

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

BULLETIN 1268

MARCH 24, 1959.

TABLE OF CONTENTS

ITEM

1. DISCIPLINARY PROCEEDINGS (New Brunswick) - SELLING AND PERMITTING PREMISES TO BE OPEN DURING PROHIBITED HOURS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - HOSTESS - SALE TO WOMAN AT BAR IN VIOLATION OF LOCAL ORDINANCE - SUBSTITUTION OF DRINKS - PRIOR RECORD - LICENSE SUSPENDED FOR 60 DAYS, LESS 5 FOR PLEA.
2. DISCIPLINARY PROCEEDINGS (Asbury Park) - SALES TO MINORS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - FAILURE TO HAVE TRUE COPY OF APPLICATION ON PREMISES - PRIOR RECORD - NON VULT PLEA ENTERED AT HEARING - LICENSE SUSPENDED FOR 45 DAYS.
3. DISCIPLINARY PROCEEDINGS (Keansburg) - SALE IN VIOLATION OF STATE REGULATION NO. 38 - LOTTERY - PRIOR RECORD - LICENSE SUSPENDED FOR 40 DAYS, LESS 5 FOR PLEA.
4. DISCIPLINARY PROCEEDINGS (Passaic) - SELLING AND PERMITTING PREMISES TO BE OPEN DURING PROHIBITED HOURS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.
5. DISCIPLINARY PROCEEDINGS (Neptune Township) - CHARGE ALLEGING SALE TO MINORS DISMISSED.
6. DISCIPLINARY PROCEEDINGS (Paterson) - SALE TO MINOR - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.
7. DISCIPLINARY PROCEEDINGS (Trenton) - SALE TO INTOXICATED PERSON - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.
8. DISCIPLINARY PROCEEDINGS (Piscataway Township) - DELIVERING ALCOHOLIC BEVERAGES WITHOUT PROPER INVOICE OR MANIFEST - LICENSE SUSPENDED FOR 10 DAYS, LESS 5 FOR PLEA.
9. DISCIPLINARY PROCEEDINGS (Newark) - ALCOHOLIC BEVERAGES NOT TRULY LABELED - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.
10. DISCIPLINARY PROCEEDINGS (Madison) - SALE AT LESS THAN PRICE LISTED IN MINIMUM CONSUMER RESALE PRICE LIST - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.
11. ACTIVITY REPORT FOR FEBRUARY 1959.
12. DISCIPLINARY PROCEEDINGS (Camden) - SUSPENSION LIFTED UPON CORRECTION OF UNLAWFUL SITUATION.
13. STATE LICENSES - NEW APPLICATIONS FILED.

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF THE HISTORY OF ARTS
AND ARCHITECTURE

1954-1955

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1. DISCIPLINARY PROCEEDINGS - SELLING AND PERMITTING PREMISES TO BE OPEN DURING PROHIBITED HOURS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - HOSTESS - SALE TO WOMAN AT BAR IN VIOLATION OF LOCAL ORDINANCE - SUBSTITUTION OF DRINKS - PRIOR RECORD - LICENSE SUSPENDED FOR 60 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary
Proceedings against

CONTINENTAL GRILL & HOTEL,
INC., A Corp.
133-135 French Street
New Brunswick, N. J.,

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consump-
tion License C-73, issued by the
Board of Commissioners of the City
of New Brunswick.

Thomas L. Hanson, Esq., Attorney for Defendant-licensee.
Edward F. Ambrose, Esq., appearing for the Division of
Alcoholic Beverage Control.

BY THE DIRECTOR:

Defendant pleaded non vult to the following charges:

"1. On Sunday, October 12, 1958, between 11:00 a.m. and 1:00 p.m., you sold alcoholic beverages and had your place of business open for the sale of alcoholic beverages; in violation of Section 22 of an Ordinance adopted by the Board of Commissioners of the City of New Brunswick on February 7, 1939, as amended December 19, 1939.

"2. On Sunday, October 12, 1958 between 11:00 a.m. and 1:00 p.m. you allowed, permitted and suffered the consumption of alcoholic beverages on your licensed premises; in violation of Section 22 of an Ordinance adopted by the Board of Commissioners of the City of New Brunswick on February 7, 1939, as amended December 19, 1939.

