

STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
1060 Broad Street Newark 2, N. J.

BULLETIN 978

JULY 21, 1953.

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STATE OF NEW JERSEY
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DIVISION OF ALCOHOLIC BEVERAGE CONTROL
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JULY 21, 1953.

1. DISCIPLINARY PROCEEDINGS - LEWDNESS AND IMMORAL ACTIVITIES
(PROSTITUTION) - CONTRACEPTIVES - SALE TO INTOXICATED PERSONS -
CHARGE OF PERMITTING PROSTITUTES ON PREMISES DISMISSED - LICENSE
REVOKED.

In the Matter of Disciplinary)
Proceedings against)

MORRIS TULIPANO)
T/a HOBOKEN BAR & GRILL)
124 River Street)
Hoboken, N. J.,)

CONCLUSIONS
AND
ORDER

Holder of Plenary Retail Consump-)
tion License C-201 for the 1952-53)
licensing year, issued by the Board)
of Commissioners of the City of)
Hoboken; and renewed for the 1953-54)
licensing year as C-199 to)

MORRIS TULIPANO)

for the same premises.)
-----)

Anthony P. Bianco, Esq., Attorney for Defendant-licensee.
Edward F. Ambrose, Esq., appearing for Division of Alcoholic
Beverage Control.

BY THE DIRECTOR:

Defendant pleaded not guilty to the following charges:

"1. On Friday night November 7, 1952, Saturday night November 8, 1952, early Sunday morning November 9, 1952, Wednesday night November 12, 1952, early Thursday morning November 13, 1952, and on divers days prior thereto, you allowed, permitted and suffered prostitutes in and upon your licensed premises; in violation of Rule 4 of State Regulations No. 20.

"2. On all the occasions aforesaid you allowed, permitted and suffered lewdness and immoral activity in and upon your licensed premises, viz., solicitation for prostitution and the making of arrangements for illicit sexual intercourse; in violation of Rule 5 of State Regulations No. 20.

"3. On Saturday night November 8, 1952, early Sunday morning November 9, 1952, Wednesday night November 12, 1952 and early Thursday morning November 13, 1952, you possessed, and allowed, permitted and suffered the sale and distribution of prophylactics against venereal disease and contraceptive devices, in and upon your licensed premises; in violation of Rule 9 of State Regulations No. 20.

"4. On Friday night November 7, 1952, Saturday night November 8, 1952, and early Sunday morning November 9, 1952 you sold, served and delivered and allowed, permitted and suffered the sale, service and delivery of alcoholic beverages, directly or indirectly, to persons actually or apparently intoxicated and allowed, permitted and suffered the consumption of such beverages by such persons in and upon your licensed premises; in violation of Rule 1 of State Regulations No. 20."

At the hearing held herein, four ABC agents who participated in the investigation testified on behalf of the Division. In the testimony and comment hereinafter set forth, each agent will be referred to as "Investigator" and the full name will not be used but, instead, only the initial letter of the last name: "C," "P," "S" and "W".

The testimony of Investigator "C" (who has been an ABC agent since 1939) was substantially as follows:

On November 7, 1952, he and Investigator "P" entered defendant's licensed premises at approximately 8:30 p.m., at which time two bartenders, later identified as Milan Verni (manager) and Ray Toomey, were on duty. The agents saw a man and a woman (later identified as Jean ---), either asleep or in a stupor, seated in a booth. These people remained in a stupefied condition for a considerable period of time, after which the man staggered over to the bar where Toomey served him two glasses of beer which the man carried back to the table where he and Jean each consumed part of their respective drinks, each spilling some on the table. Thereafter Jean put her head down on the table and remained there for some time. Later Jean was served another glass of beer by Manager Verni. In the opinion of the investigator, both Jean and her male companion were intoxicated when they consumed their respective drinks of beer.

While the agents were seated at the bar they met another woman who was wearing what appeared to be a new leather jacket which she said had been given to her by her boy-friend, adding that she was "paying it back in trade" but that she doesn't "just put out for anybody." The agents heard what appeared to be a "peeping" sound apparently emanating from the woman's breast. When Investigator "C" asked what the sound was, the woman pointed to her breast and squeezed it, whereupon both she and Toomey, who was standing at that point behind the bar, laughed. After further conversation, the agents left around 10:30 p.m.

The same agents returned to defendant's licensed premises at approximately 11:30 p.m., on November 8, 1952, at which time the same two bartenders were on duty. Jean --- was also present (sober) and was talking with a man and woman, her stepfather and her mother, who were urging her to return with them to Philadelphia. Investigator "C" asked Toomey what he (the agent) was going to do for a "lay" if Jean left. Toomey then called to a woman known as "Stumpy" whom he introduced to the agent as "Olga". Olga immediately asked Investigator "P" for money for the juke box and for cigarettes and, in Toomey's presence, also asked for the loan of a dollar which, she said, he could deduct from the cost of a "lay" when he met her the following week. Olga explained that she would charge five dollars for the "lay", plus the cost of the drinks, and agreed to meet Investigator "P" at the licensed premises the following Wednesday for the purpose of going out for a "lay". When Olga went to the ladies' room, Investigator "C" asked Toomey whether or not Olga was "clean". Toomey said that he did not know and asked Investigator "C" whether he wanted a "rubber" (contraceptive device) and when the agent answered in the affirmative, Toomey handed a "rubber" to the agent. Investigator "C" also told Toomey that Olga had made arrangements with him and Investigator "P" for a "lay" on the next Wednesday. Toomey said that he would see that Olga was sober and, in response to a question as to how much they should give Olga for a "lay", he replied, "Oh, I don't know what she charges. Give her a couple of bucks." When Olga returned to the bar, Investigator "C" purchased a drink for her and, from his change on the bar, pushed a half-dollar toward Toomey for the "rubber". Toomey thanked him and placed the money in his pocket.

On the same evening, the agents saw a man and woman seated in the booth which had been occupied by Jean and her male companion on

the preceding evening. They saw the man stagger to the bar where Toomey served him two glasses of beer, which he carried back to the table. The agent saw both the man and woman consume part of their respective drinks of beer, part of which they spilled. In the opinion of the agents, both the man and the woman were intoxicated. Toomey admitted that the woman was drunk, adding that she was a new girl but was "...going to the dogs. Give her a couple of more weeks, she will be just like the rest of them." The agents left the premises at approximately 1:30 a.m., November 9, 1952.

