

MR. ZEMEL

STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
1100 Raymond Blvd. Newark 2, N. J.

BULLETIN 1603

March 3, 1965

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STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
1100 Raymond Blvd. Newark 2, N. J.

BULLETIN 1603

March 3, 1965

1. APPELLATE DECISIONS - JACKSON v. NEWARK.

Lonzie B. & Ruby P. Jackson,)
t/a Jackson's Lounge,)

Appellants,)

v.)

Municipal Board of Alcoholic)
Beverage Control of the City)
of Newark,)

Respondent.)

ON APPEAL
AMENDED ORDER

-----)
Robert W. Wolfe, Esq., Attorney for Appellants.)
Norman N. Schiff, Esq., by Paul E. Parker, Esq., Attorney for)
Respondent.)

BY THE DIRECTOR:

On December 29, 1964, I entered an order herein reimposing suspension of the license for fifteen days commencing January 5, 1965. Jackson v. Newark, Bulletin 1600, Item 2.

Upon request of the attorney for the appellants for additional oral argument and stay of the suspension pending further determination, I have granted the request.

Accordingly, it is, on this 31st day of December 1964,

ORDERED that the previous order of suspension herein is hereby vacated pending the entry of further order herein.

JOSEPH P. LORDI
DIRECTOR

2. APPELLATE DECISIONS - JACKSON v. NEWARK.

Lonzie B. & Ruby P. Jackson,)
t/a Jackson's Lounge,)

Appellants,)

v.)

Municipal Board of Alcoholic)
Beverage Control of the City)
of Newark,)

Respondent.)

ON APPEAL
SUPPLEMENTAL CONCLUSIONS
AND ORDER

-----)
Robert W. Wolfe, Esq., Attorney for Appellants.
Norman N. Schiff, Esq., by Paul E. Parker, Esq., Attorney for
Respondent.

BY THE DIRECTOR:

On December 29, 1964 I entered Conclusions and Order herein affirming respondent's finding of appellants' guilt of permitting a brawl, act of violence and unnecessary noise on their licensed premises at 150-152 Springfield Avenue, Newark, and re-imposing the fifteen-day suspension of license imposed by respondent and stayed during the pendency of the appeal. Jackson v. Newark, Bulletin 1600, Item 2.

Prior to the effectuation of my order of suspension, appellants requested opportunity for additional oral argument and stay of suspension pending such argument and determination therein. By order of December 31, 1964 the request was granted and the suspension stayed. Jackson v. Newark, Bulletin 1603, Item 1.

Additional oral argument having been heard and no new matter warranting any change in the original Conclusions and Order having been adduced, such Conclusions and Order are reaffirmed and the suspension will be reimposed.

Accordingly, it is, on this 18th day of January 1965,

ORDERED that Plenary Retail Consumption License C-576, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to Lonzie B. & Ruby P. Jackson, t/a Jackson's Lounge, for premises 150-152 Springfield Avenue, Newark, be and the same is hereby suspended for fifteen (15) days, commencing at 2 a.m. Monday, January 25, 1965, and terminating at 2 a.m. Tuesday, February 9, 1965.

JOSEPH P. LORDI
DIRECTOR

3. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS BETS) - LICENSE SUSPENDED FOR 60 DAYS.

In the Matter of Disciplinary Proceedings against)

R.C.J. Corp., t/a Front Room 46 Broadway Newark, New Jersey)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-315, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark.)

Norman Fischbein, Esq., Attorney for Licensee. Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

The Hearer has filed the following Report herein:

Hearer's Report

Licensee pleaded not guilty to the following charges:

- "1. On July 13 and 15, 1964, you allowed, permitted and suffered gambling in and upon your licensed premises, viz., the making and accepting of bets in a lottery, commonly known as the 'numbers game'; in violation of Rule 7 of State Regulation No. 20.
"2. On July 13 and 15, 1964, you allowed, permitted and suffered tickets and participation rights in a lottery, commonly known as the 'numbers game', to be sold and offered for sale in and upon your licensed premises and on the aforementioned date of July 15, 1964, you possessed, had custody of and allowed, permitted and suffered such tickets and participation rights in and upon your licensed premises in violation of Rule 6 of State Regulation No. 20."

