

STATE OF NEW JERSEY  
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
744 Broad Street Newark, N. J.

BULLETIN 400.

May 9, 1940.

TO THE GOVERNOR AND LEGISLATURE OF THE STATE OF NEW JERSEY:

We pause here in reverence to the memory of our Commissioner

D. FREDERICK BURNETT

who departed this life in Charleston, South Carolina, in the early morning of Monday, April twenty-second, after an apparent recovery from a grave illness. Countless messages of condolence have come to us from men and women in every walk of life. Public administration has lost a leader; the alcoholic beverage industry, a wise counselor; and the public whose servant he was, an honest friend.

I.

Each year this Department receives upward of 200 letters reporting excessive drinking by a member of the immediate family, a relative, or a friend. Stories of economic hardship and broken homes, nervous strain, mental anguish, and physical abuse tell of someone's uncontrolled addiction to drink.

The Department can do very little to relieve these distressing situations. We can and do investigate such calls for help. With full understanding of the conditions in the specific case and with the consent of the complainant, we write to licensees who are known to sell to such unfortunate addicts and seek their cooperation in an effort to relieve the condition. We cannot command the licensee, however, to refuse to sell to any customer who is qualified to buy.

We have a state rule which forbids sale of an alcoholic beverage to a person who is actually or apparently intoxicated. While this rule serves a useful purpose as far as it concerns the conduct of licensed premises, the ease with which it may be avoided will occur to anyone. A friend or acquaintance who will make the desired purchase can be found readily.

Interdiction has been tried in some states through the medium of a so-called police list which records the names of those individuals who are barred from the retail purchase of alcoholic beverages. The easy method of avoidance is apparent. Another system, sometimes coordinate with interdiction, licenses for a small fee those individuals legally qualified to purchase alcoholic beverages at retail. No reliable tests or standards are presently available for the selection of persons who can use alcoholic beverages with propriety. Furthermore, the area in which any ban might apply can be overcome by repairing to an adjacent municipality, county or state. A fictitious name in a strange community is an open sesame.

A prohibition of credit was tried in 1936. After four months of trial the rule was abrogated, not because of any absence of sympathy on the part of this Department but because the measure proved unenforceable.

Police regulation cannot cope successfully and completely with the problem of alcoholism, excessive drinking, or whatever else it may be termed. It can be helped and this Department gives such measure of assistance within its capacity and without stint. The law is a vain thing, however, as a regulator of such personal habits. They are primarily an individual behavior problem and appear to belong more properly in the field of the physician, social worker, and psychiatrist.

One suggestion may merit close examination. Experience tells us that the distressing effects of alcoholism are most keenly felt by families in the lower income groups. When the family income is spent on drink it is not available for essential domestic needs. Credit is extended to these drinkers during the week because they have no daily funds available. The liquor licensees expect to collect on pay day. If the liquor dealer could not collect he certainly would not sell on credit and some of these family problems due to alcoholism would be eased.

It was the intention of the late Commissioner to recommend that there be enacted a Statute barring the collection in Civil Courts of debts incurred

in the purchase of any alcoholic beverage at retail. In order not to be discriminatory, such a law must apply, of course, to all. It could not bar the collection of liquor debts incurred by some persons and permit the collection of others. In a significant sense, it means the ultimate elimination of all credit, since by destroying the creditors' remedy, it goes directly to the heart of the problem.

## II.

A considerable amount of new legislation affecting the alcoholic beverage industry went upon the statute books during the past year. One new law prohibits a wholesaler or manufacturer from discriminating between his retail customers through the media of discounts, free goods, allowances, and other inducements. Rules and Regulations will implement the statute and designate the particulars essential to compliance. The field of control will be thus broadened. This will mean more police work to be done by the Department.

Alcohol sales, except as authorized pursuant to special permit issued by the State Commissioner, are banned by another law. Rules and Regulations set up detailed requirements to be met by permit holders. This is in furtherance of sound control to protect the licensed dealers in liquor, discourage the unlawful home manufacture of "bathtub" gin and "cut-colored-and-flavored" drinks, as well as to help dry up the source of some speakeasy and bootlegger's supply. Enforcement of this law demands more time of more men.

Under still another law, bargains in the form of "loss leaders" may not be used by a retailer to lure a customer into his premises and there restrict the purchase to a single bottle. This prohibition gives rise to more complaints. The efforts and time of still more employees are absorbed by these investigations.