The same two agents, accompanied by two other ABC agents, arrived in the vicinity of defendant's licensed premises at approximately 7:30 p.m., November 12, 1952. Investigators "C" and "P" entered while Investigators "S" and "W" remained outside. Investigators "C" and "P" each carried a five-dollar bill and five one-dollar bills, the serial numbers of which had been recorded previously. When they entered the licensed premises, Jean was present but Olga was not. They asked Toomey, who was tending bar, for Olga, reminding him that they had a date with her that night for a "lay". Toomey told them that Olga had not come in yet, but told them to wait. When Olga arrived shortly thereafter, Toomey notified the agents, who told him to remind her of their date to take her out for a "lay". Toomey picked up Olga's glass of beer and placed it near the agents, whereupon Olga immediately joined them at the bar and told them she had forgotten their date and if it had not been for Toomey, she would not have remembered it. Olga informed the agents that she had another date and, shortly thereafter, went over to a male who, in the meantime, had entered the licensed premises. The agents then complained to Toomey that Olga had borrowed money from them but had failed to keep the date to go out for a "lay". Toomey glared at Olga and then went over and talked with Jean, whom he brought back and introduced to the agents. In Toomey's presence, the agents explained to Jean what had happened with Olga. Jean told them that Olga was unreliable and that they should "break away" from her and that she (Jean) would "lay" both of them for five dollars each. Investigator "C" leaned across the bar to Toomey and asked him whether he had any "rubbers", whereupon Toomey told the agent to follow him to the men's room where he handed him a "rubber" saying, "You will be better off with Jean than you would with that fat slob." When Investigator "C" asked Toomey how much he owed him for the "rubber" Toomey said, "Not now, later." After they returned to the bar, Investigator "C" bought a drink of beer and, when he paid for the beer, he gave Toomey a half-dollar, saying "Here's the half for the 'rubber' you gave me." Toomey thanked him for the money and placed it in his pocket.

While Toomey was waiting on Jean and another girl, Investigator "P" asked Jean why she was stalling. Toomey joined the conversation and wanted to know "...what was going on..." Investigator "P" asked Toomey for a "rubber" and was told to follow Toomey to the men's room. He did so and received a "rubber" from Toomey. Later, at the bar, he pushed a quarter and a nickel toward Toomey saying "Here's for the 'rubber'."

Investigator "P" continued his conversation with Jean and she was very evasive as to a reason for delay. Finally she said that she had changed her mind and she was not going out with him that night. In Toomey's presence she handed back to Investigator "P" five dollars which he had previously given her. Toomey looked at Jean for a while and then said, "O.K., just for that no more beers for you." Jean then walked away and took another place at the bar. The agents left the premises and returned at approximately 11 o'clock, at which time Investigator "C" told Toomey that Investigator "P" was "pretty mad" at "the way he's being taken over here" and explained that he (Investigator "C") had tried to convince his friend that it was not Toomey's fault that Jean had refused to go out with him that night. Toomey replied, "That's right, it's not my fault. I tried my best to fix it up for you fellows."

At this time, a man, later identified as Robert Stockdale, entered the licensed premises and conversed with Toomey concerning "girls". Toomey told Stockdale "to go over and find out if they're there." Stockdale left and returned a short time thereafter and said to Toomey, "There's two at the bar in George's Cafe. One is Tex and there is Peggy there also." Toomey took a nickel of Investigator "C's" money which was on the bar in front of him, and told Stockdale to call up George's and ask Tex to come to defendant's licensed premises and "meet a friend of mine and to come over right away." After making the telephone call, Stockdale reported that Tex would be right over, adding "she's pretty good, this Tex, you'll like her." When ten minutes had elapsed and Tex did not appear, Investigator "C" complained to Stockdale that they were getting another "run around". Toomey, who was listening to the conversation, told Stockdale to get Tex on the phone and he would talk to her himself. While they were waiting for Tex a gray-haired female, who appeared to be approximately 60 years of age, introduced herself to the agents as "Peggy" and started to flirt with them. She tried on several occasions to get the agents to dance with her. Investigator "C" told Peggy that she was too old for him, to which she replied that a person is only as old as she feels and that she felt "pretty young... pretty young now." Verni, who had relieved Toomey as bartender, joined the conversation and said to Peggy "If I was only twenty-five years younger, I could go for you, too."

At this point, Tex, later identified as Lillian ---, joined the agents. She put her arms around Investigator "C" and rubbed her face against his, saying "Here I am." When the agent asked her, "What's the score?" she replied, "I am here to take care of you and your pal." She then offered to take care of them for five dollars apiece, "plus the room". When asked whether she was going to take care of the two of them she said, "No. I changed my mind. Only one today and one tomorrow. Take their choice." It was then decided that Investigator "P" would go out with Tex that night. Investigator "P" then asked Tex, "What's it going to cost me?", to which she replied, "Five dollars, plus the room." Thereupon, Investigator "P" handed Tex a five-dollar bill which she placed in the breast pocket of her dress. Investigator "C" complained to Verni that he had "lost out again", saying that instead of going out with him, Tex was "going out with the young guy." Investigator "C" then asked Verni if he had a "rubber" and Verni replied, "No, I don't use them." Stockdale approached the agents and asked them if they needed any "rubbers". When they replied in the affirmative, he volunteered to get some for them. He then left the premises and returned a short time thereafter and handed Investigator "P" a small container containing "rubbers". Investigator "P" then handed Stockdale a dollar bill. While the agents had been talking with Verni, Toomey was also present. Shortly thereafter Investigator "P" left the licensed premises with Tex, and Investigator "C" said to Verni, "There they go. I'll see you later. I'll go and see that he doesn't get rolled," whereupon he followed them.

After Investigator "P" and Tex had walked approximately a hundred feet from the licensed premises, they were apprehended by Investigators "W" and "S" and three detectives of the Hoboken Police Department. Tex admitted that she was taking Investigator "P" to a hotel for a "lay" and produced a five-dollar bill from her breast pocket. When examined, the serial numbers on the bill corresponded with the serial numbers on the bill which had previously been given Investigator "P". Later, at Police Headquarters, Tex was questioned and a written statement was taken from Toomey.