The Division offered the testimony of ABC Agents S, C and G in substantiation of the charges.

Agent S testified substantially to the following effect: On July 13, 1964, at 12:05 p.m., he visited the licensed premises with Agent C and went to the bar. Tending bar for the licensee was Russell Baker, Jr. (hereinafter referred to as Baker) and, upon being asked "Did he (Baker) have any conversation with you", the agent testified that the following colloquy and action took place:

- "A. Yes, sir.
Q What was it about?
A Baker talked to me about the number I gave him the other day, 452, about it being a good combination but it didn't come out. At that time I said to him, 'What time does your bookie come in?' Baker said, 'Look, I'll take your action.' I then proceeded to give him a number bet. Baker took a

slip from behind the back bar by the register and came to the bar proper in front of myself and C ---, laid the slip down on the bar, and I played No. 380 \$3 combo. As he wrote that down C--- I said, 'Look, Charlie here' --referring to C--- -- 'has some action,' and C---at that time gave him 170 for \$2 and \$1 in the box. Baker proceeded to write that down on the slip also, at which time C---handed \$3 to myself, and myself already having \$3 in my hand I passed it to Baker across the bar, and Baker took the \$6 together with the slip I just talked about and placed it by the cash register behind the bar."

As to the visit of July 15, 1964, Agent S testified that he went to the licensed premises with Agents C and G and with two detectives; he and Agent C entered the premises about 2 p.m.; Baker was again tending bar; after discussing numbers, Agent S played 380 for \$3 and Agent C played 170 for \$2 straight and \$1 in the box; that Baker took six single dollar bills (the serial numbers having been previously recorded) and wrote the number bets on a slip which was received in evidence as Exhibit S-4; that the slip and the money were placed in a drawer behind the bar by Baker; that the slip marked S-4 in evidence represented a lottery slip used in the numbers game; upon signal Agent G and two detectives entered the premises, whereupon Agents S and C departed therefrom.

Cross examination produced no variance from the testimony related on direct examination. It did elicit the additional testimony that the abbreviation "ft" on the slip S-4 in evidence indicated "first race" and not "feet".

It was stipulated that the testimony of Agent C would be corroborative of the testimony of Agent S, with the right of cross examination reserved. The cross examination served to corroborate the testimony of Agent S.

The testimony of Agent G indicated that he and two detectives entered the licensed premises after receiving a pre-arranged signal from Agent S and that he saw one of the detectives take the six one-dollar bills (the serial numbers of which had been previously recorded) and the slip marked S-4 in evidence from a drawer in the back bar.

In its defense the licensee offered the testimony of Russell Baker, Jr. Baker testified that he was employed at the licensed premises for about two weeks prior to July 13, 1964; that on July 13, 1964 he took no numbers and that he never took numbers; that on July 15, 1964 he did not take numbers; that the slip S-4 in evidence was in his pocket and he gave it to one of the police officers; that he wrote the slip after Agents S and C had left the premises and while Agent G and the police officers were in the premises; that the numerals "380" and "300" on the slip with "ft" written thereafter meant the number of feet of plywood he was going to order for the purpose of building cabinets; that the numerals "170" and "200" with "ft" written thereafter meant the number of feet of white pine he was going to order for the same purpose; that the figure "100" in a box meant he was going to buy 50 nails and 50 screws; that the word "Al" written below did not refer to the first name used by Agent S in the licensed premises; that he just put "Al" down and that the slip S-4 was not a numbers slip. He explained that the six one-dollar bills with the serial numbers pre-recorded were lying next to the cash register for the purpose of taking out payment for drinks.

Thus a purely factual question is presented in this proceeding.

The general rule in these cases is that the finding must be based on competent legal evidence and must be grounded on a reasonable certainty as to the probabilities arising from a fair consideration of the evidence. 32 C.J.S. Evidence, sec. 1042. By a preponderance of the evidence is meant evidence which is of greater weight or more convincing than that which is offered in opposition. 32 C.J.S., sec. 1021 at p. 1051, and cases therein cited. Disciplinary proceedings against liquor licensees are civil in nature and require proof by a preponderance of the believable evidence only. Butler Oak Tavern v. Division of Alcoholic Beverage Control, 20 N.J. 373 (1956); Hornauer v. Division of Alcoholic Control, 40 N.J. Super. 501 (1956).