Pursuant to new law, effective December 6, 1940, the products of a manufacturer or wholesaler may not be sold directly or indirectly in any retail premises in which the manufacturer or wholesaler has an interest as a "tied house". The Department will have to inquire into allegations of violations of this act.

## III.

The Department's new responsibilities have added to its already heavy work load and siphoned off not only vitally needed time of employees but essential budget funds as well. Administrative adjustments affording material and immediate relief to this condition have been effected recently with gratifying results. An added appropriation of no great magnitude, but expertly applied at the points of stricture, will put the Department in good working order.

The rate of compensation is ungenerous when compared with similar employment in the Federal service. There the lowest comparable salary for an investigator is \$2600. Our low is \$1800 for the same work. It is recommended that the salaries of investigators be raised to \$2200 per annum for beginners and graduated upward by service intervals to a maximum of \$3000 per annum. A grateful government would not knowingly permit unstinted service to go without proper recognition and reward.

## IV.

There was a slight increase in the number of appeals to the Commissioner from municipal determinations, as reported in Schedule "F". The principle of local autonomy was honored in the considerable decrease of unconditional reversals to a total of only nineteen among one hundred sixty-one appeals filed. The Courts have not interfered with the administrative determinations in liquor matters. Three applications were made to the Courts to alter Departmental findings since the last annual report but no applicant was successful.

In the important case of John Gaine v. D. Frederick Burnett, the authority of the Commissioner to impose regulations maintaining minimum prices established pursuant to Fair Trade contracts and to impose penalties for their infraction was attacked. The Supreme Court sustained the Commissioner. The Court of Errors and Appeals affirmed.

## V.

Disciplinary proceedings conducted by local authorities resulted in the outright revocation of ten licenses and the surrender of five more under charges. Suspensions were imposed in two hundred sixty-five cases, as compared to the two hundred twenty-eight during the preceding year. See Schedule "G".

Because of their continued failure to impose penalties that fit the violation, the Commissioner has displaced certain municipal authorities in handling disciplinary proceedings. Chief among the contributing municipalities was Newark. In two hundred nineteen instances, as revealed in Schedule "G", the Commissioner instituted disciplinary proceedings against municipal licensees. Each of these cases required the preparation and service of charges, the subpoenaing of witnesses, a formal hearing, the preparation of the transcript, and review and written decision by the Commissioner. Licenses were revoked in four of these cases, surrendered in one, and suspensions imposed in one hundred sixty-five instances. The institution of disciplinary proceedings against municipal licensees by the Department direct requires the time and effort of employees already burdened with excessively heavy usual duties. These employees must be withdrawn from their regular work in order that the function of the displaced municipal authorities may be carried out. Yet, the regular departmental duties must go on. Since there is no reserve staff upon which to draw, the result has burdened the work load.

## VI.

Subject to the statutory provision which imposes upon the Commissioner the duty of approving local legislation intended to regulate the conduct of retail licensed premises and the kind and condition of such premises, there has been conducted a continuing exchange of correspondence between this Department and the licensing municipalities. Here is a growing body of local law which, at the cost of infinite pains and patience, is being made into the bones and sinew of a living social organism. Its contribution to the principle of local autonomy should prove substantial.

## VII.

Total revenue received by the Department from license, permit, and miscellaneous sources from its inception on December 6, 1933 until June 30, 1939, is in excess of three million dollars. See Schedule "B". For the last fiscal year alone, this total was more than half a million dollars, as Schedule "A" reports. Fees from retail licensees in all New Jersey municipalities for the past fiscal year amounted to nearly four and one-half millions of dollars, as recorded in Schedule "E". The total annual expenditures of the Department in regulating this huge business have never reached four hundred fifty thousand dollars, as Schedule "C" shows.

## VIII.

The purposes of practical interstate cooperation were realized in a plan which provides for the fingerprinting by sub-stations of the Pennsylvania Motor Police of Pennsylvania applicants for New Jersey state-wide licenses or permits. This agreement is in operation, effectively protecting the control aims of New Jersey and providing a travel-saving convenience to resident-applicants of Pennsylvania. It is the intention of the Department to broaden the front and increase the depth of cooperation with other states whenever the sound ends of liquor control may be advanced by such means.

## IX.

The responsibilities of the Enforcement Division have been multiplied. New legislation has defined additional violations which necessitate more investigations. Some of these, because of the essential

intensive examination of detailed records systems, are particularly time-consuming.

