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Trenton Times

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NEWARK

DIES AT HOME

Judge William N. Runyon.

Federal Judge Runyon Dead

Succumbs at Plainfield Home—On Bench After Political Career

Federal Judge William N. Runyon died this morning at his home in Plainfield after a year's illness. He suffered from heart trouble and asthma but death was caused by uremic poisoning.

Judge Runyon was near death several months ago, but rallied and at times was much better. Recently he entertained friends at his home and seemed like his old-time self. He was in fair condition yesterday, but last night went into a drowsy state from which he never emerged.

Mrs. Runyon and five sons and daughters were at the bedside when Dr. William H. Anthony pronounced Judge Runyon dead. The children are Jane, Florence and William N. Jr., and Paul and James, the latter two being adopted. A brother, Carroll Runyon, was present also.

Funeral services will be held Thursday afternoon at 2 o'clock at the home. Rev. E. Vicars Stevenson of Grace Episcopal Church will officiate. Burial will be in Hillside Cemetery.

Improved Recently.

In the last two months, Judge Runyon had seemed to improve and he was expected to return to the bench soon. Former Judge Charles F. Lynch and Deputy Clerk William B. Reilly, two of Judge Runyon's closest friends, visited him weekly during the last year.

Two weeks ago they were surprised to hear him singing and found the piano had been moved to the second floor of the house so Judge Runyon could play and sing without climbing the stairs. He had a wide reputation as a soloist.

The last two times Judge Runyon appeared in Newark Federal Court rooms were Christmas eve and New Year's eve last year. The first was for an informal Christmas party of court attaches in Judge Fake's chambers when remembrances were exchanged.

December 31, Judge Runyon was in in his chambers, but became ill and was taken to his home by Deputy Clerk Charles E. Jaeckel. He never returned to his chambers.

Courts Adjourn.

Judge Fake's court room was crowded with lawyers this morning when he heard the news of Judge Runyon's death. Judge Fake mounted the bench and said:

"We have just received word of the passing on of Federal Judge William N. Runyon. Judge Runyon gave unselfishly of his services to this court. We have learned to love him for his ability and his kind consideration for all the bench and bar. This court, in

(Continued on 4th page, 3d column)

SOMERVILLE NAMED U. S. COMMISSIONER

Trenton Times 11/17/31

HACKENSACK, N. J., Nov. 17 (AP).—Oliver T. Somerville, of Rutherford, was appointed United States Commissioner today to fill the post left vacant by the resignation last month of Harry L. Towe.

The appointment was announced by Federal Judge Guy L. Fake, of Rutherford, and was decided upon by Federal judges in the Third District.

Somerville is a prominent Rutherford lawyer and will serve in Bergen County. Towe's resignation was presented when he was selected asssistant prosecutor of the county.

Judge Runyon's Death Creates No Vacancy

The appointment of Judge Runyon as the fourth member of the United States District Court bench in this state by President Harding in 1922 was under a statute and not as a constitutional officer. His death, therefore, does not create a vacancy and as far as is known, additional legislation will be necessary before a successor can be appointed. At the time of his appointment the other judges were Rellstab, Lynch and Bodine. The present three are Judges Clark, Fake and Avis. Judges from other states have been sitting here during Judge Runyon's illness.

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Perth Amboy; Peter Starr, of 436 Church Street, Newark; John Strogan, 358 Jeffries Street, Perth Amboy; William Clarkson, 415 Maple Avenue, Elizabeth; Edward Moore, Elizabeth, and Otto Grunwald, 72 Grove Street, Elizabeth.

In still another case, in which he rendered a stinging opinion, he found Morris Gordon, of Atlantic City, guilty of concealing smuggled liquor, and ordered him to appear tomorrow for sentence.

In denying the objections of Pearse and Sommer, Judge Bourquin declared that "these arrests, searches and seizures were made upon probable cause to believe felonies were in commission, as they in fact were, in circumstances requiring the officers, police or agents to thus discharge their duties and are not unreasonable within the import of the said amendment."

