STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
25 Commerce Drive Cranford, N. J. 07016

BULLETIN 2268 October 28, 1977

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ITEM

STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

BULLETIN 2268 October 28, 1977

1. COURT DECISIONS - MIRAPH ENTERPRISES, INC. v. PATERSON.

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
A-4713-75

MIRAPH ENTERPRISES, INC.
t/a THE CABARET,

Appellant

v.

BOARD OF ALCOHOLIC BEVERAGE CONTROL
FOR THE CITY OF PATERSON,

Respondent.

Submitted May 31, 1977 - Decided June 13, 1977.

Before Judges Bischoff, Morgan and King.

On appeal from Division of Alcoholic Beverage Control.

Messrs. Tanis & Sternick, attorneys for appellant
(Mr. Michael A. Sternick, on the brief).

Mr. Joseph A. LaCava, Corporation Counsel, attorney for respondent (Mr. Ralph L. DeLuccia, Jr., Assistant Corporation Counsel, of counsel and on the brief).

PER CURIAM

(Appeal from the Director's decision in Re Miraph Enterprises, Inc. v. Paterson, Bulletin 2238, Item 2. Director affirmed. Opinion not approved for publication by the Court Committee on Opinions).

2. APPELLATE DECISIONS - DANNY'S LOUNGE, INC. v. PATERSON - SUPPLEMENTAL ORDER.

Danny's Lounge, Inc. t/a Danny's Lounge Appellant, v. Board of Alcoholic Beverage Control for the City of Paterson, Respondent.	:	ON APPEAL SUPPLEMENTAL ORDER

Thomas E. Hood, Esq., Attorney for Appellant
Joseph A. LaCava, Esq., by Ralph L. DeLuccia, Jr., Esq., Attorneys for Respondent.

BY THE DIRECTOR:

On March 14, 1975, Conclusions and Order were entered herein affirming the action of the respondent Municipal Board of Alcoholic Beverage Control for the City of Paterson which, on February 27, 1974, denied appellant's application for a place-to-place transfer of its plenary retail consumption license from premises 791 Main Street to 839 Main Street, Paterson. Danny's Lounge, Inc., t/a Danny's Lounge v. Paterson, Bulletin 2183, Item 4.

Upon entry of the said Order, appellant appealed therefrom to the Appellate Division of the Superior Court, which, on motion of counsel remanded this matter to the Division for supplementation of the record. Thereafter, I entered supplemental Conclusions and Order on January 7, 1976, again affirming the respondent Board's denial of the place-to-place transfer and dismissing the appeal. Danny's Lounge, Inc., t/a Danny's Lounge v. Paterson, Bulletin 2221, Item 4.

On May 26, 1977, the Appellate Division of the Superior Court entered an order dismissing the appeal. Re Danny's Lounge, Inc., t/a Danny's Lounge v. Paterson, (App. Div. 1977, Docket #A-2674-74).

Accordingly, it is, on this 3rd day of June 1977,

ORDERED that my Order of January 7, 1976 be and the same is hereby supplemented to incorporate the dismissal of appeal to the Appellate Division of the Superior Court; and it is further

ORDERED that the action of the respondent Municipal Board of Alcoholic Beverage Control for the City of Paterson be and the same is hereby affirmed, and the appeal herein be and the same is hereby dismissed.

Joseph H. Lerner
Director

3. APPELLATE DECISIONS - MIRAPH ENTERPRISES, INC. v. PATERSON.

#4094

Miraph Enterprises, Inc. t/a Cabaret,	:	
Appellant,	:	On Appeal
v.	:	CONCLUSIONS and
Board of Alcoholic Beverage Control for the City of Paterson,	:	ORDER
Respondent.	:	

.. ..

William F. Nesbitt, Esq., Attorney for Appellant
Joseph A. La Cava, Esq., by Ralph L. De Luccia, Jr., Esq., Attorneys for Respondent

BY THE DIRECTOR:

The Hearer has filed the following report herein:

Hearer's Report

This is an appeal from the action of the Board of Alcoholic Beverage Control for the City of Paterson, (hereinafter Board) which on December 8, 1976, found appellant guilty on a charge alleging that it allowed, permitted and suffered lewdness and immoral activity on the licensed premises; in violation of Rule 5 of State Regulation No. 20. In consequence of that finding, it suspended appellant's Plenary Retail Consumption License C-248, for premises at 11 Hamilton Street, Paterson, for thirty days, effective December 15, 1976.