A substantial decrease in the total seizures and in the number of illicit stills seized, as compared with the last fiscal year, appears to indicate progress in the control of the unlicensed manufacturing industry. See Schedule "M". A sharp decrease in the number of licensees arrested (Schedule "H") seems to reflect more satisfactory compliance on the part of the legitimate trade. The number of illicit (bootleg) liquor discoveries on licensed premises in recent months (Schedule "H") shows a gratifying decrease with consequent added protection to the consumer.

A great reduction in the number of gambling devices found on licensed premises reveals improvement in the control phase of this difficult police problem. Significant reductions in the number of prohibited signs, unqualified employees, and other violations on the part of licensees is added evidence of the positive value of systematic and recurrent inspections of retail licensed premises. Laboratory analyses in increased number, as compared with the previous fiscal year, illustrate the effective professional backstopping afforded the field inspection force. The more than one hundred thirty thousand bottles of alcoholic beverages tested on licensed premises resulted in suspicious findings which led to the complete laboratory analysis of nearly nineteen hundred samples in furtherance of the Department's program for the protection of the consumer from poisonous, diluted, and substituted liquor. See Schedule "H" for details.

The full measure of genuine cooperation from the Courts, the Municipal Officials, the Police, and the Public is essential to satisfactory liquor control. This helpfulness has been accorded the Department in general, though there remain some spots where the light and will of civic consciousness leave room for improvement.

## X.

Among the benefits of Repeal which may now be identified are the recognition of the liquor traffic as a legal enterprise subject to the health-giving inducements of the public gaze; a substantial increase of employment in legitimate industry; revenues to Municipal, State and Federal governments in excess of the fiscal costs of regulation; and a great decrease in bootlegging, hi-jacking and corruption of governmental officials, Municipal, State and Federal.

The job is not finished. Control is not complete. Strides have been made in the right direction but a problem of this kind, involving deeply-rooted social and legal difficulties, is not to be solved in a few years.

The sunshine of open-minded honesty which, in time, permits tolerance, common sense, and decency to creep out of their shelters, seems to promise more for the health of alcoholic beverage control than any of the subtle devices of involved regulation yet contrived.

The Governor and the Legislature are respectfully requested to consider that new laws impose new duties and that more men and money are essential to discharge effectively the added responsibilities.

## XI.

The following schedules attached to this report contain detailed statistical data portraying the activities of the Department as of the close of the past fiscal year:

- SCHEDULE "A" -- Record of State Licenses and Permits issued -- Fees and other revenue received for the period from July 1, 1938 to June 30, 1939, inclusive;
- SCHEDULE "B" -- Record of State Licenses and Permits issued -- Fees and other revenue received for the period from December 6, 1933 to June 30, 1939, inclusive;



- SCHEDULE "C" - Comparative schedule of expenses incurred for the period from December 6, 1933 to June 30, 1939;
- SCHEDULE "D" - Recapitulation of expenses incurred and revenue received for the period from December 6, 1933 to June 30, 1939, inclusive;
- SCHEDULE "E" - Number of municipal licenses issued and amount of fees paid for the period from July 1, 1938 to June 30, 1939;
- SCHEDULE "F" - Record of disposition of Appeals to the Commissioner from Municipal Determinations from December 6, 1933 to June 30, 1939;
- SCHEDULE "G" - Summary of revocation proceedings instituted by the State Department and proceedings referred to municipal issuing authorities by the Department for the period from July 1, 1938 to June 30, 1939;
- SCHEDULE "H" - General Enforcement Activity for the period from July 1, 1938 to June 30, 1939;
- SCHEDULE "I" - Record of Inspections of retail licensed premises as of June 30, 1939;
- SCHEDULE "J" - Record of Election Day Inspections of Retail Licensed Premises as of June 30, 1939;
- SCHEDULE "K" - Record of Identification Bureau Activities;
- SCHEDULE "L" - Record of Supervision of State Licensees;
- SCHEDULE "M" - Recapitulation of Seizures;
- SCHEDULE "N" - Record of Alcohol, Whiskey and Wine delivered to State, County and Municipal Institutions and Hospitals.