"3. On Sunday, October 12, 1958, you failed to keep the bar on your licensed premises closed and you made sale, service and delivery of alcoholic beverages therefrom; in violation of Section 22 of an Ordinance adopted by the Board of Commissioners of the City of New Brunswick on February 7, 1939, as amended December 19, 1939.

"4. On Sunday, October 12, 1958, you allowed, permitted and suffered a female employed on your licensed premises to accept beverages at the expense of and as a gift from customers and patrons; in violation of Rule 22 of State Regulation No. 20.

"5. On Sunday, October 12, 1958, you served alcoholic beverages and other beverages to a woman directly over a bar and permitted a woman to drink at a bar on your licensed premises; in violation of Section 26 of an Ordinance adopted by the Board of Commissioners of the City of New Brunswick on February 7, 1939, as amended September 1, 1942.

"6. On Sunday, October 12, 1958, you served and allowed, permitted and suffered the substitution of a non-alcoholic beverage drink to a female person at your bar when an alcoholic beverage drink had been ordered; in violation of Rule 23 of State Regulation No. 20.

"7. On Sunday, October 12, 1958, you sold and delivered and allowed, permitted and suffered the sale and delivery of alcoholic beverages, at retail, in their original containers for consumption off your licensed premises and suffered the removal of said alcoholic beverages from your licensed premises; in violation of Rule 1 of State Regulation No. 38."

It appears that on Sunday, October 12, 1958, at 11:00 a.m., an ABC agent entered defendant's licensed premises and observed approximately eighteen male patrons and one female patron seated at the bar consuming alcoholic beverages; that the agent then purchased a bottle of beer from Peter Rulewich, an officer of defendant corporation, and thereafter was served another bottle of beer by Rita Revolinsky; that at 12:35 p.m. Rita permitted a second agent to enter the licensed premises and he was served a bottle of beer by Peter Rulewich; that Rita served alcoholic beverages to various patrons seated at the bar. It further appears that thereafter, Rita engaged in conversation with one of the agents, stating that the licensed business belonged to her "Uncle Pete" and although women were not allowed by ordinance to be served at the bar, because of her relationship she was permitted to drink there; that after consuming a drink paid for by the agents she procured six cans of beer from the cooler and was intending to leave the premises when an elderly man came into the barroom and asked her to have a drink with him; that she called over to John Kreger, the bartender, to prepare a highball for her but requested him to go easy on the Scotch; that the agents watched the bartender mix her drink and observed that he did not put any whiskey into the glass; that thereafter he placed the drink in front of Rita and laughed as he took 40¢ from the man who treated her; that after Rita consumed the drink she left the premises with the six cans of beer, followed by one of the agents who approached her outside of the establishment; that after identifying himself, both Rita and the agent returned to the licensed premises; that when they returned to the barroom the bartender asked Rita to obtain a fifth of Seagram's 7 Crown whiskey from the storeroom and, when she refused to do so, he himself went to the storeroom, obtained a bottle of whiskey and handed it to a male patron, and at the same time suggested to the man that he leave the premises by the rear door. One of the agents followed the patron and, shortly thereafter, both returned to the defendant's premises.

The agents questioned John Kreger and he admitted serving Rita at the bar, although he knew it to be a violation of the local ordinance. He also admitted that he made the sale of a bottle of whiskey in its original container to a patron for off-premises consumption; that he omitted the Scotch in Rita's drink and charged the patron who had purchased the drink for her the price of a highball.

Defendant has a prior adjudicated record. Effective January 12, 1958 its license was suspended by the local issuing authority for a period of five days for sale of alcoholic beverages during prohibited hours, in violation of a local ordinance. It appears that all of the violations set forth

herein were committed at or about the same time. Under all the circumstances, including the past record of the defendant, I shall suspend its license for sixty days. Five days will be remitted for the plea entered herein, leaving a net suspension of fifty-five days.

Accordingly, it is, on this 5th day of February, 1959,

ORDERED that Plenary Retail Consumption License C-73, issued by the Board of Commissioners of the City of New Brunswick to Continental Grill & Hotel, Inc., A Corp., for premises 133-135 French Street, New Brunswick, be and the same is hereby suspended for fifty-five (55) days, commencing at 2:00 a.m. Tuesday, February 17, 1959, and terminating at 2:00 a.m. Monday, April 13, 1959.