On cross-examination, Investigator "C" testified that Toomey had told him that the girls had not come over to defendant's licensed premises when called because it had been rumored that the ABC was

"cruising around town". The agent admitted that there was no indication that "rubbers" were being sold at the licensed premises other than the fact that Toomey had supplied them out of his pocket, and further admitted that Toomey had not charged any "set price" for them.

It was stipulated that the testimony of Investigator "P" would be substantially the same as that of Investigator "C" except for the incidents in the men's room where Toomey handed each of the agents (separately) a "rubber". As to this, Investigator "P" testified that on November 12, 1952 he had asked Toomey, in the barroom for a "rubber"; that Toomey had told him to follow him to the men's room; that when he did so, Toomey handed him a "rubber" from a metal container which he obtained from his pocket and that he (the agent) made payment by giving Toomey thirty cents from his money on the bar, which money Toomey placed in his pocket.

On cross-examination, Investigator "P" admitted that Verni was not present while the above incident took place and further admitted that Toomey did not ask for money for the "rubber". As to this, he testified that when he asked Toomey how much he charged for the "rubber", Toomey merely said, "Later." He further testified that when he gave the thirty cents in change to Toomey at the bar, he said, "It's for the 'rubber'."

Investigator "S" testified that he accompanied Investigators "C", "P" and "W" to the vicinity of the licensed premises on November 12, 1952; that he entered the barroom in defendant's premises on several occasions during the course of that night; that he saw Toomey tending bar; that he saw Jean and Olga there; that he heard Toomey tell Olga that the two men with whom she had a date were there, pointing to Investigators "C" and "P", and that Olga then joined Investigators "C" and "P". He further testified that when he returned to the barroom after midnight, he saw Toomey tending bar and that he heard Toomey tell Stockdale to tell Tex "to come down here"; that he saw Stockdale make a telephone call after which he (the agent) left the licensed premises and later joined with Investigator "W" and members of the Hoboken Police Department in apprehending Investigator "P" and Tex from whom they seized the aforementioned five-dollar bill.

Investigator "W" testified that he had remained outside the licensed premises throughout the night in question; that Investigators "C", "P" and "S" had all entered the licensed premises and that when Investigator "P" came out with Tex at approximately 1:25 a.m., she was apprehended and produced the aforementioned five-dollar bill from her breast pocket.

One of the members of the Hoboken Police Department testified that he and two other policemen had watched the licensed premises from across the street from approximately 12:05 a.m. to 1:30 a.m. on November 13, 1952, at which time Investigator "P" and Tex came out of the licensed premises and were apprehended. He further testified that the aforementioned five-dollar bill was found in Tex's left breast pocket and that one of the marked one-dollar bills was found in the possession of Stockdale.

It was stipulated that the testimony of the other two police officers would be the same and it was further stipulated that they had not observed any of the activity which occurred upon the licensed premises.

On behalf of defendant, Manager Verni gave the following testimony: He has been manager of defendant's licensed premises since some time in June 1952; he employed Toomey as night bartender and another man as day bartender; he had heard that Toomey was honest and

knew Hoboken; he did not consult the licensee before employing Toomey but told him later of Toomey's employment, and the licensee had said that he approved if it was necessary to have an additional employee and if Toomey was "honest". He further testified that Toomey started to work in the licensed premises some time in September or October 1952; that he had worked there approximately seven weeks before the incidents hereinabove recited; that when they were busy he and Toomey would each tend to half of the bar; that Toomey usually starts work at 5:00 p.m.; that he (Verni) works during the daytime and also returns between 9:00 p.m. and 10:00 p.m., and helps out tending bar. He further testified that the licensee does no work at the licensed premises; that the licensee has another licensed premises in Hoboken; and that the licensee leaves him (Verni) in charge. He explained that the licensee is never at the licensed premises at night; that he calls up in the daytime to see how things are going and comes down in the daytime to see the books. He admitted that he knows Jean, Tex, Peggy and Olga. He claimed that Jean will listen to him but said that he had been forced to put some people out of the licensed premises. He denied that he had seen any of the girls "offer themselves" or that he had seen anyone exchanging "rubbers" on the licensed premises. He admitted that Investigator "C" had asked him to help him out with a "rubber" and said that he had merely laughed and walked away to wait on a customer. He denied that Investigator "C" told him that he was going to take a girl out of the licensed premises and denied that he had ever served Jean while she was actually or apparently intoxicated. He attempted to explain his conversation with Peggy by saying that Peggy had asked him if he wanted her to haunt his house, and that he replied, "Not now, maybe twenty-five or thirty years ago." He testified that he had discharged Toomey after the incident above related and has told the licensee of said incident the following morning.

On cross-examination, Verni testified that he receives a salary but is to receive a commission if business is good. He denied that he invested any money in the business, but admitted that he has complete charge of the premises and the employees and that he has authority to sign checks. He testified that he had known Toomey for a year; that he hired him as an extra worker and then had employed him regularly as the night bartender and although he claimed that he didn't know whether Toomey knew the women before he started working at defendant's licensed premises, he admitted that they started coming in there at approximately the same time that Toomey was employed. He denied that he had been told that any of the women were prostitutes and denied that he had served Jean while intoxicated but admitted that she "loves her drink ..." and that he has seen her drunk. He admitted that he had seen Investigator "C" talking with Tex, Olga and Stockdale on the night of November 12, 1952; that Investigator "C" asked him for a "rubber" and that thereafter he noticed that Stockdale was missing. He denied, however, that he had seen Stockdale return and hand Investigator "C" a "rubber".

The licensee testified that for fourteen years he has held a plenary retail consumption license at another premises, 142 Garden Street, Hoboken; that for eight years he and his father-in-law held the license at the premises here involved; that his father-in-law died in April 1952; that since that time he has held the license in his own name; that he owns the building where the licensed premises are located; that, for a short time after his father-in-law died, he had employed a male and a female bartender and had let them run the business while he took care of his other licensed premises but that the arrangement had not been satisfactory and that business had fallen off. He further testified that he had spent approximately \$7,000.00 in renovating the licensed premises, after which he employed Verni, who had approached him and asked to be made manager; that he (the licensee) visits the licensed premises two or three times a week to see how things are going, but that he spends his evenings at his other licensed premises. He also testified that he

did not know Toomey until after he had been employed; that he had not been advised of such employment for approximately a week; that he had seen Toomey working at the licensed premises where he appeared to be conducting himself "all right" but that he had left it to the discretion of Verni. He admitted that he knows Jean and has told her to stay off his other licensed premises, but he denied that either Toomey or Verni told him that the girls made a habit of soliciting for immoral purposes at his licensed premises or that he had heard of it from any other source. He also testified that he has had a clear record for fourteen years.