Respectfully submitted,

*E. W. Garrett*

ACTING COMMISSIONER

RECORD OF STATE LICENSES AND PERMITS ISSUED - FEES AND OTHER REVENUE  
RECEIVED FOR THE PERIOD JULY 1, 1938 to JUNE 30, 1939, INCLUSIVE

<u>Type</u>	<u>Number Issued</u>	<u>Fees Paid</u>	
<u>STATE LICENSES</u>			
Plenary Brewery	4	\$ 16,000.00	
Limited Brewery	15	15,500.00	
Plenary Winery	36	16,256.16	
Limited Winery	97	5,900.00	
Limited Distillery	8	6,597.26	
Supplementary Limited Distillery	5	650.00	
Rectifier and Blender	15	36,205.47	
Plenary Wholesale	80	115,845.21	
Limited Wholesale	61	39,694.53	
Wine Wholesale	16	15,002.73	
Plenary Export Wholesale	16	27,147.95	
Limited Export Wholesale	3	3,750.00	
State Beverage Distributors	194	95,582.20	
Plenary Retail Transit	18	1,984.53	
Transportation	103	19,797.80	
Public Warehouse	10	948.49	
Warehouse Receipts	28	2,428.22	
State Municipal	119	1,190.00	
TOTAL	828		\$420,480.55
<u>PERMITS</u>			
Miscellaneous Special	6,317	65,469.38	
Wine	1,985	1,985.00	
Solicitors	3,474	17,370.00	
Employment	4,585	4,585.00	
Permit extensions	9	94.64	
TOTAL	16,370		89,504.02
<u>LICENSE CHANGES</u>			
Change of address	36	180.00	
Additional premises	24	4,760.62	
Transfers	4	250.00	
TOTAL	64		5,190.62
<u>MISCELLANEOUS FEES</u>			
Emergency Trans. Insignia	1	2.00	
Paid Trans. Insignia	4,650	9,300.00	
Special Trans. Certificates	1,051	1,051.00	
Certifications	305	305.00	
Sale of Bulletins		2,976.60	
Sale of Mailing Lists		1,697.50	
TOTAL	6,007		15,332.10
<u>FORFEITURES</u>		535.00	
<u>RETAINED PERCENTAGES</u>		395.98	
TOTAL			930.98
<u>LESS REFUNDS</u>			531,438.27
TOTAL NET REVENUE FROM LICENSES, PERMITS & OTHER FEES			163.01
			\$531,275.26
<u>OTHER REVENUE</u>			
Seizure costs			268.82
Cash Seizures			51.62
Tax Revocation Service Charges			335.00
Adjusted License Fees			125.00
Prior Year Revenue			503.00
Miscellaneous			179.35
TOTAL REVENUE RECEIVED FROM ALL SOURCES			\$532,738.05

SCHEDULE "B"RECORD OF STATE LICENSES AND PERMITS ISSUED - FEES AND OTHER REVENUE  
RECEIVED FOR THE PERIOD DECEMBER 6, 1933 TO JUNE 30, 1939, INCLUSIVE

Type	Number Issued	Fees Paid	
<u>STATE LICENSES</u>			
Plenary Brewery	34	\$ 91,241.59	
Limited Brewery	92	91,187.68	
Plenary Winery	191	79,279.63	
Limited Winery	352	27,031.05	
Plenary Distillery	15	72,595.90	
Limited Distillery	90	80,923.82	
Supplementary Limited Distillery	30	4,570.55	
Rectifier and Blender	192	364,372.96	
Bonded Warehouse Bottling	1	110.96	
Plenary Wholesale	629	785,443.97	
Limited Wholesale	474	274,215.23	
Wine Wholesale	52	43,441.06	
Plenary Export Wholesale	108	165,647.62	
Limited Export Wholesale	10	11,135.62	
State Beverage Distributor's	973	473,019.58	
Plenary Retail Transit	76	9,003.18	
Transportation	737	120,630.10	
Public Warehouse	96	8,873.72	
Warehouse Receipts	133	10,438.50	
State Municipal	486	4,860.00	
TOTAL	4,771		\$2,718,022.72
<u>PERMITS</u>			
Miscellaneous Special	24,644	253,276.73	
Wine	8,353	8,353.00	
Solicitors	13,720	68,610.00	
Employment	10,384	10,384.00	
Permit extensions	158	278.64	
TOTAL	57,259		340,902.37
<u>LICENSE CHANGES</u>			
Change of Address	270	1,350.00	
Additional premises	132	22,903.80	
Transfers	34	2,572.50	
License extensions	20	200.00	
TOTAL	456		27,026.30
<u>MISCELLANEOUS FEES</u>			
Emergency Trans. Insignia	26	52.00	
Paid Trans. Insignia	23,807	47,618.00	
Special Trans. Certificates	1,920	1,920.00	
Certifications	1,630	1,945.30	
Bulletins		4,828.45	
Mailing Lists		7,023.00	
TOTAL	27,383		63,386.75
FORFEITURES		13,062.72	
RETAINED PERCENTAGES		9,687.15	22,749.87
INTEREST EARNED			754.16
TOTAL			\$3,172,842.17
LESS REFUNDS			4,721.41
TOTAL NET REVENUE FROM LICENSES, PERMITS & OTHER FEES			\$3,168,120.76
<u>OTHER REVENUE</u>			
Seizure costs		\$ 6,203.41	
Sale of seizures		21,700.70	
Cash seizures		197.20	
Forfeited seizure deposits		235.00	
Forfeited seizure security deposits revenues		873.50	
Sale of transcripts		419.00	
Tax revocation service charges		1,110.00	
Adjusted license fees		2,525.00	
Prior year revenue		503.00	
Miscellaneous		340.85	
TOTAL REVENUE RECEIVED FROM ALL SOURCES			\$3,202,228.42