WILLIAM HOWE DAVIS
Director.

2. DISCIPLINARY PROCEEDINGS - SALES TO MINORS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - FAILURE TO HAVE TRUE COPY OF APPLICATION ON PREMISES - PRIOR RECORD - NON VULT PLEA ENTERED AT HEARING - LICENSE SUSPENDED FOR 45 DAYS.

In the Matter of Disciplinary
Proceedings against

LESTER KURINSKY & ROSE ANCEL
t/a CAPITOL TAVERN
1210-1212 Springwood Avenue
Asbury Park, N. J.,

CONCLUSIONS
AND ORDER

Holders of Plenary Retail Consumption License C-49 (for the 1957-58 and the 1958-59 licensing years), issued by the City Council of the City of Asbury Park.

Fox and Schackner, Esqs., by Donal C. Fox, Esq., Attorneys
for Defendant-licensees.
Edward F. Ambrose, Esq., appearing for the Division of
Alcoholic Beverage Control.

BY THE DIRECTOR:

Defendants have pleaded non vult to the following charges:

"1. On May 8, 1958, you sold, served and delivered and allowed, permitted and suffered the sale, service and delivery of alcoholic beverages, directly or indirectly, to persons under the age of twenty-one (21) years, viz., Nathaniel ---, age 18, and John ---, age 19, and allowed, permitted and suffered the consumption of alcoholic beverages by such persons in and upon your licensed premises; in violation of Rule 1 of State Regulation No. 20.

"2. On Sunday, July 13, 1958, at about 3:30 p.m., you sold and delivered and allowed, permitted and suffered the sale and delivery of an alcoholic beverage, viz., a pint bottle of Gallo California Port Wine, at retail, in its original container for consumption off your licensed premises and allowed, permitted and suffered the removal of said alcoholic beverage in its original container from your licensed premises; in violation of Rule 1 of State Regulation No. 38.

"3. On Sunday, July 13, 1958, you conducted your licensed business without having a photostatic or other true copy of your application for your current license on your licensed premises available for inspection; in violation of Rule 16(b) of State Regulation No. 20."

On May 8, 1958 Nathaniel ---, age 18, and John ---, age 19, ordered and were served a bottle of beer apiece at defendants' licensed premises. Neither was questioned as to his age before service of the alcoholic beverages to him.

At 3:30 p.m. on Sunday, July 13, 1958, an ABC agent (after observing several patrons enter and leave defendants' stockroom carrying packages containing what appeared to be bottles of alcoholic beverages) proceeded to the stockroom and purchased a pint bottle of wine from Nat Ancel (husband of one of the licensees). The agent left the premises with the wine, returned immediately thereafter with another agent, and both identified themselves to Ancel who admitted making the sale. The agents inquired of Ancel as to the whereabouts of a copy of the current license application and were told that it was in the attorney's office. This fact was corroborated by the attorney of defendant-licensees. Under the circumstances, no additional penalty will be imposed for the violation set forth in Charge 3.

Defendants have a prior adjudicated record. Effective October 5, 1953 the license was suspended by the local issuing authority for five days for sale of alcoholic beverages during prohibited hours. Again effective January 3, 1956 the license was suspended for fifteen days for sale of alcoholic beverages to minors. Re Kurinsky & Ancel, Bulletin 1100, Item 7. As to Charge 1, the minimum suspension for sale of alcoholic beverages to two minors 18 and 19 years of age, respectively, is fifteen days. Re Barth, Bulletin 1236, Item 9. As to Charge 2, the minimum suspension is fifteen days. Re Smaguler, Bulletin 1261, Item 8. In view of the violations similar to those committed herein occurring within the past five years, I shall suspend defendants' license for a period of forty-five days. Inasmuch as the plea of not guilty was changed to one of non vult during the hearing of the instant case, no remission will be permitted herein. Re Spinelli, Bulletin 948, Item 3.

Accordingly, it is, on this 9th day of February, 1959,

ORDERED that Plenary Retail Consumption License C-49 for the 1958-59 licensing year, issued by the City Council of the City of Asbury Park to Lester Kurinsky & Rose Ancel, t/a Capitol Tavern, for premises 1210-1212 Springwood Avenue, Asbury Park, be and the same is hereby suspended for forty-five (45) days, commencing at 3:00 a.m. Monday, February 16, 1959 and terminating at 3:00 a.m. Thursday, April 2, 1959.

