Criminal Law—Validity of Plea Made on Sunday

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essential ingredient of this crime and therefore proof that defendant authorized
the operator to drive his car, without more, will not suffice.

The dissent took issue with the majority on the ground that the legislative
intent would be undermined by placing such a burden on the prosecution since
the aim of the statute is to impose criminal responsibility upon the owner
whenever an unlicensed person operates the motor vehicle with the authorization
of the owner. It argued that the majority, in holding it incumbent upon the
People to establish that the owner knew the person he had permitted to operate
his motor vehicle was unlicensed, attributed to the legislature the enactment of a
self-defeating measure.

In the light of traditional interpretation of penal statutes, the majority's
position seems a sound and reasonable expression of the common law maxim that
mens rea is an essential ingredient of a crime. Unless the legislature expressly
provides otherwise, the burden of proof of such intent is on the prosecution.
So-called public welfare offenses have been held punishable without regard to any
mental element, but these have been offenses of a merely regulatory nature,
involving monetary fines rather than imprisonment.

Validity of Plea Made on Sunday

Section 5 of the Judiciary Law prohibits, with certain exceptions, the
transacting of any business by the courts on Sunday. The exception upon which the
case of People v. Reedy turned was added by amendment in 1930 and reads:
"except . . . for the receipt by a court of special sessions of a plea of guilty and the
pronouncement of a sentence thereon in any case in which such court has
jurisdiction."

The defendant was arrested on Saturday for driving while intoxicated and
was brought before the court the following day when he pled guilty to the charge
and was fined. On appeal, the Court rejected the contention that section 5 had
been violated. The facts came within the express language of the exception.

Absence of Exit Speed Signs Not Fatal to Conviction for Speeding Where
Reasonable Notice of Speed Limit Given — Per Curiam

A village ordinance proscribed traffic within the village at a speed greater
than twenty-five miles per hour, imposed a fine for violation of the ordinance, and