SCHEDULE "C"COMPARATIVE SCHEDULE OF EXPENSES INCURRED

	12/6/33 to 6/30/34	7/1/34 to 6/30/35	7/1/35 to 6/30/36	7/1/36 to 6/30/37	7/1/37 to 6/30/38	7/1/38 to 6/30/39	Grand Totals
Wages and Salaries	\$90,599.68	\$232,570.57	\$283,343.26	\$314,780.34	\$346,482.49	\$344,327.76	\$1,612,104.10
Stationery and Office Supplies	14,135.08	6,920.42	8,767.24	9,966.27	5,711.93	9,214.95	54,715.89
Equipment	20,551.79	7,489.24	4,991.93	4,931.63	4,271.09	2,600.41	44,836.09
Miscellaneous Expenses	<u>50,779.96</u>	<u>96,032.13</u>	<u>116,735.48</u>	<u>97,536.49</u>	<u>89,973.16</u>	<u>90,147.87</u>	<u>541,205.09</u>
TOTALS	\$176,066.51	\$343,012.36	\$413,837.91	\$427,214.73	\$446,438.67	\$446,290.99	\$2,252,861.17

SCHEDULE "D"

RECAPITULATION OF EXPENSES INCURRED AND REVENUE RECEIVED  
FOR THE PERIOD DECEMBER 6, 1933 TO JUNE 30, 1939, INCLUSIVE

Year ending	Net Revenue Received	Expenses Incurred	Excess Revenue Over Income
6/30/34	\$335,359.67	\$176,066.51	\$159,293.16
" " 6/30/35	640,604.33	343,012.36	297,591.97
" " 6/30/36	579,397.98	413,837.91	165,560.07
" " 6/30/37	568,987.32	427,214.73	141,772.59
" " 6/30/38	545,141.07	446,438.67	98,702.40
" " 6/30/39	<u>532,738.05</u>	<u>446,290.99</u>	<u>86,447.06</u>
TOTALS	\$3,202,228.42	\$2,252,861.17	\$949,367.25

SCHEDULE "E"

NUMBER OF MUNICIPAL LICENSES ISSUED AND AMOUNT OF FEES PAID FOR THE PERIOD JULY 1ST, 1938  
TO JUNE 30TH, 1939 AS PER CERTIFICATIONS RECEIVED FROM THE ISSUING AUTHORITIES