Appellant contended in its petition of appeal that the finding of the Board was contrary to the weight of the evidence, harsh, arbitrary and capricious, and a violation of unspecified constitutional rights.

The Board, in its answer, denies these arguments and asserts that its finding was proper based on the evidence presented.

Upon the filing of the appeal, the Director of this Division, by Order of December 14, 1976, stayed the effective date of the suspension pending the determination of this appeal.

A de novo hearing was held in this Division pursuant to Rule 6 of State Regulation No. 15, with full opportunity afforded the parties to introduce evidence and to cross-examine witnesses.

Additionally, a stenographic transcript of the proceedings held before the Board was admitted into evidence, pursuant to Rule 8 of State Regulation No. 15.

At the outset of the hearing held in this Division, appellant moved for adjournment contending that certain of its witnesses were not available. A further motion was made requesting the Hearing Officer to visit the appellant's premises, with counsel, for the purpose of examining the interior lighting. Both proceedural motions were denied by the Director for reasons set forth in a letter opinion dated March 28, 1977.

Certain exhibits were admitted into evidence which consisted of a series of photographs showing the go-go dancer in the costume in which she was attired on the night of the arrest and three views of portions of the interior of the appellant's premises. Additionally, the actual garment which clothed the dancer was an added exhibit.

Appellant introduced the testimony of its manager, Marshall Russell, who stated that when local police officers came to the premises, the dancer was first requested to change into her street clothes and, having done that, she was then directed to change again into the costume in which she had been dancing. Photographs were then taken of her and, as above indicated, no patrons were present when the photographs were taken.

Russell further described the interior lighting as being so limited, that it would be impossible to discern from any patron's vantage point within the licensed premises, what interior garments, if any, the dancer wore. He testified that the exterior garment, when worn, had pleats which he implied were removed by stretching done by the hands of the police. The garment, when pleated, he avers, would have had an added thickness.

The Board presented no testimony at the hearing in this Division, relying entirely upon the stenographic transcript of the testimony offered before it and the exhibits.

Review of the Board transcript includes the testimony of several police officers and detectives of the Paterson Police Department, the go-go dancer, a barmaid and the manager of the premises.

Officer Frank Vaio of the Paterson Police Department was on a routine patrol on the evening of October 15, 1976 about eleven o'clock. He entered appellant's premises and observed a female seated at a bar at the back room. He noticed that this female was wearing a garment similar to a nightgown described as "...like a see-through". The female had nothing underneath the nightgown.

The female ascended the stage and began dancing. He testified he then had a better view and again confirmed that she had nothing above her waist but the thin nightgown type convering through which he could readily see. Photographs of the girl in that costume were authenticated and admitted into evidence.

After making these observations, Officer Vaio departed the premises and apprised the Vice Squad.

Nicholas Graziano of the Paterson Police Department Vice Squad, testified that he visited the premises after the notice by Officer Vaio was received. He was in plainclothes, entered and observed the same go-go dancer with the same attire. He could visibly see her breasts and pubic hair from ten feet away. The dancer performed bumps and grinds without any audience reaction or participation. He then called the remaining members of the Vice Squad, who identified themselves, placed the girl and the manager under arrest and took photographs of the girl in her costume. He authenticated the photographs taken.

Detectives Nathaniel Davis and Samuel Torres corroborated the testimony of their fellow officers stating that they saw the go-go girl dancing with the see-through attire. Davis described her dancing as:

> "In a lewd manner. By that I mean she was exposing herself as far as her breasts and her pubic hairs is concerned. She was indecent."

Torres described the girl's costume as:

> "She was wearing this particular item and you could very well see right through it. You could see her breasts and her nipples."