On cross-examination, the licensee testified that his father-in-law had always conducted the business at the licensed premises in question and taken all the proceeds from the licensed premises while he (the licensee) conducted the other licensed premises; that when Verni approached him for employment as manager, he did not know him and asked various salesmen and another licensee as to Verni's character and was assured that it was good. He claimed that Verni had been friendly with his father-in-law; that he believed him to be a reliable man, and explained that he had told Verni to "Work, get yourself a salary out of it...if there's anything left...we'll pay what was put in there," and that later he told Verni, "We'll see. You'll take a certain percentage of it. As business picks up, why you will be able to make a little more." He further admitted that Verni was to pay the expenses of the business, plus the cost of the improvements which had been made, and that he could keep the rest for himself. He also admitted that Verni is in complete charge of the business and signs checks in connection therewith and has not turned over any money from the business to him (the licensee) although he anticipates that he will receive money from the business later. He sought to explain that, while he had another licensed premises in Hoboken, he wanted to establish himself in the area in question, principally because of the proximity to a particular pier. However, he admitted that he had never worked at the licensed premises in question.

It is highly significant that Toomey, although present on the day of the hearing, did not testify for defendant. However, there was introduced in evidence, without objection, a signed and sworn statement obtained from Toomey on the morning of November 13, 1952. In that statement he admitted that he was a paid bartender at defendant's licensed premises at 124 River Street, Hoboken; that his regular hours were from 5:00 p.m. to 2:00 a.m.; that he was on duty on each of the nights in question; that early on the morning of November 13th, Verni relieved him as bartender; that the agents were in the licensed premises at the time; that he knows Olga, Jean, Peggy and Tex; that Investigator "C" had asked him what he (the agent) was going to do for a "lay" if Jean went to Philadelphia; that he (Toomey) had pointed to Olga who thereafter made a date to meet the agents on the night of November 12, 1952; that the agents had asked him whether Olga was "clean"; that he might have handed a "rubber" over the bar to Investigator "C"; that he received fifty cents from Investigator "C" but does not remember what it was for; that he handed each agent (separately) a "rubber" in the men's room on the night of November 12, 1952; that Investigator "C" had given him fifty cents and Investigator "P" had given him thirty cents on that night; that he had given the "rubbers" to the agents because they "wanted to be safe"; that Stockdale obtained another "rubber" from him on the street after he had left defendant's licensed premises; that he knew that Jean, Olga, Peggy and Tex took men out of the defendant's licensed premises for sexual intercourse. He further admitted that the arrangement to bring Tex and Peggy to the defendant's licensed premises on the early morning of November 13, 1952 had been made by Stockdale at his request, and that the purpose of these arrangements was for the women to take the agents out for sexual intercourse.

With respect to charge (1): While the evidence raises a strong suspicion with respect to the allegations noted in the charge, suspicion, no matter how reasonably inferable, is not a substitute for the quantum of proof necessary for a finding of guilt. Re Doyle.

Bulletin 469, Item 2, and cases therein cited. Consequently I find the defendant not guilty as to charge (1).

As to charges (2), (3), and (4), after a careful examination of all of the evidence adduced at the hearing, I am convinced that the acts and conversations reported in the testimony of the agents actually occurred on defendant's licensed premises. The fact that the violations occurred during defendant's absence and without his personal knowledge is neither a defense nor an excuse. It is sufficient that the violations were permitted by those occupying the premises with the licensee's authority. Essex Holding Corp. v. Hock, 136 N.J.L. 28 (Sup. Ct., 1947); Greenbrier, Inc. v. Hock, 14 N. J. Super. 39 (App. Div., 1951). The licensee must exercise close supervision over the licensed premises and violations occurring there cannot be excused merely because he has no personal knowledge of them. Rule 31 of State Regulations No. 20; Stein v. Passaic, Bulletin 451, Item 5; Essex Holding Corp. v. Hock, supra; Greenbrier, Inc. v. Hock, supra. The licensee who personally exercises little or no control over the conduct of the licensed business but leaves the same to others does so at his peril. Re Phillipone, Bulletin 875, Item 6; Re Schumacher, Bulletin 901, Item 5. As was said in Re Paton, Bulletin 898, Item 3, "He [a licensee] cannot hide behind his employees." The licensed business is one that must be carefully supervised and it should be conducted by reputable people in a reputable manner. Zicherman v. Driscoll, 133 N.J.L. 586 (Sup. Ct., 1946); Re Hartman, Bulletin 904, Item 2; In Re Schneider, 12 N. J. Super. 449 (App. Div., 1951); In re 17 Club, Inc., 26 N. J. Super. 43 (App. Div., 1953). Under all the circumstances, I find the defendant guilty as to charges (2), (3) and (4).

The public is entitled to be protected against these sordid and dangerous practices. For the purpose of sound enforcement and effective alcoholic beverage control, the only appropriate penalty is revocation. 17 Club, Inc., Bulletin 949, Item 2 (affirmed In Re 17 Club, Inc., supra); Re Bond Service Center, Inc., Bulletin 939, Item 1; Re Ewaski, Bulletin 937, Item 1; Re Schumacher, supra. The license will be revoked.

Although this proceeding was instituted during the 1952-53 licensing period, it does not abate but remains fully effective against the renewal license for the fiscal year 1953-54. State Regulations No. 16.

Accordingly, it is, on this 7th day of July, 1953,

ORDERED that Plenary Retail Consumption License C-199 issued for the 1953-54 licensing year by the Board of Commissioners of the City of Hoboken to Morris Tulipano, 124 River Street, Hoboken, be and the same is hereby revoked, effective immediately.

DOMINIC A. CAVICCHIA
Director.