I had ample opportunity to judge the credibility of the witnesses and I am compelled to conclude that the agents' version of the material facts with reference to the occurrences at the licensee's place of business was credible and convincing.

On the other hand, a close appraisal of the demeanor of the licensee's employee convinces me that he was utterly lacking in forthrightness and candor, and colored the truth in an attempt to escape the consequences of a wrongful act.

After carefully reviewing the evidence, I conclude that the Division has established the truth of the charges herein by a fair preponderance of the evidence. I recommend that the licensee be found guilty of said charges.

The licensee has no prior adjudicated record of suspension of license. I recommend that the license be suspended for sixty days. Re Longson, Bulletin 1589, Item 5.

Conclusions and Order

No exceptions to the Hearer's Report were filed within the time limited by Rule 6 of State Regulation No. 16.

Having carefully considered the record herein, including the transcript of the testimony, the exhibits and the Hearer's Report, I concur in the findings of the Hearer and adopt his recommendations.

Accordingly, it is, on this 11th day of January, 1965,

ORDERED that Plenary Retail Consumption License C-315, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to R.C.J. Corp., t/a Front Room, 46 Broadway, Newark, be and the same is hereby suspended for sixty (60) days, commencing at 2:00 a.m. Monday, January 18, 1965, and terminating at 2:00 a.m. Friday, March 19, 1965.

JOSEPH P. LORDI
DIRECTOR

4. DISCIPLINARY PROCEEDINGS - ORDER REIMPOSING SUSPENSION AFTER WITHDRAWAL OF APPEAL TO APPELLATE DIVISION.

In the Matter of Disciplinary Proceedings against
 William Harris, Mary O'Nion and Maryan Mack
 t/a Club 49
 49 Jones Street
 Newark, New Jersey
 Holders of Plenary Retail Consumption License C-538, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark.

SUPPLEMENTAL ORDER

Sarcone and Mascia, Esqs., by Peter A. Benz, Esq., Attorneys for Licensees.
 Edward F. Ambrose, Esq., Appearing for the Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

On October 21, 1964, I entered Conclusions and Order herein suspending the license for fifty-five days for permitting acceptance of numbers bets on the licensed premises. Re Harris, O'Nion and Mack, Bulletin 1593, Item 6.

Prior to the effectuation of the order of suspension, upon appeal filed, the Appellate Division of the Superior Court stayed the operation of the suspension until the outcome of the appeal.

On January 12, 1965, the appeal was withdrawn and dismissed by agreement, pursuant to R.R.1:8-6, and immediate imposition of the penalty was requested. The suspension may now be reimposed.

Accordingly, it is, on this 12th day of January, 1965,

ORDERED that the fifty-five-day suspension heretofore imposed, and stayed during the pendency of proceedings on appeal, be reinstated against Plenary Retail Consumption License C-538, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to William Harris, Mary O'Nion and Maryan Mack, t/a Club 49, for premises 49 Jones Street, Newark, commencing at 2:00 a.m. Thursday, January 14, 1965, and terminating at 2:00 a.m. Wednesday, March 10, 1965.

JOSEPH P. LORDI
 DIRECTOR

5. DISCIPLINARY PROCEEDINGS - SALE TO MINORS - PRIOR DISSIMILAR RECORD OF STOCKHOLDERS AS STOCKHOLDERS OF ANOTHER CORPORATION - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

Jervic, Inc.)
207 Cumbermeade Rd.)
Fort Lee, New Jersey)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License No. C-20, issued by the Mayor and Borough Council of the Borough of Fort Lee.)

Walter H. Jones, Esq., by Michael J. Ferro, Jr., Esq., Attorney for Licensee.
Edward F. Ambrose, Esq., Appearing for the Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to Charge 1 alleging that on September 25, 1964, it sold mixed drinks of alcoholic beverages to three minors, one age 18 and two age 19, in violation of Rule I of State Regulation No. 20, and not guilty to Charge 2 alleging that in its application for license, it concealed a previous record of suspension of license of one Victor Rivara, allegedly an officer, director and 25% stockholder of the licensee corporation.