CLASSIFICATION OF LICENSES

County	Plenary Retail Consumption		Plenary Retail Distribution		Club		Limited Retail Distribution		Seasonal Retail Consumption		Number Surren- dered Revoked Expired	Number Licen- ses in Effect	Total Fees Paid
	No. Issued	Fees Paid	No. Issued	Fees Paid	No. Issued	Fees Paid	No. Issued	Fees Paid	No. Issued	Fees Paid			
Atlantic	471	175,689.57	62	20,232.88	13	1,000.00	2	50.00	5	701.90	4	549	197,674.35
Bergen	801	260,533.22	236	54,282.47	47	4,350.53	43	1,909.53	15	1,549.53	15	1,127	322,625.28
Burlington	183	58,847.52	16	3,576.72	27	3,085.94	1	25.00	1	146.96	2	226	65,682.14
Camden	461	191,406.25	47	17,310.20	62	5,448.12	1	50.00	6	1,948.98	7	570	216,163.55
Cape May	123	42,727.70	10	3,500.00	5	500.00					1	137	46,727.70
Cumberland	77	22,341.86	9	1,813.97	23	2,450.00					0	109	26,605.83
Essex	1,456	746,510.58	349	167,958.00	74	10,458.70	25	1,245.72	2	510.00	7	1,899	926,683.00
Gloucester	111	30,276.02	10	1,350.00	5	300.00					1	125	31,926.02
Hudson	1,661	682,774.20	276	109,767.03	53	6,154.77	70	2,775.34			9	2,051	801,471.34
Hunterdon	84	22,079.95	1	200.00	1	150.00					2	84	22,429.95
Mercer	450	187,582.17	42	7,072.58	37	4,690.00			1	85.85	4	526	199,430.60
Middlesex	606	239,190.09	40	10,394.58	32	2,610.87	1	25.00	9	1,539.99	12	676	253,760.53
Monmouth	522	199,424.81	79	22,954.59	25	2,773.00	10	425.00	47	13,496.63	35	648	239,074.03
Morris	340	97,977.30	70	16,998.40	29	2,498.50	1	35.00	21	3,054.45	26	435	120,563.65
Ocean	188	88,527.90	30	10,524.00	7	700.00					8	217	99,751.90
Passaic	902	337,423.14	120	33,122.06	36	4,249.83	19	828.22	10	506.25	12	1,075	376,129.50
Salem	51	16,000.00	4	550.00	7	600.00					0	62	17,150.00
Somerset	184	64,253.53	22	5,738.00	12	1,225.00					1	217	71,216.53
Sussex	166	34,165.09	10	1,590.00	5	260.00			7	1,050.00	4	184	37,065.09
Union	554	269,644.42	117	39,854.17	61	6,682.36	21	979.72	1	260.00	3	751	317,420.67
Warren	140	37,857.80	10	1,907.50	17	1,863.70	2	70.00	5	406.00	7	167	42,105.00
TOTALS	9,531	3,805,233.12	1,560	530,697.15	578	62,051.32	196	8,418.53	130	25,256.54	160	11,835	4,431,656.66

SCHEDULE "F"RECORD OF DISPOSITION OF APPEALS TO THE COMMISSIONER FROM  
MUNICIPAL DETERMINATIONS, DECEMBER 6, 1933 to JUNE 30, 1939

Period ending June 30, 1934:		
Affirmances	49	
Dismissed	18	
Reversals	406	
Reversals on condition	7	
Withdrawn	<u>17</u>	131
Period ending June 30, 1935:		
Affirmances	89	
Affirmed on condition	1	
Dismissed	20	
Remanded	1	
Reversals	89	
Reversals on condition	18	
Reversed and remanded	1	
Withdrawn	<u>23</u>	242
Period ending June 30, 1936:		
Affirmances	68	
Dismissed	28	
Remanded	4	
Reversals	37	
Reversals on condition	4	
Reversed and remanded	1	
Withdrawn	<u>8</u>	150
Period ending June 30, 1937:		
Affirmances	101	
Affirmed on condition	1	
Dismissed	4	
Remanded	2	
Reversals	50	
Reversals on condition	2	
Reversed and remanded	1	
Withdrawn	19	
Approval of Ordinance	1	
Disapproval of Ordinance	1	
Approval of Condition to issuance of license	1	
Carried forward (not decided by June 30)	<u>2</u>	185
Period ending June 30, 1938:		
Affirmances	78	
Affirmed on condition	1	
Dismissed	4	
Remanded	2	
Reversals	31	
Reversed on condition	7	
Withdrawn	19	
Approval of Regulation	1	
Carried forward (not decided by June 30)	<u>13</u>	156
Period ending June 30, 1939:		
Affirmances	67	
Affirmed on condition	1	
Dismissed	4	
Condition imposed by issuing authority modified	1	
Remanded	2	
Reversals	19	
Reversed on condition	11	
Withdrawn	25	
Approval of Regulation	1	
Carried forward (not decided by June 30)	<u>30</u>	161
TOTAL APPEALS FILED JUNE 30, 1939.		1,025

SCHEDULE "G"REVOCATION PROCEEDINGS JULY 1, 1938 to JUNE 30, 1939A

Reports transmitted by the Department to Municipal Issuing Authorities for proceedings touching upon the revocation or suspension of license or other disciplinary action:

<u>Cases Transmitted</u>		382
<u>Disposition:</u>		
License revoked	10	
License surrendered	5	
License transferred	1	
License not renewed	1	
License suspended	265	
Sentence suspended	11	
Licensee reprimanded	1	
Charges dismissed	30	
Pending: Heard, decision reserved	14	
Awaiting hearing	42	
Withdrawn and instituted at Department	<u>2</u>	382

B

(1) Hearings held at State Department against State Licensees and Permittees:

<u>Cases Instituted</u>		11
<u>Disposition:</u>		
License cancelled	1	
Permit revoked	1	
License or permit suspended	7	
Pending: Decision reserved	1	
Awaiting hearing	<u>1</u>	11