Testifying on behalf of the appellant, Claudia Hardaway, described herself as a dancer and barmaid, having worked in Paterson before, but for appellant for the first time. She admitted that she had basically similar costumes when dancing at other establishments, but that the material of her other costumes was "thicker". When asked if her breasts could be easily seen through the see-through blouse she was wearing at appellant's premises, she responded "Not unless the particular light was bright". She described the lighting as medium. She further admitted that the costume in which she was attired was the same as shown on the photographs taken by the police photographer and that she was doing "bumps and grinds" in her dance.

Barmaid Shenita Greene testified the licensed premises were "really kind of dark." She could not tell if the dancer had on any upper undergarments.

Marshall C. Russell, the manager, denied observing the go-go girl dance with any exposure but admitted that

> "My eyes is a little bad...They are very bad, enough that I need glasses. I haven't gotten them yet."

The burden of establishing that the action of the Board was erroneous and should be reversed rests entirely upon the appellant, under Rule 6 of State Regulation No. 15. The Director's function, is not to substitute his personal opinion for that of the issuing authority, but merely to determine whether reasonable cause exists for its opinion, and, if so, to affirm, irrespective of his personal views. Broadley v. Clinton, Bulletin 1245, Item 1; Fanwood v. Rocco, 33 N.J. 404, 414 (1960).

Appellant maintains that the determination of the Board was arbitrary and capricious. In the law, "arbitrary" and "capricious" is equated to an act or deed which has no rational basis. Bicknell v. United States, 422 Fed. 2nd 1055 (5th Cir. 1950). The terms "arbitrary" and "capricious" embrace a concept which emerges from the due process clauses of the 5th and 14th Amendments of the United States Constitution and operate to guarantee that acts of government will be grounded on established legal principles. See Canty v. Bd. of Education of New York City, 312 F. Supp. 254, (D.C.S.D.N.Y. 1970). Arbitrary and capricious action by administrative bodies means wilful and unreasoning action, without consideration, and in disregard of circumstances. Where there is room for two opinions, action is not arbitrary or capricious when exercised honestly and upon due consideration, even though it may be believed that an erroneous conclusion has been reached. See Bayshore Sew. Co. v. Dept. of Env., N.J., 122 N.J. Super. 184 (Ch. Div. 1973).

I.

In adjudicating this matter is it observed that in evaluating the testimony and its legal impact we are guided by the firmly extablished principle that disciplinary proceedings against liquor licensees are civil in nature and require proof by a preponderance of the believable evidence. Butler Oak Tavern v. Division of Alcoholic Beverage Control, 20 N.J. 373 (1956).

In appraising the factual picture presented in the proceedings, the credibility of witnesses must be weighed. Testimony, to be believed must not only proceed from the mouth of credible witnesses but must be credible in itself. It must be such as the common experience and observations of mankind can approve as probable in the circumstances. Spagnuolo v. Bonnet, 16 N.J. 546 (1954); Freud v. Davis, 64 N.J. Super. 242 (App. Div. 1960).

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. 32A C.J.S. Evidence, sec. 1042 (1964).

It is a well established and fundamental principle that a licensee is responsible for the misconduct of persons employed on the licensed premises. In re Olympic, Inc., 49 N.J. Super. 299 (App. Div. 1958). (See Rule 33 of State Regulation No. 20.)

In evaluating the totality of the evidence presented before the Board, together with that presented at the hearing in this Division, I find that the regulation embraced in the charge has been violated. The go-go dancer exposed her body by wearing a see-through costume obviously designed to permit such exposure. The photographs in evidence and the garment itself leaves no room for any other conclusion.

Appellant attempts to cloud the basic issue, i.e. the obvious inadequate apparel of the dancer, by maintaining that the lighting of the room was so dim that no one could see what would otherwise be visible as nakedness, thus there could not be a violative act.

The testimony of most of the officers that the observations they made of the performer, while she was dancing, was such, that her exposure was apparent. Hence, the issue of inadequate lighting is not supported by the record.

II.