2. RECAPITULATION OF ACTIVITY BY QUARTERLY PERIODS FOR THE FISCAL YEAR 1952-53

	1st Quarter			2d Quarter			3d Quarter			4th Quarter			Total
	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	
ARRESTS:													
Total number of persons arrested		77		55			62			75			269
Licensees and employees		30		23			37			19			109
Bootleggers		45		32			25			56			158
ABC agent impersonators		2		0			0			0			2
SEIZURES:													
Motor vehicles - cars		8		5			2			12			27
- trucks		2		1			1			0			4
Stills - over 50 gallons		4		2			0			4			10
- 50 gallons or under		16		10			8			3			37
Alcohol - gallons		0		485.00			0			43.25			528.25
Mash - gallons	37,528.10			47,343.00			865.00			8,174.00			93,910.10
Distilled alcoholic beverages - gallons	137.23			89.69			19.03			420.20			666.15
Wine - gallons	27.53			207.57			249.59			42.42			527.11
Brewed malt alcoholic beverages - gallons	89.61			50.65			58.51			65.62			264.39
RETAIL LICENSEES:													
Premises inspected		2,597		2,896			2,720			3,193			11,406
Premises where alcoholic beverages were gauged		2,248		2,662			2,629			2,375			9,914
Bottles gauged		39,753		47,158			46,764			43,883			177,558
Premises where violations were found		280		271			309			290			1,150
Violations found		377		363			350			364			1,454
Type of violations found:													
Unqualified employees		164		131			89			97			481
Disposal permit necessary		28		24			23			31			106
Regs. #38 sign not posted		6		26			22			28			82
Other mercantile business		17		3			6			4			30
Prohibited signs		3		16			3			7			29
Gambling devices		1		5			8			5			19
Probable fronts		3		6			1			0			10
Improper beer taps		0		4			2			3			9
Other violations		155		148			196			189			688
STATE LICENSEES:													
Premises inspected		46		69			62			29			206
License applications investigated		31		22			27			54			134
COMPLAINTS:													
Complaints assigned for investigation		1,349		1,156			1,415			1,206			5,126
Investigations completed		1,231		1,163			1,241			1,136			4,771
Investigations pending		(164)		(93)			(146)			125			125
LABORATORY:													
Analyses made		364		271			325			343			1,303
Refills (from licensed premises) - bottles		9		2			5			3			19
Bottles from unlicensed premises		69		54			55			89			267
IDENTIFICATION BUREAU:													
Criminal fingerprint identifications made		84		59			57			74			274
Persons fingerprinted for non-criminal purposes		918		604			581			909			3,012
Ident. contacts w/other enforcement agencies		760		510			553			724			2,547
Ident. via N.J. State Police teletype		23		9			31			9			72
DISCIPLINARY PROCEEDINGS:													
Cases transmitted to municipalities		52		35			26			38			151
Violations involved:													
Sale to minors		20		17			8			16			61
Sale during prohibited hours		19		10			15			12			56
Permitting lottery activity on premises		2		2			2			3			9
Permitting females at bar (mun.reg.)		6		1			0			1			8
Permitting brawls on premises		0		2			4			2			8
Permitting females to tend bar		1		1			3			0			5
Sale to non-members by clubs		3		1			0			3			7
Permitting bookmaking on premises		0		1			3			1			5
Failure to afford view into premises													
during prohibited hours		1		1			1			2			5
Permitting gambling on premises		1		1			0			1			3
Employing unqualified persons		0		0			0			3			3
Permitting immoral activity on premises		2		0			0			0			2
Sale to intoxicated persons		0		1			1			0			2
Sale on credit by retail licensee		1		0			0			1			2
Possessing chilled beer (DL licensee)		0		1			0			0			1
Sale of less than 72 fluid oz. of beer													
(DL licensee)		0		1			0			0			1
Permitting hostesses on premises		0		1			0			0			1
Permitting minor to tend bar		0		1			0			0			1
Bartender working while drunk		0		1			0			0			1
Possessing contraceptives on premises		0		0			1			0			1
Permitting slot machines on premises		0		0			1			1			2
Cases instituted at Division		46*		44			60**			62			212
Violations involved:													
Sale to minors		20		10			17			20			67
Sale during prohibited hours		7		8			15			15			45
Permitting immoral activity on premises		6		7			7			9			29
Fraud and front		2		5			9			3			19
Possessing illicit liquor		4		2			4			2			12
Hindering investigation		4		2			5			0			11
Permitting foul language on premises		0		3			3			4			10

DISCIPLINARY PROCEEDINGS (Cont'd) Cases instituted at Division (Cont'd) Violations involved:	1st Quarter		2d Quarter		3d Quarter		4th Quarter		Total
	July	Aug. Sept.	Oct. Nov.	Dec.	Jan. Feb.	Mar.	Apr. May	June	
Mislabeled beer taps	0		4		3		2		9
Sale below minimum resale price	2		0		3		4		9
Sale to intoxicated persons	1		3		1		2		7
Sale beyond scope of license	2		2		1		1		6
Permitting hostesses on premises	2		1		1		2		6
Possessing contraceptives on premises	1		1		1		2		5
Permitting lottery activity on premises	1		1		1		2		5
Permitting prostitutes on premises	0		3		0		2		5
Unauthorized transportation	2		1		0		1		4
Failure to afford view into premises during prohibited hours	2		0		1		1		4
Employing unqualified persons	1		1		1		1		4
Delivery without bona fide invoice	1		0		0		3		4
Permitting bookmaking on premises	0		2		0		2		4
Purchase from improper source	0		2		1		0		3
Permitting gambling on premises	0		1		2		0		3
Conducting business as a nuisance	1		0		1		1		3
Act of happening	0		0		3		0		3
Permitting slot machines on premises	0		2		0		0		2
Sale on election day	0		2		0		0		2
Permitting pin ball machines on premises	1		0		0		1		2
Failure to have copy of license application on premises	0		0		1		1		2
Licensee working while drunk	1		0		0		0		1
Aiding & abetting sale during prohibited hrs.	1		0		0		0		1
Retailer soliciting house-to-house	1		0		0		0		1
Permitting females at bar	1		0		0		0		1
Wholesaler accepting ordinary checks from retailer in default	1		0		0		0		1
Failure to report retailer in default	0		0		1		0		1
Delivery to retailer on default list	0		0		1		0		1
Giving free goods & kick-backs to retailer	0		0		0		3		3
Failure to display license certificate	0		0		0		1		1
Aiding and abetting sale beyond scope of license	0		0		0		1		1
Permitting female impersonators on premises	0		0		0		1		1
Violation of special ruling	0		0		0		1		1
Sale to non-members by club	0		0		0		1		1
Possessing obscene matter on premises	0		0		0		2		2
Furnishing prohibited adv. matter to retailer	0		0		0		1		1