WILLIAM HOWE DAVIS
Director.

3. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE
REGULATION NO. 38 - LOTTERY - PRIOR RECORD - LICENSE
SUSPENDED FOR 40 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary)
Proceedings against)

PETER C. PELTZ)
t/a "PARK INN")
220 Main Street)
Keansburg, N. J.,)

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consump-)
tion License C-10, issued by the)
Mayor and Council of the Borough)
of Keansburg.)

Peter C. Peltz, Defendant-licensee, Pro se.
Edward F. Ambrose, Esq., appearing for Division of Alcoholic
Beverage Control.

BY THE DIRECTOR:

Defendant pleaded non vult to the following charges:

"1. On Sunday, December 21, 1958, at about 4:00 p.m., you sold and delivered and allowed, permitted and suffered the sale and delivery of alcoholic beverages, viz., three quart bottles of beer, at retail, in their original containers, for consumption off your licensed premises and allowed, permitted and suffered the removal of said alcoholic beverages in their original containers from your licensed premises; in violation of Rule 1 of State Regulation No. 38.

"2. On Sunday, December 21, 1958, you allowed, permitted and suffered a lottery, commonly known as a 'football pool', to be conducted in and upon your licensed premises and possessed, had custody of and allowed, permitted and suffered tickets and participation rights in such aforementioned lottery, in and upon your licensed premises; in violation of Rule 6 of State Regulation No. 20."

On the afternoon of Sunday, December 21, 1958, an ABC agent who was in defendant's premises observed the sale of three quart bottles of beer to a patron by Robert E. Uhrig who was then acting as bartender. Defendant was behind the bar but did not wait on this patron. Shortly thereafter the patron left the premises with the bottles and was stopped by another ABC agent who had remained outside. When this agent and the patron returned to the premises the licensee denied the sale but Uhrig admitted it and stated that he was not employed by defendant.

During subsequent investigation by the ABC agents, a cardboard sheet, on which was written a pool for the Cleveland-Giants football game being played that day, was found on the back bar.

In alleged mitigation defendant has stated in writing that he was ill on the day in question and was waiting for his regular bartender to come on duty when Uhrig, a patron, volunteered to help him out. Defendant stated also that he had no knowledge that any football pool was being conducted on the premises on that day or any other day.

Defendant has a prior record. Effective January 7, 1957, his license was suspended by the local issuing authority for ten days for selling alcoholic beverages during prohibited hours in violation of Rule 1 of State Regulation No. 38. Defendant is responsible for the acts of the person who acted as bartender, whether or not such person was regularly employed. Re Gutman, 21 N. J. Super. 579 (App. Div. 1952). Under all the circumstances of this case, I shall suspend defendant's license for forty days. Five days will be remitted for the plea herein, leaving a net suspension of thirty-five days.

Accordingly, it is, on this 11th day of February, 1959,

ORDERED that Plenary Retail Consumption License C-10, issued by the Mayor and Council of the Borough of Keansburg to Peter C. Peltz, t/a "Park Inn", for premises 220 Main Street, Keansburg, be and the same is hereby suspended for thirty-five (35) days, commencing at 2 00 a.m. Tuesday, February 24, 1959, and terminating at 2:00 a.m. Tuesday, March 31, 1959.

WILLIAM HOWE DAVIS
Director.

4. DISCIPLINARY PROCEEDINGS - SELLING AND PERMITTING PREMISES TO BE OPEN DURING PROHIBITED HOURS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against

PRESIDENT PALACE CAFE, INC.
t/a PRESIDENT PALACE CAFE, INC.
115 President Street
Passaic, N. J.,

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consumption License C-95, issued by the Board of Commissioners of the City of Passaic.

Defendant-licensee, by Frank Windisch, President.
Edward F. Ambrose, Esq., appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Defendant pleaded non vult to charges alleging that (1) it sold alcoholic beverages and permitted the consumption of such beverages in and upon its licensed premises during prohibited hours; (2) it failed to have its entire licensed premises closed during said hours, both in violation of a local ordinance, and (3) it sold alcoholic beverages in their original containers for off-premises consumption during said hours, in violation of Rule 1 of State Regulation No. 38.