(2) Hearings held at State Department against Municipal Licensees:

<u>Cases Instituted</u>		219
<u>Disposition:</u>		
License revoked	4	
License surrendered	1	
License suspended	165	
Dismissed	7	
Pending: Awaiting entry of order of suspension		
after guilty plea entered before		
hearing	5	
Decision reserved	27	
Awaiting hearing	9	
Discontinued and referred to municipality	<u>1</u>	219

C

Report on cases transmitted to this Department by the State Tax Department for non-payment of taxes or penalties or other failure to comply with tax law by State and Municipal Licensees and Permittees:

<u>Cases Instituted</u>		81
<u>Disposition:</u>		
License surrendered	2	
Permit cancelled	2	
License or Permit suspended for balance of term	14	
Suspended for balance of term but reinstated after		
payment of penalty and service charge	4	
Dismissed after charges were served, but before		
entry of order of suspension, after payment		
of penalty and service charge	53	
Complaint withdrawn by State Tax Department	5	
Pending, decision reserved	<u>1</u>	81

"SCHEDULE "H"

GENERAL ENFORCEMENT ACTIVITY FOR FISCAL YEAR - JULY 1, 1938 TO AND INCLUDING JUNE 30, 1939

		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Yearly Total
ARRESTS:	Licenseses	23	5	5	4	37
	Non-Licenseses	215	155	159	203	732
	Total	238	160	164	207	769
SEIZURES:	Stills					
	1-50 gallon capacity	27	18	22	16	83
	Over 50-gallon capacity	29	33	23	22	107
	Total	56	51	45	38	190
	Motor Vehicles					
	Trucks	3	3	3	3	12
	Passenger Cars	23*	12	16	33	84
	Total	24	15	19	36	94
	Alcohol					
	Beverage alcohol (gals.)	619	428	846	1368	3261
	Denatured alcohol (gals.)	0	0	0	450	450
	Mash					
	Total number gallons	91863	102981	111981	158749	465574
	Alcoholic Beverages					
	Beer, ale, etc. (gals.)	438	110	23	72	643
RETAIL INSPECTIONS:	Wine (gals.)	5672	2848	1770	2985	113275
	Whiskey, hard liquor (gals.)	1160	269	337	197	1963
	Licensed premises inspected	5199	4683	4764	4524	119170
	Illicit (bootleg) liquor	7	24	37	17	85
	Gambling Violations	90	149	73	44	356
	Prohibited signs	217	120	101	106	544
	Unqualified employees	771	238	156	300	1465
	Other Mercantile Business	197	173	217	119	706
	Disposal Permits Necessary	27	25	7	4	63
	"Front" Violations	5	7	3	11	26
	Improper Beermarkers	16	18	7	4	45
	Other Violations	160	113	49	62	384
	Total Violations Found	1490	867	650	667	3674
	Number of Bottles Tested	35332	32988	34654	33291	136265
COMPLAINTS:	Investigated and closed	953	1072	1123	966	4114
	Investigated, pending					292**
LABORATORY:	Analyses made	441	525	456	467	1889
	Samples of alcohol, water and coloring matter	75	75	68	63	281
	Poison and denaturant cases	0	6	2	4	12

\*Incorrectly reported as 21 in Enforcement Division Activity Report for July  
\*\*Pending at end of fiscal year

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SCHEDULE "I"

RECORD OF INSPECTIONS OF RETAIL LICENSED PREMISES AS OF JUNE 30, 1939

	Prior to 1/1/36	1/1/36 to 6/30/36	7/1/36 to 12/31/36	1/1/37 to 6/30/37	7/1/37 to 12/31/37	1/1/38 to 6/30/38	7/1/38 to 12/31/38	1/1/39 to 6/30/39	CUMULATIVE TOTAL
Retail Lic. Prem. Inspected	10747	6512	9921	12201	10997	12262	9882	9288	81810
Bottles of Liquor Tested	Figs. not avail.	16452	47159	71866	68394	79374	68320	67945	419510
Illicit (bootleg) liquor	11	37	65	50	41	59	31	54	348
Gambling Violations	967	466	694	426	446	686	239	117	4041
Prohibited Signs	56	207	238	238	330	489	337	207	2102
Unqualified Employees	31	66	433	648	642	1171	1009	456	4456
Other Violations	115	142	213	290	301	426	741	483	2711
Total Violations	1180	913	1643	1652	1760	2831	2357	1317	13658

