

JUDGE HONORED ON BIRTHDAY



Even Federal Court judges have birthdays, and Judge William N. Runyon observed his yesterday by presiding in the trial of the patent suit brought by the Texas Company against the Warner-Quinlan Company. The attorneys in the controversy remembering that it was the judge's natal day presented him with a large floral gift of roses and tulips. Mrs. Therese C. Bergen, court stenographer, is presenting the gift to Judge Runyon. Several other gifts were received from friends in the Federal Court.

Percentage of Convictions For Liquor Violations Low in Jersey

By GEORGE H. MANNING

(Washington Correspondent of the Home News)

WASHINGTON, D. C., March 15. The New Jersey judicial district, where the average fine for prohibition violations was \$104.55 and the average jail sentence was 16.3 days in those cases, may be vitally affected by enforcement steps of the new administration.

Transfer of the Prohibition Bureau from the Treasury to the Justice Department, passage of the Jones Act, President Hoover's commission of inquiry into prohibition and general crime conditions, and larger sums for enforcement operations, are the chief features of a program in which New Jersey is deeply concerned.

Conditions in the state during the last fiscal year, along with those everywhere, were termed a "farce," so far as sentences and fines are concerned, in a recent public statement of Senator Tyson of Tennessee, when he made a strong plea for additional strengthening of prosecution machinery in order to get heavier fines and sentences. Among the figures he cited for the state, the following were the most striking:

Out of 626 cases terminated in the New Jersey district's courts,

twenty-nine were by jury trials, of which five received acquittals and twenty-four received verdicts of guilty;

The average jail sentence was 16.3 days and the average fine was \$104.55;

There were 328 convictions out of the 626 cases, or 52.3 per cent, and 26.5 per cent of the convictions received jail sentences;

Of the 328 convictions, 304 were procured when the defendant pleaded guilty.

These low fines and small jail sentences, said Senator Tyson, result from the fact that compromises are necessary, as indicated by the figures above, in order to avoid jury trials. If jury trials were necessary in these cases, the already crowded court dockets would become even worse congested, with little possibility of trial in more than a small per cent.

In both percentage of convictions obtained and proportion of jail sentences to convictions, New Jersey was far below the percentage for the United States as a whole.

The percentage of convictions in the United States was 75.5, as against 52.3 per cent for the state, while the country's average of jail was 28.5 per cent and the state's terms imposed from convictions average was 26.5 per cent.

Judge Mackay

EXIGENCIES, political and otherwise, have given former Senator William B. Mackay of Bergen County a seat on the Circuit Court bench. This action has ended the unjustified drive to increase the number of vice chancellors.

Quite properly, Mr. Mackay has long aspired to high judicial position. As a lawyer, he has the qualifications. Some appointments to the state courts, initiated by politics, have been most satisfactory because the new judges realized their solemn responsibilities. While this newspaper has seldom agreed with Mr. Mackay's official acts as a Senator, it expects and hopes he will have a most useful and honorable career on the Circuit Court.