*Includes one cancellation proceeding for conduct of other mercantile business on consumption licensed premises
 **Includes one cancellation proceeding--license improvidently issued to club not bona fide

Cases brought by municipalities on own initiative and reported to Division	14	47	37	25	123
Violations involved					
Sale to minors	6	23	20	13	62
Sale during prohibited hours	6	6	6	5	23
Permitting brawls on premises	0	11	7	2	20
Permitting bookmaking on premises	2	4	0	1	7
Permitting gambling on premises	0	1	3	2	6
Conducting business as a nuisance	0	1	1	3	5
Permitting lottery activity on premises	0	2	0	1	3
Sale to intoxicated persons	2	0	0	0	2
Permitting immoral activity on premises	0	1	1	0	2
Permitting minors on licensed premises	0	0	2	0	2
Conducting disorderly house (mun. ordinance)	0	0	0	2	2
Fraud and front	0	1	0	0	1
Employing unqualified persons	0	1	0	0	1
Permitting persons of ill repute on premises	0	1	0	0	1
Possessing slot machines on premises	0	0	1	0	1
Permitting foul language on premises	0	0	0	1	1
Unauthorized transportation	0	0	0	1	1
CANCELLATION PROCEEDINGS instituted at Division	0	0	0	2	2
Violations involved:					
License improvidently issued in excess of limitation of DL licenses				1	1
Licensee disqualified by conviction of crime involving moral turpitude				1	1
HEARINGS HELD AT DIVISION:					
Total number of hearings held	86	101	101	122	410
Appeals	9	9	13	6	37
Disciplinary proceedings	46	41	57	65	209
Eligibility	22	25	19	26	92
Seizures	6	20	7	13	46
Tax revocation	0	6	3	8	17
Applications for license	5	0	2	4	11
PERMITS ISSUED:					
Total number of permits issued	7,439	3,827	2,111	4,740	18,117
Employment	2,378	484	412	2,423	5,697
Solicitors	2,980	178	217	175	3,550
Disposal of alcoholic beverages	225	346	292	330	1,193
Social affairs	1,102	1,029	750	1,128	4,009
Special wine	175	1,275	12	0	1,462
Miscellaneous	579	515	428	684	2,206

Dated: July 9, 1953.

DOMINIC A. CAVICCHIA
 Director.

3. DISCIPLINARY PROCEEDINGS - VIOLATION OF SPECIAL RULING PROHIBITING DEFENDANTS FROM ACCEPTING FOOD OR BEVERAGE AS A GIFT FROM PATRONS - SALE TO MINOR - SALE TO INTOXICATED PERSON - PIN BALL MACHINE - NUISANCE - PRIOR DISSIMILAR RECORD NOT CONSIDERED BECAUSE OF LAPSE OF TIME - LICENSE SUSPENDED FOR 90 DAYS.

In the Matter of Disciplinary Proceedings against)

LOUISE VOLINO & ANN MAHELTZ)
317 Market Street)
Paterson 3, N. J.,)

CONCLUSIONS AND ORDER

-----)
Holders of Plenary Retail Consump-)
tion License C-340 for the 1952-53)
and 1953-54 licensing years, issued)
by the Board of Alcoholic Beverage)
Control of the City of Paterson.)
-----)

Louise Volino and Ann Maheltz, Defendant-licensees, Pro Se.
Edward F. Ambrose, Esq., appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Defendants have pleaded non vult to the following charges:

"1. On February 19 and March 3, 4, 18, 19, 20 and 21, 1953, you, Louise Volino, accepted beverages at the expense of or as a gift from customers and patrons; in violation of a special ruling made on November 21, 1947 by the Commissioner of the Department of Alcoholic Beverage Control of the State of New Jersey which provides that neither of you, notwithstanding that you are licensees, may accept any food or beverage, alcoholic or otherwise, at the expense of or as a gift from any customer or patron on your licensed premises.

"2. On Wednesday night, March 18 and early Thursday morning, March 19, 1953, and on divers days prior thereto, you sold, served and delivered and allowed, permitted and suffered the sale, service and delivery of alcoholic beverages, directly or indirectly to Anne ---, a person under the age of twenty-one (21) years, and allowed, permitted and suffered the consumption of alcoholic beverages by such person in and upon your licensed premises; in violation of Rule 1 of State Regulations No. 20.

"3. On Wednesday night, March 18 and early Thursday morning, March 19, 1953, you sold, served and delivered and allowed, permitted and suffered the sale, service and delivery of alcoholic beverages, directly or indirectly, to Anne ---, a person actually or apparently intoxicated and allowed, permitted and suffered the consumption of such beverages by such person in and upon your licensed premises; in violation of Rule 1 of State Regulations No. 20.

"4. On March 25, 1953, you allowed, permitted and suffered in and upon your licensed premises, a machine or device, commonly known as a bagatelle or pin ball machine; in violation of Rule 7 of State Regulations No. 20.

"5. On all the occasions aforesaid you allowed, permitted and suffered your licensed place of business to be conducted in such a manner as to become a nuisance in that you permitted an unescorted female, Rita --- to frequent your licensed premises and to solicit male patrons to purchase numerous drinks of alcoholic beverages for consumption by her and by others and otherwise conducted your licensed place of business in a manner offensive to common decency and public morals; in violation of Rule 5 of State Regulations No. 20."

The file in the instant case discloses that at 10:45 p.m., on February 19, 1953, an ABC agent visited defendants' licensed premises. Louise Volino, one of the defendant-licensees, was tending bar. The ABC agent observed a female called Rita sitting with various male patrons. Louise Volino would pour a drink of whiskey for Rita, and at times for herself, and would receive payment from the respective male patrons. Rita greeted the agent, took two dimes of his money from the bar, inserted them in a shuffle alley game and called the agents over to play with her. Upon completion of the game, Rita walked back to the bar and informed Louise Volino that she had won. Immediately, Louise Volino, without the assent of the agent, poured a drink of whiskey for Rita and took sixty cents of the agent's money in payment. After Rita and the agent completed a second game, Louise Volino poured another drink of whiskey for Rita, and again took sixty cents of the agent's money. At various times, the ABC agent observed Rita, in addition to taking money from him, take money from male patrons and insert same in the juke box. The agent heard Louise Volino remark to two male patrons, each with a glass of beer, who were seated next to him at the bar, "Why don't you buy a whiskey and live a little." After Rita left the agent, he observed her and Louise Volino each consume a drink of whiskey paid for by the two males sitting next to him. The agent further observed that the drinks for Rita and Louise Volino were poured from a bottle used exclusively by them. The agent left the premises at 12:30 a.m. the following morning.