I am satisfied that the Victor Rivara whose record of suspension was allegedly concealed is, in fact, not the same person who is the officer, director and stockholder of the licensee corporation (they being father and son), in consequence of which the second charge is dismissed.

Although the licensee has no previous record of suspension of its license, Victor Rivara and J. Kenneth Rivara, respectively secretary and treasurer and each a 25% stockholder of the licensee corporation, were, respectively, president and secretary and each a 48% stockholder of Rivara Corp., then holder of a license for premises 44 Hudson Place and 77 Hudson Street, Hoboken, which was suspended by the municipal issuing authority for ten days effective November 4, 1961, for sale during prohibited hours.

The license will be suspended on the first charge for twenty days (Re Mulhearn, Bulletin 1482, Item 10), to which will be added five days by reason of the record of suspension of license of Rivara Corp. (Re Sol's Tavern, Inc., Bulletin 1587, Item 1) for dissimilar violation occurring within the past five years (Re Club Rio, Bulletin 1594, Item 3), or a total of twenty-five days, with remission of five days for the plea entered, leaving a net suspension of twenty days.

Accordingly, it is, on this 20th day of January, 1965,

ORDERED that Plenary Retail Consumption License C-20,

issued by the Mayor and Borough Council of the Borough of Fort Lee to Jervic, Inc. for premises 207 Cumbermeade Road, Fort Lee, be and the same is hereby suspended for twenty (20) days, commencing at 3:00 a.m. Wednesday, January 27, 1965, and terminating at 3:00 a.m. Tuesday, February 16, 1965.

JOSEPH P. LORDI
DIRECTOR

6. DISCIPLINARY PROCEEDINGS - SALE TO MINORS - SERVICE OF ALCOHOLIC BEVERAGES OTHER THAN ORDERED - PRIOR SIMILAR RECORD - PRIOR DISSIMILAR RECORD OF STOCKHOLDERS AS STOCKHOLDERS OF ANOTHER CORPORATION - LICENSE SUSPENDED FOR 60 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against Jervic, Inc. 207 Cumbermeade Rd. Fort Lee, New Jersey
Holder of Plenary Retail Consumption License C-20, issued by the Mayor and Borough Council of the Borough of Fort Lee.

CONCLUSIONS AND ORDER

Licensee, by J. Kenneth Rivara, Treasurer, Pro se.
Edward F. Ambrose, Esq., Appearing for the Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that (1) on December 5, 1964, it sold drinks of beer and mixed drinks of alcoholic beverages to five minors, two age 17, one age 18 and two age 19, in violation of Rule 1 of State Regulation No. 20, and (2) on November 21-22 and December 5, 1964, it served alcoholic beverages other than ordered, in violation of Rule 23 of State Regulation No. 20.

With respect to the second charge, reports of investigation disclose that at the bar orders for mixed drinks containing "name" brands of whiskey were filled by using cheaper "off" brands instead.

Licensee has a previous record of suspension of license by the Director for twenty days effective January 27, 1965, for sale of alcoholic beverages to minors. Re Jervic, Inc., Bulletin 1603, Item 5. In addition, Victor Rivara and J. Kenneth Rivara, respectively secretary and treasurer and each a 25% stockholder of the licensee corporation, were, respectively, president and secretary and each a 48% stockholder of Rivara Corp., then holder of a license for premises 44 Hudson Place and 77 Hudson Street, Hoboken, which was suspended by the municipal issuing authority for ten days effective November 4, 1961, for sale during prohibited hours.

The license will be suspended on the first charge for thirty days (cf. Re Tom and Jerry's, Inc., Bulletin 1488, Item 2)

and on the second charge for fifteen days (Re John's Corner, Inc., Bulletin 1585, Item 7), to which will be added ten days by reason of the previous suspension for similar violation occurring within the past five years (Re Tarlowe, Bulletin 1580, Item 6) and five days by reason of the suspension of license of Rivara Corp. (Re Sol's Tavern, Inc., Bulletin 1587, Item 1) for dissimilar violation occurring within the past five years (Re Club Rio, Bulletin 1594, Item 3), or a total of sixty days, with remission of five days for the plea entered, leaving a net suspension of fifty-five days.

