

## Judge Bodine Condemns Guilty Plea Practise

TRENTON (AP)—Action of lawyers in permitting clients to plead guilty to offenses for no reason and what he called the lack of discrimination showed by the federal district attorney's office in consenting to such pleas again was condemned by United States District Judge Joseph L. Bodine yesterday.

The jurist disabused his auditors' minds that the Federal Court here is a mere sentencing mill. His remarks were heard when James Arcadi of East Orange and Frank Foglia of Newark were arraigned for sentence after pleading guilty to possession of a still.

Their only crime was that, being employees of a junk dealer, they had been sent out to receive a dismantled still that was being sold for scrap. Federal agents found them in possession of the material.

"They are not guilty of anything," said the court, heatedly. "I won't allow that plea to stand."

"They were in possession of the still," insisted Assistant United States Attorney Douglas M. Hicks.

"Not at all," contradicted the judge. "To charge them with possession is nonsense, perfect nonsense. It's a lie. Plead them not guilty."

## Court Surprised Maine

### Still Has Liquor Trouble

TRENTON (AP)—Federal Judge Bodine seemed surprised when he learned yesterday that liquor still was being transported in Maine, after four-score of years under prohibition.

This revelation came when Emanuel J. Alexander of Bloomfield and Peter Demas of Elizabeth, who had gotten into trouble over the bail bond of a friend, wanted in Maine on a charge of liquor transportation, were up for sentence.

"How did it happen," inquired the judge, solemnly, "that he was indicted for transporting liquor in Maine? Why, they've had prohibition up there for about eighty years."

"Yes, but there are still some bad boys up there," explained former United States Attorney Walter G. Winne, counsel for the two men.

## RECEIVERSHIP VOID, PREJUDICE ALLEGED

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### Judge Runyon Reversed by Appellate Court in Noxon

#### Products Proceedings

PHILADELPHIA, March 16.—An affidavit of "bias and prejudice" against Judge William N. Runyon, of the Federal District Court at Newark, was upheld yesterday by the United States Circuit Court of Appeals.

The proceedings was said to have been of a character which has been conducted rarely in American courts.

The charges against Judge Runyon grew out of the appointment of receivers for the Noxon Chemical Products Company of Newark on April 25, 1925. Stockholders of the company, through their president, R. Nottebaum, alleged that Judge Runyon had appointed receivers in ex parte proceedings and without due notice to them.

Archie Ormond, a Newark lawyer, and Charles Leckie, of Connecticut, were named receivers on complaint of a stockholder, William Robb, of New York, who alleged insolvency, which the company denied.

One of the peculiar features of the "bias and prejudice" proceeding is that the judge affected must pass on the question as to whether the proceeding is justified from a legal standpoint.

Judge Runyon gave his approval and then the Circuit Court of Appeals directed that Judge William H. Kirkpatrick of the Federal court here should sit in the case and take testimony.

On his report the Circuit Court of Appeals, with Judges Buffington and Davis sitting with former Judge Thompson, of Pittsburgh, who was called in because of his familiarity with the former procedure, decided in favor of the stockholders. They declared that the receivership was illegal and that all of the assets and physical property must be returned.

Argument was heard yesterday on a motion of counsel for Mr. Robb, who asked for a rehearing and the modification of the court's mandate. This was denied and the case will now go back to Judge Kirkpatrick, so that he may issue the orders necessary.

The Circuit Court of Appeals directed that the receivers must return all money they may have taken in fees. The court said that if they are to be remunerated it must be by those responsible for the proceedings under which they were named.