The next contention proffered by appellant is that the dancer's exposure was, if admitting the Board's witnesses' description, not violative of that standard of morality daily accepted in Paterson. No proof was offered as to what those standards would be, and consequently, such contention is without basis. In any event, the court has already determined the restrictive standard of conduct to be applied. In re Club "D" Lane, Inc., 112 N.J. Super. 577, 579 (App. Div. 1971):

> "We are not here concerned with censorship of a book, nor with the alleged obscenity of a theatrical performance. 'Our immediate interest and attention is confined to the disciplinary action taken against the licensee of a public tavern, whose privileges may lawfully be tightly restricted to limit to the utmost the evils of the trade.' McFadden's Lounge, Inc. v. Div. of Alcoholic Bev. Control, 33 N.J. Super. 61,68 (App. Div. 1954). Lewdness or immorality for the purpose of alcoholic beverage control may be determinable on a distinctly narrower basis than for purposes of regulation of commercial

entertainment generally. Davis v. New Town Tavern, 37 N.J. Super. 376, 378 (App. Div. 1955); Jeanne's Enterprises, Inc. v. New Jersey, etc., 93 N.J. Super. 230 (App. Div. 1966), aff'd. o.b. 48 N.J. 359 (1966)."

III.

Appellant urges a further contention that the making of this complaint by the police, in conjunction with the many prior complaints, support a finding that the appellant is a victim of a continuing plot, scheme or design by the police to find violations, which it otherwise would not do, for the sole purpose of depriving appellant of the license. In direct examination of the dancer, she was asked in which other licensed premises in that City she has performed; she responded by naming a few others. She was further asked if the costume she was wearing on the subject evening differed from that she had worn in the other establishments. The obvious purpose of the question was to illicit a response that she was similarly attired in the other premises and that she had never been so charged in the past. However, the witness did not reply as presumably anticipated. She indicated that her costume in other establishments, as above noted, was "thicker". In any event, the implication was advanced that a greater degree of police "attention" was focused upon appellant's establishment than upon the others.

It was further contended that for the past several years undue police harassment has led to the Board's actions, resulting in a series of suspensions and ultimate denial of renewal of its license. Such contention may be examined only in light of the record itself.

The record of charges against appellant, which it considers illustrative of police harassment, is somewhat involved. In September 1975, three charges were directed against appellant. Two charges embraced the employment by appellant of a person disqualified from connection with the alcoholic beverage industry by reason of a conviction of a crime and the other charge related to a disturbance within appellant's premises. Appellant pleaded non vult to these charges. The third charge, which was denied and eventually appealed to this Division, related to the alleged employment of a convicted prostitute, a crime involving moral turpitude, and a violation of Rule 1 of State Regulation No. 13.

On appeal, Miraph Enterprises, Inc. v. Paterson, Bulletin 2235, Item 3, this Division held that the convicted prostitute had been charged under a disorderly person section of the local ordinance; hence, had not been convicted of a crime involving moral turpitude and the charge dismissed. That the girl was, in fact, charged with prostitution and convicted was never at issue.

During the period the premises were permitted to remain open pending the determination of the above appeal to this Division, the appellant was charged with a violation alleging that on November 28, 1975 it permitted known, convicted prostitutes to frequent the premises. An appeal from a conviction of this charge, carrying with it a thirty day suspension, was filed with this Division.

Although there was ample proof a number of convicted prostitutes had been in appellant's premises, there was inadequate proof that the females were "known" prostitutes, and the Director reversed the conviction, because the charge recited appellant had permitted "known" prostitutes in the premises. Miraph Enterprises, Inc. v. Paterson, Bulletin 2235, Item 4.

Again, during the period that appellant's license was operating under the stay granted by the Director, pending the outcome of the said appeal, further charges were directed against the licensee, all relating to prostitution activity within its premises. An appeal from the finding of guilt and the suspension of license for one-hundred-fifty days to the Director of this Division resulted in an affirmance of three of the five charges involved with a concomitant reduction of penalty to ninety days. The reversal as to those two charges resulted from inadequate proof that the appellant's employees actually knew ofthe arrangements for solicitation being then made as charged. (See Bulletin 2238, Item 2).

The record does not support appellant's allegation that it has been the object of harrassment by police. In fact, the continued association of appellant's premises with prostitution activity of one sort or other, has placed a burden upon the police to take the steps it has taken. Rather than harrassment, it has been the continued callous disregard by appellant of common regulations pertinent to morals which has caused the police activity.

