. Wenzel, Editor

Entered as Second Class Matter Jan. 15, 1925, at the Postoffice at Bismarck, North Dakota, Under the Act of August 24, 1912

VOL. 6.

MAY, 1930

NO. 6

BELIEVE IT OR NOT

A farmer lived in southeastern North Dakota; he had several successive crop failures; he had a large family to support; he resorted to bootlegging; federal agents caught him; he pleaded guilty; the U. S. attorney recommended clemency, and more; the federal judge sentenced the "criminal" to three days—not, it was explained, as punishment, but to insure government payment of expenses home, a three day trip. That's the story that appeared in the North Dakota press last month.

The all-wise human, who is never all-wise, places his "do" or his "don't" in legislation or constitution, but the practically-minded, more or less humane, somewhat emotional, slightly spiritual administrator of the "do" or the "don't" hews away rough corners, whenever, in his judgment, the occasion demands. The rest of the all-wise humans "huddle down" for a quarrelling or quibbling contest about the action and its results. Parlor and street-corner discussions record blame or praise for the judiciary. Congressional exponents of executive inefficiency "chew" the sweet morsel. Committees on law enforcement make new discovries of a "growing tide." But few read in the incident its deeper meaning.

Last month we touched on constitutional sanctity and the legislator. Here you see involved the judiciary and the executive. That's our triumvirate! We must be a terrible

people-law-avoiding, law-evading!

We hear talk of repeals; we read about moratoriums in law making; but legislators go right on writing more laws, just as often, just as fast as the occasion permits. And so, we again beg you to listen to that old Chinese philosopher, Lao Tse, 560 B. C.: "The greater the number of laws and enactments, the more thieves and robbers there will be.... If the government is prying and meddling, there will be constant infraction of the law.... Verily, mankind have been under delusion for many a day! Govern a great natio... as you would cook a small fish—don't overdo it."