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SCHEDULE "J"

RECORD OF ELECTION DAY INSPECTIONS OF RETAIL LICENSED PREMISES AS OF JUNE 30, 1939

	Men Assigned	Retail Premises Inspected	*Violations Found
GENERAL ELECTION - November 6, 1934	70	5247	64
PRIMARY ELECTION - September 21, 1935	67	6462	54
GENERAL ELECTION - November 5, 1935	80	6577	41
PRIMARY ELECTION - May 19, 1936	91	7830	31
GENERAL ELECTION - November 3, 1936	103	8055	29
PRIMARY ELECTION - September 21, 1937	85	7551	28
GENERAL ELECTION - November 2, 1937	89	9041	14
PRIMARY ELECTION - September 20, 1938	99	9314	19
GENERAL ELECTION - November 8, 1938	104	9903	14
SPECIAL ELECTION - June 20, 1939	88	7803	16

\* Violations are those retail licensed premises found to be open and engaged in the sale of alcoholic beverages contrary to rule prohibiting sale of alcoholic beverages on Election Day during hours when polls are open.



SCHEDULE "K"IDENTIFICATION BUREAU ACTIVITIES FOR FISCAL YEAR - JULY 1, 1938 TO AND INCLUDING JUNE 30, 1939

	<u>1st Quarter</u>	<u>2nd Quarter</u>	<u>3rd Quarter</u>	<u>4th Quarter</u>	<u>Annual Total</u>
Persons fingerprinted for non-criminal purposes (Appl. for State Lic., Sol., etc.)	466	336	241	282	1325
License applicants certified to have no criminal record	408	268	322	2086	3084
Applicants certified to have criminal record	58	83	105	261	507
Contacts with N.J. State Police Teletype System (motor veh. information)	246	229	184	263	922
Contacts with other enforcement agencies (Criminal Identifications)	239	230	428	607	1504

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SCHEDULE "L"SUPERVISION OF STATE LICENSEES

	<u>7/1/38 to 9/30/38</u>	<u>10/1/38 to 12/31/38</u>	<u>1/1/39 to 3/31/39</u>	<u>4/1/39 to 6/30/39</u>	<u>Yearly Total</u>
Inspection of State Licensees	681	675	748	188	2292
Violations Disclosed	26	11	19	12	68
New License applications investigated and approved (incl. transfers)	57	61	48	48	214
Renewal applications investigated and approved	0	0	0	704	704
Special Permit applications investigated and approved	17	10	10	38	75
Complaint investigations completed	38	37	36	43	154

SCHEDULE "M"RECAPITULATION OF SEIZURES AS OF JUNE 30, 1939

	12/6/33 to 6/30/34	7/1/34 to 12/31/34	1/1/35 to 6/30/35	7/1/35 to 12/31/35	1/1/36 to 6/30/36	7/1/36 to 12/31/36	1/1/37 to 6/30/37	7/1/37 to 12/31/37	1/1/38 to 6/30/38	7/1/38 to 12/31/38	1/1/39 to 6/30/39	Grand Total
Total Seizures	235	689	649	504	638	452	370	323	299	297	269	4725
Stillis	83	276	204	182	188	105	121	138	119	107	83	1606
Motor Vehicles	82	126	96	100	90	75	43	33	40	41	55	781
Passenger Cars	37	88	80	78	71	53	32	29	34	35*	48	585
Trucks	45	38	16	22	19	22	11	4	6	6	7	196
Alcoholic Beverages seized (gallons)	431920	26254	18012	81239	14769	12742	7511	4496	8692	10503	5341	621479
Denatured alcohol seized (gallons)	---	---	4360	35275	2814	4692	228	10	---	---	450	47829

\* July Enforcement Division Activity Report recorded 2 instead of 4 cars

SCHEDULE "N"RECORD OF ALCOHOL, WHISKEY AND WINE DELIVERED TO STATE, COUNTY AND MUNICIPAL INSTITUTIONS AND HOSPITALS

	ALCOHOL		WHISKEY	WINE
	<u>MEDICINAL</u>	<u>DENATURED</u>		
7/1/34 through 6/30/35	* 39937	5355	1390	---
7/1/35 through 6/30/36	18434	6034	5701	5664
7/1/36 through 6/30/37	3049	4882	1361	7452
7/1/37 through 6/30/38	3527	2808	2917	4288
7/1/38 through 6/30/39	3322	---	655	11103
Total through 6/30/39	68269	19079	12024	28507

\* All figures are shown in gallons