In sum, the appellant has not met the burden imposed upon it by Rule 6 of State Regulation No. 15 requiring it to show that the action of the Board was erroneous and should be reversed. To the contrary, there is substantial evidence to support the Board's findings. The penalty imposed, in view of appellant's record, is exceedingly light.

It is, therefore, recommended that the action of the Board be affirmed, the appeal be dismissed, and the suspension heretofore imposed by the Board, and stayed by the Director pending the determination of this appeal, be reimposed.

CONCLUSIONS AND ORDER

Written exceptions to the Hearer's Report with supportive argument were filed by the appellant, pursuant to Rule 14 of State Regulation No. 15.

Appellant asserts that the denial of a postponement of the Division's hearing constitutes a violation of its constitutional rights of equal protection and due process of law. The request for continuance was based upon an alleged inability to produce three witnesses, then unavailable to subpoena.

I have reviewed and analyzed the proceedings, and note that the appeal from the order of the respondent Board was filed December 14, 1976. The first scheduled hearing in this Division was on January 21, 1977. It was adjourned at the request of appellant's attorney, and re-scheduled for hearing on March 1, 1977. A further adjournment was granted appellant and the matter was rescheduled for March 24, 1977. By letter dated March 21, 1977, and received March 22, 1977, appellant's counsel sought a further adjournment, which was denied.

The grant or denial of a continuance is a matter within the sound discretion of the hearer. In re Darcy, 114 N.J. Super 454, 462 (App. Div. 1971). Ample opportunity was afforded appellant to secure the presence of witnesses. Thus, the contention that appellant was denied its constitutional rights by the refusal to grant a continuance is frivolous. Every witness appellant sought to produce, and one who failed to appear despite subpoena, had all testified at the hearing before the respondent Board, and were subject to cross-examination by previous counsel for appellant. This exception lacks merit.

Appellant argues that the denial of a motion to view the licensed premises, made at the outset of the hearing by appellant, constitutes error. Appellant's contention that a view of the premises has evidential value, which would rebut factual testimony previously adduced is incorrect. The purpose of any such procedure is to serve as an aid to an understanding of evidence to be introduced, not to serve as independent evidence. State v. Coleman, 46 N.J. 16, 25 (1965), cert. denied 383 U.S. 950, 86 S.Ct. 1210, 16 L. Ed. 2d 212 (1966).

The premises have been adequately described. The dispositive issue is credibility of witnesses in their observations at the time, not the physical layout or condition of the licensed premises. Thus, in the exercise of sound discretion, the motion was properly denied. See State v. Jackson, 43 N.J. 148, 170 (1964).

The final exception attributes error to admission of photographs of the female entertainer in the costume she wore at the time. It is asserted that these pictures were not authenticated and did not depict the true scene. The entertainer herself authenticated the photographs as accurately representing the costume she wore at the time in question. Additionally, the attorney for appellant properly limited the pictures' evidential value by indicating, as admitted by the Board, that the lighting conditions differed at the time of the alleged offensive activity.

I am satisfied that appellant has been afforded a full and fair opportunity to test the trustworthiness of evidence adduced. Sander v. Planning Bd. of Tp. of Warren, 140 N.J. Super 386, 394 (App.

Div. 1976). I find that the Hearer reasonably accepted the testimony of the Board's witnesses and rejected that of the appellant, independent of any consideration of the photographs, which were properly admitted, in the Hearer's discretion. In re application of Howard Savings Bank, 143 N.J. Super 1, 8 (App. Div. 1976).

Having carefully considered the entire record herein, including the transcripts of the testimony, the exhibits, the written summations and memorandum of the parties, the Hearer's Report and the exceptions thereto, I concur in the findings and recommendations of the Hearer, and adopt them as my conclusions herein.