On March 3, 1953, at 10:00 p.m., the same agent again visited defendants' licensed premises. He was accompanied by three other agents. He and one of the agents entered the premises a short time prior to the time the other two entered. A male called Jerry (subsequently identified as Jeremiah Solari) was tending bar. There were two females and three males in the premises. Two of the agents prepared to play the shuffle alley game and invited the two females to join in the game with them. The invitation was accepted by the females, one of whom introduced herself as "Ted" and her companion as "Lou" (Louise Volino). During the course of the game, "Ted" would rub her breast against the arm of one of the agents as it rested on the alley and when he inquired why she was doing it, she replied, "I'm trying to distract your shot by making you hot." After concluding several games, the agents returned to the bar and requested the bartender to give the girls a drink. Louise Volino treated the agents shortly thereafter. However, the bartender continued to serve several drinks to "Ted" and Louise Volino without being told by the agents, and each time took the agents' money from the bar in payment. During the evening, a man came into the defendants' premises and spoke in a whisper to Louise Volino. When the man left, Louise Volino came over to two of the agents and remarked that the man made a proposal to her to engage in sexual intercourse with him but that she told him she was married and happy with her husband. The agents left defendants' premises about 1:00 a.m. on March 4, 1953.

On March 18, 1953, at 11:15 p.m., three ABC agents arrived in the vicinity of defendants' licensed premises. None of said agents had visited the premises on the dates aforementioned. One of the agents entered the premises and about ten minutes thereafter the other two agents entered. Jeremiah Solari was tending bar. Louise Volino was seated with a male patron and drinking "highballs" at his expense. Rita and a girl called "Joanie" (subsequently identified as Anne ---, a minor 18 years of age) were seated at the bar with two male companions. The bartender served alcoholic beverages to these two females and obtained payment therefor from the two male patrons. As one of the agents proceeded toward the juke box, Anne --- followed him. They returned to the bar and sat with Rita. A female called "Minnie" requested one of the agents to obtain for her a sandwich that she had just ordered from a place across the street and gave him a dollar bill. Upon his return, "Minnie" purchased a drink for him and Louise Volino purchased one apiece for him and his

fellow agent. The agent then purchased a drink for Minnie and Louise Volino. The agent then proceeded to the shuffle alley and was joined by Rita who invited him to the section of the bar where another agent and Joanie (Anne ---) were seated. She ordered drinks from the bartender, who served a shot of whiskey to Rita and Joanie (Anne ---) and a glass of beer to one of the agents. At about 1:30 a.m., on March 19, 1953, Joanie (Anne ---) became unconscious and Louise Volino remarked, "It looks like the kids had too much." One of the agents and a male patron assisted her from the premises. Rita introduced a girl called "Ronnie" to an agent and, whenever Ronnie's glass was empty, the bartender would serve drinks of alcoholic beverages to her and take the money of the agents in payment. Another agent came over to the section where two of the agents were seated and called over Jeremiah Solari, the bartender, and said, "Go ahead Jerry, tell these guys what Joanie wanted from me." The bartender shook his head and said, "That's right she wants 30 dollars for a lay." Rita then said "Joanie is a Lesbian and that she is only 18 years old." The bartender stated "Ronnie is also a Lesbian." One agent left the premises at 2:30 a.m. and the other two agents left fifteen minutes thereafter.

The three agents who visited defendants' licensed premises on March 18, 1953, again visited the premises at 9:30 p.m. on March 20, 1953. Jeremiah Solari was again tending bar. One of the agents asked the bartender if Joanie (Anne ---) would be in the tavern that night and the bartender replied, "I haven't seen her since Wednesday night when she was drunk." At 11:00 p.m. Louise Volino entered the premises and took a seat at the bar next to a male patron. Louise was served a shot of whiskey paid for by the male patron. She consumed three shots of whiskey at the expense of the male patron between 11:00 p.m. and 11:30 p.m. A short time thereafter Louise Volino greeted the agents and sat between two of them. One of the agents ordered a drink from the bartender, who poured a round of drinks for the three agents and Louise Volino. The latter ordered a round of drinks for the agents. One of the agents told Louise Volino that Joanie (Anne ---), who had been drunk a few nights before, had asked one of the agents "30 dollars for a lay" and the one who had been asked by Joanie (Anne ---) confirmed the fact. Louise Volino then stated "She did, she'll never be served in here any more, I've been in business for 10 years and I don't want those kind of people around." At midnight two females entered the defendants' licensed premises. One of them was recognized by one of the agents as Carol --- who had pleaded non vult to a charge of prostitution in a criminal court as a result of an investigation previously made by this Division of another licensed premises. This female whispered something to her girl companion and the latter requested Louise Volino to accompany her to the ladies' room. After the two came out of the ladies' room, they went to a telephone booth and were joined by Carol ---. Louise Volino and Rita immediately left the premises and a short time later Carol --- also left. On March 25, 1953, the ABC agents entered the licensed premises and identified themselves to Ann Maheltz, the other defendant-licensee. Ann Maheltz told them that Louise Volino, the other defendant-licensee, had left on a vacation. The agents observed a "Beach" bagatelle machine (out of order) on the licensed premises.

On November 21, 1947 the then Commissioner made a special ruling, to wit: "I hereby specially rule that neither of you, notwithstanding the fact that you are licensees, may accept any food or beverage, alcoholic or otherwise, at the expense of or as a gift from any customer or patron on your licensed premises. Note particularly that the prohibition applies whether or not you are invited to drink by the patron."

Defendants have a prior adjudicated record. Effective May 9, 1945, defendants' license was suspended for twenty days for an "hours" violation and for hindering an investigation. Re Volino and Maheltz, Bulletin 666, Item 11. Again, effective July 29, 1947,

defendants' license was suspended for twenty days for possession of illicit liquor. Re Volino and Maheltz, Bulletin 772, Item 12. The aforesaid violations are dissimilar in character and occurred more than five years ago. They will not be considered in fixing the penalty herein.