Accordingly, it is, on this 20th day of January, 1965,

ORDERED that Plenary Retail Consumption License C-20, issued by the Mayor and Borough Council of the Borough of Fort Lee to Jervic, Inc. for premises 207 Cumbermeade Road, Fort Lee, be and the same is hereby suspended for fifty-five (55) days, commencing at 3:00 a.m. Tuesday, February 16, 1965, and terminating at 3:00 a.m. Monday, April 12, 1965.

JOSEPH P. LORDI
DIRECTOR

- 7. DISCIPLINARY PROCEEDINGS - SALE TO INTOXICATED PERSONS - FOUL LANGUAGE ON LICENSED PREMISES - PRIOR SIMILAR AND DISSIMILAR RECORD - LICENSE SUSPENDED FOR 40 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

LAFAYETTE BAR, INC.)
137 and rear of 139-141)
Mulberry Street)
Newark, New Jersey)

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consumption License C-744, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark.)

William Osterweil, Esq., Attorney for Licensee.
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that on September 10, 1964, it (1) sold alcoholic beverages to intoxicated persons, in violation of Rule 1 of State Regulation No. 20, and (2) permitted foul language by patrons on the licensed premises, in violation of Rule 5 of State Regulation No. 20.

Licensee has a previous record of suspension of license by the Director for twenty-five days effective June 1, 1959, for similar violations, and for twenty days effective June 28, 1960, for possession of alcoholic beverages not truly labeled. Re Lafayette Bar, Inc., Bulletin 1282, Item 6; Bulletin 1349, Item 3.

The license will be suspended on the first charge for twenty days (Re Lesniewski, Bulletin 1581, Item 5) and on the

second charge for ten days (Re Ben and Emily's Bar, Inc., Bulletin 1593, Item 9, to which will be added five days by reason of the record of suspension for dissimilar violation in 1960 within the past five years (Re Club Rio, Bulletin 1594, Item 3) and an additional five days by reason of the suspension for prior similar violation in 1959 occurring more than five but less than ten years ago (Re Sports Bar & Grill, Inc., Bulletin 1540, Item 4), or a total of forty days, with remission of five days for the plea entered, leaving a net suspension of thirty-five days.

Accordingly, it is, on this 18th day of January 1965,

ORDERED that Plenary Retail Consumption License C-744, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to Lafayette Bar, Inc., for premises 137 and rear of 139-141 Mulberry Street, Newark, be and the same is hereby suspended for thirty-five (35) days, commencing at 2 a.m. Monday, January 25, 1965, and terminating at 2 a.m. Monday, March 1, 1965.

JOSEPH P. LORDI
DIRECTOR

8. DISCIPLINARY PROCEEDINGS - SALE TO A MINOR - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against
Central Liquor Co., Inc.
643-45 Market Street
Camden, New Jersey
Holder of Plenary Retail Distribution License D-15, issued by the Municipal Board of Alcoholic Beverage Control of the City of Camden.

CONCLUSIONS
AND ORDER

Joseph Wm. Cowgill, Esq., Attorney for Licensee.
Edward F. Ambrose, Esq., Appearing for the Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on December 4, 1964, it sold two 6-packs of beer and a 4/5 quart bottle of whiskey to a minor, age 17, in violation of Rule I of State Regulation No. 20.

Licensee has a previous record of suspension of license by the Director for five days effective January 5, 1959, for sale below filed price, and for forty days effective May 2, 1960, for unlawful transportation and aiding and abetting unlawful transportation. Re Central Liquor Co., Inc., Bulletin 1261, Item 3; Bulletin 1340, Item 6.

Accordingly, it is, on this 19th day of January 1965,

ORDERED that Plenary Retail Consumption License C-109, issued by the Municipal Board of Alcoholic Beverage Control of the City of Camden to L. & S. Corp., t/a Berkley Bar, for premises 451 South Third Street, Camden, be and the same is hereby suspended for fifteen (15) days, commencing at 2 a.m. Thursday, January 21, 1965, and terminating at 2 a.m. Friday, February 5, 1965.