Accordingly, it is, on this 31st day of May, 1977,

ORDERED that the action of the respondent Board of Alcoholic Beverage Control of the City of Paterson in finding appellant guilty of violation of Rule 5 of State Regulation No. 20 be and the same is hereby affirmed and the appeal herein be and the same is hereby dismissed; and it is further

ORDERED that my order dated December 14, 1976 staying the Board's suspension pending determination of this appeal be and the same is hereby vacated; and it is further

ORDERED that Plenary Retail Consumption License C-248 for premises 11 Hamilton Street, Paterson, New Jersey be and the same is hereby suspended for the balance of its term, i.e., midnite, June 30, 1977, commencing 3:00 A.M. Tuesday, June 14, 1977; and it is further

ORDERED that any renewal of said license which may be granted for the 1977-1978 licensing year be and the same is hereby suspended until 3:00 A.M. Thursday, July14, 1977.

Joseph H. Lerner
Director

4. DISCIPLINARY PROCEEDINGS - PLEA OF NON-VULT ENTERED TO CHARGE OF PERMITTING LEWDNESS - PLEA CHANGED FROM NOT GUILTY ACCEPTED DURING HEARING - LICENSE SUSPENDED FOR 35 DAYS WITH 7 DAYS REMISSION.

In the Matter of Disciplinary Proceedings against :

Joseph G. Hornick
t/a Dart Tavern :
24 Coates Street
Trenton, N.J. : CONCLUSIONS and ORDER

Holder of Plenary Retail Consumption License C-107, issued by the City Council of the City of Trenton. :

McLaughlin & Cooper, Esqs., by William F. Hartigan, Jr., Esq., Attorneys for Licensee
Mart Vaarsi, Esq., Appearing for Division

BY THE DIRECTOR:

During the course of this partially heard proceeding, the licensee changed his "not guilty" plea to non vult to a charge alleging that, on October 22, 1976 and into October 23, 1976 he permitted lewdness in the licensed premises, viz., permitting a female person to perform in an indecent manner; in violation of Rule 5 of State Regulation No. 20.

The licensee has a prior record of suspension of license for three days, effective September 16, 1974, in consequence of violation of municipal regulation requiring unobstructed view.

The licensee will be suspended for thirty days on the charge herein, to which will be added five days by reason of the dissimilar violation occurring within the past five years, or a total of thirty-five days, with remission of seven days for the plea entered, leaving a net suspension of twenty-eight days.

Accordingly, it is, on this 28th day of April 1977,

ORDERED that Plenary Retail Consumption License C-107, issued by the City Council of the City of Trenton to Joseph G. Hornick t/a Dart Tavern, for premises 24 Coates Street, Trenton, be and the same is hereby suspended for twenty-eight (28) days commencing 2:00 a.m. on Tuesday, May 10, 1977 and terminating at 2:00 a.m. on Tuesday, June 7, 1977.

Joseph H. Lerner
Director

5. ELIGIBILITY - MISCELLANEOUS CASES - ENUMERATED LIST.

ELIGIBILITY NO. 808 - July 20, 1974 - applicant guilty of illegal possession of dangerous weapon - sentenced to 18 months - crime does not involve moral turpitude - disqualification removal not required.

ELIGIBILITY NO. 809 - August 15, 1974 - applicant guilty of possession of motor vehicle with altered serial number - sentenced to 30 days - crime does not involve moral turpitude - disqualification removal not required.

ELIGIBILITY NO. 831 - July 30, 1975 - applicant guilty of possession of dangerous weapon - sentenced to 3 years - crime does not involve moral turpitude - disqualification removal not required.

ELIGIBILITY NO. 877 - September 7, 1976 - applicant guilty of possession of dangerous weapon - sentenced to 2-3 years - crime does not involve moral turpitude - disqualification removal not required.

ELIGIBILITY NO. 885 - December 3, 1976 - applicant guilty of illegal possession of firearms - sentenced to 364 days - crime does not involve moral turpitude - disqualification removal not required.

ELIGIBILITY NO. 892 - December 9, 1976 - applicant guilty of carrying weapon in auto - sentenced to 3 months - crime does not involve moral turpitude - disqualification removal not required.

ELIGIBILITY NO. 893 - December 9, 1976 - applicant guilty of possession of dangerous weapon - sentenced to six months - crime does not involve moral turpitude - disqualficiation removal not required.