The violations committed and permitted on defendants' licensed premises indicate conclusively that the manner of operation of the business is highly improper, and that the licensees permitted the licensed place of business to be conducted in such a manner as to become a nuisance. "The meaning of the word 'nuisance' as used in Rule 5 of State Regulations No. 20, is the dictionary meaning." Santore v. West New York, Bulletin 958, Item 2. Moreover, Louise Volino, one of the defendant-licensees, deliberately violated a special ruling of this Division in accepting drinks from patrons. The conduct of Louise Volino in actively participating in some of the illegal practices and her condonation of flagrant violations occurring on the licensed premises will not be tolerated. The accumulation of violations of such a serious nature might well warrant a revocation of defendants' license. Considering, however, the defendants' clear record for more than five years and the plea entered herein, I shall suspend defendants' license for a period of ninety days. Cf. Re Raimondi & Capelli, Bulletin 884, Item 8; Re Guittari, Bulletin 921, Item 2; Re Washington Cafe (A corp.), Bulletin 896, Item 2.

Although this proceeding was instituted during the 1952-53 licensing period, it does not abate but remains fully effective against the renewal license for the fiscal year 1953-54. State Regulations No. 16.

Accordingly, it is, on this 7th day of July, 1953,

ORDERED that Plenary Retail Consumption License C-340, issued for the 1953-54 licensing year by the Board of Alcoholic Beverage Control of the City of Paterson to Louise Volino & Ann Maheltz, 317 Market Street, Paterson, be and the same is hereby suspended for a period of ninety (90) days, commencing at 3:00 a.m., July 14, 1953, and terminating at 3:00 a.m., October 12, 1953.

DOMINIC A. CAVICCHIA
Director.

4. DISCIPLINARY PROCEEDINGS - SALE TO MINOR - PRIOR DISSIMILAR RECORD NOT CONSIDERED BECAUSE OF LAPSE OF TIME - LICENSE SUSPENDED FOR 10 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against ELMER WILSON T/a WILSON'S TAVERN 318 Belleville Pike North Arlington, N. J.,

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-17 for the 1952-53 and 1953-54 licensing years, issued by the Mayor and Council of the Borough of North Arlington.

Wimmer & Chasnoff, Esqs., by William W. Wimmer, Esq., Attorneys for Defendant-licensee. David S. Piltzer, Esq., appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Defendant pleaded non vult to a charge alleging he sold, served and delivered and allowed, permitted and suffered the sale, service and delivery of alcoholic beverages to a minor at his licensed premises, in violation of Rule 1 of State Regulations No. 20.

The file in the instant case discloses that on June 3, 1953, a minor, eighteen years of age, purchased five one-quart cardboard containers of beer for off-premises consumption from a bartender employed by the defendant. The bartender admitted the sale and delivery of the beer to the minor.

Defendant has a prior adjudicated record. Effective June 19, 1938, defendant's license was suspended by the local issuing authority for a period of five days for possession of a slot machine on his licensed premises. In view of the fact that the violation is dissimilar in character and that more than five years have elapsed since the effective date of the said suspension, I shall not consider the prior record in imposing a penalty in this case. Re Sotak, Bulletin 962, Item 9. I shall suspend defendant's license for a period of ten days, which is the minimum period of suspension for a case of this kind. Re Watters, Bulletin 954, Item 9. Five days will be remitted for the plea entered herein, leaving a net suspension of five days.

Although this proceeding was instituted during the 1952-53 licensing period, it does not abate but remains fully effective against the renewal license for the fiscal year 1953-54. State Regulations No. 16.

Accordingly, it is, on this 3rd day of July, 1953,

ORDERED that Plenary Retail Consumption License C-17, issued for the 1953-54 licensing year by the Mayor and Council of the Borough of North Arlington to Elmer Wilson, t/a Wilson's Tavern, 318 Belleville Pike, North Arlington, be and the same is hereby suspended for a period of five (5) days, commencing at 2:00 a.m., July 13, 1953, and terminating at 2:00 a.m., July 18, 1953.

DOMINIC A. CAVICCHIA Director.

5. DISCIPLINARY PROCEEDINGS - SALE OF ALCOHOLIC BEVERAGES DURING PROHIBITED HOURS IN VIOLATION OF RULE 1 OF STATE REGULATIONS NO. 38 - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

DANIEL J. DRISCOLL and JAMES SULLIVAN, t/a D & G TAVERN 497 Communipaw Avenue Jersey City 4, N. J.,)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-425 for the 1952-53 and 1953-54 licensing years, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City.)

----- Daniel J. Driscoll and James Sullivan, Defendant-licensees, Pro Se. David S. Piltzer, Esq., appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Defendants have pleaded guilty to a charge alleging that on Saturday, June 13, 1953, at about 12:25 a.m., they sold and delivered alcoholic beverages in original containers for consumption off the licensed premises, in violation of Rule 1 of State Regulations No. 38.

The file discloses that two ABC agents entered defendants' premises on June 12, 1953, at about 10:15 p.m. and remained there until 1:30 a.m. on the following morning. At approximately 12:25 on the morning of June 13, Mike Mooney, a bartender employed by defendants, sold to the agents six cans of beer which the bartender had previously placed in a paper bag after the agents had asked him for six cans of beer "to take home." The ABC agents picked up the paper bag and left defendants' premises but returned shortly thereafter and identified themselves to the bartender who admitted the violation.

Defendants have no prior record. I shall impose the fifteen-day minimum penalty for a violation of this character. Re Kaiser, Bulletin 954, Item 7. Five days will be remitted for the plea entered herein, leaving a net suspension of ten days.

Although this proceeding was instituted during the 1952-53 licensing period, it does not abate but remains fully effective against the renewal license for the fiscal year 1953-54. State Regulations No. 16.

Accordingly, it is, on this 6th day of July, 1953,

ORDERED that Plenary Retail Consumption License C-425, issued for the 1953-54 licensing year by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Daniel J. Driscoll and James Sullivan, for premises 497 Communipaw Avenue, Jersey City, be and the same is hereby suspended for ten (10) days, commencing at 2:00 a.m. July 13, 1953, and terminating at 2:00 a.m. July 23, 1953.