JOSEPH P. LORDI
DIRECTOR

10. DISCIPLINARY PROCEEDINGS - SALE BELOW FILED PRICE - LICENSE SUSPENDED FOR 10 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

Otto J. Ronna and Joseph J. Rotio)
t/a L & R Italian American)
Grocery Co.,)
670 Anderson Avenue)
Cliffside Park, New Jersey,)

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Distribution License D-2, issued by the Mayor and Council of the Borough of Cliffside Park.)

William P. Verdon, Esq., Attorney for Licensees.
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensees plead non vult to a charge alleging that on December 29, 1964, they sold a case of 4/5 quart bottles of whiskey below filed price, in violation of Rule 5 of State Regulation No. 30.

Absent prior record, the license will be suspended for ten days, with remission of five days for the plea entered, leaving a net suspension of five days. Re Buikema, Bulletin 1590, Item 12.

Accordingly, it is, on this 11th day of January 1965,

ORDERED that Plenary Retail Distribution License D-2, issued by the Mayor and Council of the Borough of Cliffside Park to Otto J. Ronna and Joseph J. Rotio, t/a L & R Italian American Grocery Co., for premises 670 Anderson Avenue, Cliffside Park, be and the same is hereby suspended for five (5) days, commencing at 9 a.m. Monday, January 18, 1965, and terminating at 9 a.m. Saturday, January 23, 1965.

JOSEPH P. LORDI
DIRECTOR

II. DISCIPLINARY PROCEEDINGS - SALE TO MINORS - LICENSE
SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary)
Proceedings against)

The Bunny Hutch (A Corp.))
169 Verona Avenue)
Newark, New Jersey,)

Holder of Plenary Retail Consumption)
License C-448, issued by the Municipal)
Board of Alcoholic Beverage Control)
of the City of Newark.)

CONCLUSIONS
AND ORDER

Bernard S. Wildstein, Esq., Attorney for Licensee.
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic
Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on
November 6, 1964, it sold drinks of beer and mixed drinks of
alcoholic beverages to three minors, ages 18, 19 and 20, in
violation of Rule 1 of State Regulation No. 20.

Absent prior record, the license will be suspended for
twenty days, with remission of five days for the plea entered,
leaving a net suspension of fifteen days. Cf. Re Johnson,
Bulletin 1504, Item 5.

Accordingly, it is, on this 14th day of January 1965,

ORDERED that Plenary Retail Consumption License
C-448 issued by the Municipal Board of Alcoholic Beverage
Control to The Bunny Hutch (A Corp.), for premises 169 Verona
Avenue, Newark, be and the same is hereby suspended for fifteen
(15) days, commencing at 2 a.m. Thursday, January 21, 1965, and
terminating at 2 a.m. Friday, February 5, 1965.

JOSEPH P. LORDI
DIRECTOR

12. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY LABELED - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)
)
 Stephanie Novak and Carol)
 Zoltanski)
 t/a Polonaise Tavern)
 1408 Princeton Avenue)
 Trenton, New Jersey)
)
 Holders of Plenary Retail Consumption License C-121, issued by the City Council of the City of Trenton.)
 -----)

CONCLUSIONS AND ORDER

Licensees, by Frank J. Zoltanski, Manager, Pro se.
 Morton B. Zemel, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensees plead non vult to a charge alleging that on January 5, 1965, they possessed alcoholic beverages in three bottles bearing labels which did not truly describe their contents, in violation of Rule 27 of State Regulation No. 20.

Absent prior record, the license will be suspended for twenty days, with remission of five days for the plea entered, leaving a net suspension of fifteen days. Re Washington Street Tavern, Bulletin 1571, Item 9.

Accordingly, it is, on this 19th day of January 1965,

ORDERED that Plenary Retail Consumption License C-121, issued by the City Council of the City of Trenton to Stephanie Novak and Carol Zoltanski, t/a Polonaise Tavern, for premises 1408 Princeton Avenue, Trenton, be and the same is hereby suspended for fifteen (15) days, commencing at 2 a.m. Tuesday, January 26, 1965, and terminating at 2 a.m. Wednesday, February 10, 1965.

