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Shall We Do Something This Year?

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amount expended by us for this purpose is a trifle over nine cents. Certainly a fifty per cent increase of these salaries would not be burdensome.

SHALL WE DO SOMETHING THIS YEAR?

An incident was brought to our notice recently which recalls certain utterances of the 1924 annual meeting and reiterates the necessity for the adoption of SOME method that will tend towards the more accurate measuring and adjusting of the sentences of the law in criminal cases.

The alleged incident is this: Two men, serving time in a penal institution for offenses of the same character, varying in degree yet within the limits of the same punishment provisions, are deprived of their liberty for differing periods. The one whose conflict with the law was represented by a single operation received a sentence nearly three times that of the one whose operations continued over some period of time and aggregated many times that of the former.

Reporting on the Judicial Council plan at the 1924 meeting of the North Dakota Bar Association, Judge Burr said this: "When two criminals meet in the penitentiary and compare notes they find, frequently, that one has twice as severe a sentence as the other for acts which do not differ essentially. The State can not afford to have even the criminal feel there is injustice in the administration of justice."

The person who called our attention to this specific illustration of the general statement made by Judge Burr also brought out some further incidentals that have more or less to do with the general situation as it relates to the imposition of punishment. He said that he had occasion to talk personally with one of the men referred to, and claimed to have overheard a remark made by the other later. The former, he stated, expressed the desire to "run straight" in the future, but evidenced a feeling, also that if the two sentences represented society's estimate of justice it might be just as well for him to plan a little more carefully next time (so far as the matter of getting caught was concerned) and thus probably be able to make up for the difference. The other, noting a newspaper article relating to the expenditure of millions for improvements by his former employer, is alleged to have remarked, "Gee, it's too bad I'm not on the job now; I could clean up a million on that."

Of course, several questions might be urged for consideration on the basis of the incident and the general situation here represented; but, we submit, that one of the important questions is: What can and should the North Dakota Bar Association suggest and DO to assist in improving the METHOD of administering justice?

Chief Justice Christianson is already actively at work on the problem, and the conference of judges called by him for this month will, doubtless, give serious consideration to the plan proposed to the Bar Association during the past two years by Judge Burr.