ELIGIBILITY NO. 912 - August 12, 1977 - applicant guilty of carrying concealed weapon - fined only - crime did not involve moral turpitude - disqualification removal not required.

6. SEIZURES - ENUMERATED MISCELLANEOUS SEIZURE CASES.

SEIZURE CASE NO. 13,362 - On February 7, 1976 at Bellmawr VFW Post, Bellmawr; cash of $217.45, miscellaneous equipment seized forfeited; sum of $450. posted returned; sum of $400. posted by member forfeited.

SEIZURE CASE NO. 13,364 - On February 7, 1976 at 424 Chestnut St., Camden, cash of $18.40, miscellaneous personalty seized forfeited.

SEIZURE CASE NO. 13,366 - On February 28, 1976 at 853 Mt. Prospect Ave., Newark, sum of $700, posted by vending company returned and $1,000. posted by owner of remaining property, forfeited.

SEIZURE CASE NO. 13,405 - On June 4 and 5, 1976 at Suarez Pool Room, 294 Orange St., Newark, cash of $67.50, miscellaneous personalty and sums of $50, $100 and $800 posted by vending machine operators and pool room owner forfeited.

SEIZURE CASE NO. 13,409 - On June 13, 1976 at 17-7th Ave., Newark, cash of $173.45, miscellaneous personalty and $300 posted by vending machine operator forfeited.

SEIZURE CASE NO. 13,415 - On June 27, 1976 at 28-30 Garside Ave., Newark, cash of $141, miscellaneous personalty and $75 posted by owner forfeited.

SEIZURE CASE NO. 13,416 - On June 26, 1976 at Elba Beach Club, Ithanell Road, Hopatcong, cash of $149.45 and sum of $800 posted by owner forfeited; sum of $400 posted by vending machine owner recognized and returned.

SEIZURE CASE NO. 13,429 - On July 25, 1976 at 441½ Washington St., Newark, cash of $116, miscellaneous personalty and sum of $1,000 posted by owner, forfeited.

SEIZURE CASE NO. 13,435 - On July 30, 1976 at Casino Latino Social Club at 500 Jersey Avenue, Jersey City, cash of $49, sums of $300 and $200 posted by vending machine operator and owner forfeited.

SEIZURE CASE NO. 13,437 - On August 1, 1976 at 324 Bond Street, Elizabeth, $26.81 cash, miscellaneous personalty and $600 posted by owner forfeited.

SEIZURE CASE NO. 13,460 - On September 11, 1976 at 151 Watson Ave., Newark, $52.50 cash, miscellaneous personalty, sums of $300 and $75 posted by vending machine operator and owner forfeited.

SEIZURE CASE NO. 13,467 - On August 5, 1976 at 235 Second Street, Elizabeth, cash of $138.10, and 718 containers of alcoholic beverages forfeited.

SEIZURE CASE NO. 13,468 - On August 5, 1976 at 234 - 2nd St., Elizabeth, cash of $197.20 and 269 containers of alcoholic beverages forfeited.

SEIZURE CASE NO. 13,482 - On October 15, 1976 at 130 Hope Avenue, Passaic, cash of $136.37 and sum of $200 posted by owner forfeited; sum of $300 posted by vending machine operator returned.

SEIZURE CASE NO. 13,520 - On March 12, 1977 at Spanish Social Club, 315 Monmouth Ave., Lakewood, cash of $19.36, miscellaneous personalty and sum of $500 posted by owner forfeited; sum of $500 posted by vending machine operator returned.

SEIZURE CASE NO. 13,522 - On March 14, 1977 at Pat's Sub Shop, 228 Pacific Ave., Atlantic City, cash of $31.70, miscellaneous personalty, sum of $100 posted by owner forfeited; sums of $500 and $150 posted by vending machine operators returned.

JOSEPH H. LERNER
DIRECTOR

7. STATE LICENSES - NEW APPLICATION FILED.

Rodolfo Mateos & Son Imports Inc.
855 Broad Street
Newark, New Jersey
Application filed October 25, 1977
for limited wholesale license.

Joseph H. Lerner
Director