JOSEPH P. LORDI
 DIRECTOR

13. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY
LABELED - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary)
Proceedings against)

Banjo Lounge, Inc.)
t/a Banjo Lounge)
1249 Roosevelt Avenue)
Carteret, New Jersey)

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consumption)
License C-24, issued by the Borough)
Council of the Borough of Carteret.)

Licensee, by Eugene Kelly, President, Pro se.
Morton B. Zemel, Esq., Appearing for Division of Alcoholic
Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that
on December 10, 1964, it possessed alcoholic beverages in
three bottles bearing labels which did not truly describe
their contents, in violation of Rule 27 of State Regulation
No. 20.

Absent prior record, the license will be
suspended for twenty days, with remission of five days for the
plea entered, leaving a net suspension of fifteen days. Re
Washington Street Tavern, Bulletin 1571, Item 9.

Accordingly, it is, on this 19th day of January 1965,

ORDERED that Plenary Retail Consumption License
C-24, issued by the Borough Council of the Borough of Carteret
to Banjo Lounge, Inc., t/a Banjo Lounge, for premises 1249
Roosevelt Avenue, Carteret, be and the same is hereby suspended
for fifteen (15) days, commencing at 2 a.m. Tuesday, January 26,
1965, and terminating at 2 a.m. Wednesday, February 10, 1965.

JOSEPH P. LORDI
DIRECTOR

14. STATUTORY AUTOMATIC SUSPENSION - ORDER LIFTING SUSPENSION.

Auto. Susp. #256)
 In the Matter of a Petition to)
 Lift the Automatic Suspension)
 of Plenary Retail Consumption) On Petition
 License C-20, Issued by the)
 City Council of the City of) ORDER
 Long Branch to)

Claire Shevitz)
 t/a Martinitz Tavern)
 95 West End Avenue)
 Long Branch, N. J.)

-----)
 Julius J. Golden, Esq., Attorney for Petitioner.

BY THE DIRECTOR:

It appears from the petition filed herein and the records of this Division that on January 8, 1965, licensee-petitioner was fined \$100 and \$35 costs in the Monmouth County Court after pleading guilty to a charge of sale of alcoholic beverages to a minor on July 23, 1964, in violation of R.S. 33:1-77. The conviction resulted in the automatic suspension of the license for the balance of its term. R.S. 33:1-31.1. The suspension has not been effectuated because of the pendency of this proceeding.

It further appears that the municipal issuing authority has suspended the license for ten days effective September 28, 1964, after the licensee's confessional plea to a charge in disciplinary proceedings alleging the same sale to the minor. It appearing that the suspension has been served, I shall lift the automatic suspension. Re Monahan, Bulletin 1561, Item 6.

Accordingly, it is, on this 26th day of January, 1965,

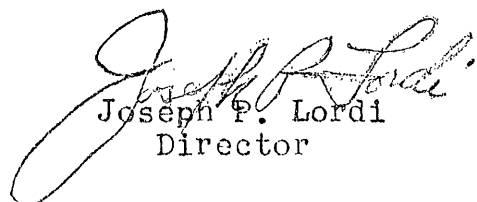
ORDERED that the statutory automatic suspension of said license C-20 be and the same is hereby lifted, effective immediately.

JOSEPH P. LORDI
 DIRECTOR

15. STATE LICENSES - NEW APPLICATIONS FILED.

Standard Rochester Brewing Co., Inc.
 t/a Jaguar Brewing Co. & Haberle Congress Brewing Co.
 770 Emerson Stree, Rochester, New York
 Application filed February 24 for limited wholesale license.

Gateway Distributors, Inc., t/a Emery Clinton
 75 Bennett Street, Jersey City, New Jersey
 Application filed February 26, 1965 for place-to-place transfer of Plenary Wholesale License W-64 from 1414-20 Chestnut Avenue, Hillside, New Jersey.


 Joseph P. Lordi
 Director

New Jersey State Library