And in another section he said:

"In determining probable cause, the great volume of illicit beer traffic upon Jersey highways, the experience and skill of the officers, and other circumstances must be taken into consideration. And it must be remembered not the innocent but the guilty complain of official efficiency. Never are the guilty satisfied with official methods, which unmask and bring them to account. To the guilty it is a gross outrage that their cloak of respectability failed to deceive the vigilant officers. So here, often too common, the strategy of the guilty is to divert attention from themselves by putting the officers on trial.

"In these prohibition, or at least Volstead days, that is the favorite indoor sport of Old John Barleycorn. A great lover of the Fourth and Fifth Amendments is Old John. He has become (God help us) the principal champion of them.

"In forty years of bench and bar the writer has never known an innocent man to appeal to the unreasonable search and seizure clause of the Constitution. That is true of the cases in general. But now, constantly and vociferously, does Old John invoke and demand its vindication in his behalf.

"It was designed to be a shield of defense for the innocent; Old John has converted it to a spear of aggression for the guilty. And the amount of judicial sanction his arrogance has received, is one of the most shocking and alarming developments of the prohibition experiment.

Regarding the treatment of officers Judge Bourquin said:

"So far has this been carried in and out of court that the President of the nation has been constrained to appeal for justice for the police. Prohibition and other Federal agents are national police. And the police are all that stand between organized society and anarchy.

"If America is the most criminal country on the earth (and it is), if the laws herein are most poorly enforced, justice most weakly administered (and they are) the aforesaid reprehensible treatment of officers of the law is a large contributing cause.

"Their own merits the administration of justice and the best interests of society demand that fair treatment for officers of the law which the President asked."

organized society and anarchy. Swinging from Cato and other classicists, the court utilized a phrase from Gilbert & Sullivan's operetta to bring out the dire condition of the police today.

"It is true that a policeman's life is not a happy one," he stated, "and nobody loves the officers who enforce the law and keep the peace. To hector and abuse, to excite suspicion and prejudice, to handicap, intimidate, discourage and defeat the officers of the law is the first line of defense of the criminals and unhappily popular with much if not most others."

Beer-Running Involved

His comment came at the close of a lengthy opinion in which he reviewed the cases of eight men who were charged with beer-running on State highways.

He denied the objections of Frederic M. P. Pearse and George M. Sommer, of Newark, each of whom represented three cases, and ordered the defendants to appear in Federal Court here tomorrow for sentence.

And tomorrow is Friday the 13th.

The defendants are George Rogers and Calajoo Piazza, of Scranton, Pa.; Frank Burkis, of 391 Lawrence Street,

(Continued on Page Eleven)

easies. That one raid would accomplish more than hundreds on small speakeasies.

"On large raids we must use many men and perhaps scout around for weeks in advance getting the necessary information. This brings about the high average for each arrest."

According to Colonel Amos W. W. Woodcock, director of prohibition, the cost for the district last year was $951,379 or an average cost per case of $321.

Got Off Easier in October.

Special to the NEWARK NEWS.

WASHINGTON—Lighter jail sentences and fines marked the prosecution of federal dry law violators in the New Jersey district courts in October, compared with September, a report issued today by Colonel Amos W. W. Woodcock, director of prohibition enforcement, shows.

New Jersey scofflaws in October drew jail sentences averaging 57.4 days and average fines of $233.11, compared with 125 days and $263.71 average penalties in September. Arrests in October were eighty-three, compared with 108 in September.

Seizures of beer and liquor also fell below those of the preceding month. In September 76,357 gallons of beer and 15,888 gallons of liquor were seized, compared with 50,390 gallons of beer and 12,032 gallons of liquor in October.

Last month's court report, however, shows 196 persons convicted of dry law violation, thirteen of this number after jury trials and 183 after entering pleas of guilty. In September 110 were convicted.

During October, for the whole nation, Woodcock said his men initiated 5,756 cases in which arrests were made, compared with 6,658 arrests in September and 4,948 for the same month last year.

"It is a possible deduction that whenever the number of federal cases begin to fall off, enforcement is be-

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One-Day Term

Judge Bourquin, in Federal Court oday, penalized a man who had committed perjury in order to obtain his naturalization papers.

The defendant, Albert Nelson, of Margate City, was fined $250 and entenced to serve one day in jail. Nelson, defended by Ernest S. Glickman, of Trenton, had declared to Government examiners that he had crime. An

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