It appears that at 12:05 p.m. Sunday, December 7, 1958, an ABC agent entered defendant's licensed premises wherein he observed four patrons at the bar consuming liquor, and in a rear room some twenty males attired in soccer uniforms; that the agent ordered and was served a "shot" of whiskey by Paul (the bartender -- later identified as Paul Kroepfl, secretary and treasurer of the corporate licensee) who also sold six cans

of beer for off-premises consumption to an elderly man; that the agent asked Paul for a pint of whiskey and was told to wait outside in the hallway; that the agent complied and was joined by another agent who had been in the barroom; that both agents reentered the premises, identified themselves to Paul, seized the remaining portion of the beer in glasses on the bar in front of three patrons, and obtained a signed, sworn statement from Paul in which he admits the sale of a "shot" of whiskey to the agent and the six cans of beer to the elderly man for off-premises consumption.

The local ordinance prohibits the sale of alcoholic beverages between the hours of 3:00 a.m. and 1:00 p.m. on Sundays, and provides that during said hours the entire licensed premises must be closed. Rule 1 of State Regulation No. 38 prohibits the sale on Sundays of alcoholic beverages in their original containers for off-premises consumption.

Defendant has no prior adjudicated record. I shall suspend its license for fifteen days on Charges 1 and 2 (Re Romeo, Bulletin 1146, Item 11) and for fifteen days on Charge 3 (Re Black, Bulletin 1221, Item 6). Five days will be remitted for the plea entered herein, leaving a net suspension of twenty-five days.

Accordingly, it is, on this 10th day of February, 1959,

ORDERED that Plenary Retail Consumption License C-95, issued by the Board of Commissioners of the City of Passaic to President Palace Cafe, Inc., t/a President Palace Cafe, Inc., for premises 115 President Street, Passaic, be and the same is hereby suspended for twenty-five (25) days, commencing at 3:00 a.m. Monday, February 23, 1959, and terminating at 3:00 a.m. Friday, March 20, 1959.

WILLIAM HOWE DAVIS
Director.

5. DISCIPLINARY PROCEEDINGS - CHARGE ALLEGING SALE TO MINORS
DISMISSED.

In the Matter of Disciplinary)
Proceedings against)

TU-DOR TAVERN, INC.)
t/a "TU DOR TAVERN")
1513 Springwood Avenue)
Neptune Township)
PO Neptune, N. J.,)

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consump-)
tion License C-2, for the 1957-58)
and the 1958-59 licensing years,)
issued by the Township Committee)
of Neptune Township.)

Fox and Schackner, Esqs., by Donal C. Fox, Esq.,
Attorneys for Defendant-licensee.
Edward F. Ambrose, Esq., appearing for the Division of
Alcoholic Beverage Control.

BY THE DIRECTOR:

The Hearer has filed the following Report herein:

"Defendant pleaded not guilty to the following charge:

'On May 8, 1958, you sold, served and delivered and allowed, permitted and suffered the sale, service and delivery of alcoholic beverages, directly or indirectly, to persons under the age of twenty-one (21) years, viz., Nathaniel ---, age 18, and John ---, age 19, and allowed, permitted and suffered the consumption of alcoholic beverages by such persons in and upon your licensed premises; in violation of Rule 1 of State Regulation No. 20.'

"John ---, age 19, testified that at 8:45 p.m. on May 8, 1958, he and three companions (all members of the Army and stationed at Fort Monmouth) entered the rear door of defendant's licensed premises; that prior to said visit on that evening, all had been at another licensed premises located on the same street a short distance away; that they also visited another licensed premises after leaving defendant's establishment; that he and his companions entered the barroom of defendant's premises, sat on chairs and played the juke box; that he went to the bar and purchased a bottle of beer and took the beer and a glass to the place where he had originally been seated; that he observed Nathaniel --- go to the bar and heard him order a bottle of beer which he brought back to where they were seated; that both he and Nathaniel consumed their respective bottles of beer; that he was never questioned as to his age and he did not hear Nathaniel being questioned as to his age. On cross-examination, John testified that he had never been to Asbury Park before and, therefore, had no idea whatever how he got from the first tavern to defendant's licensed premises; that three weeks later, when he spoke to ABC agents who were investigating the matter, he told them that on the night in question he had entered defendant's premises through a side door, although he did not realize at that time that he had been mistaken with reference to the location of the door; that he could not identify the person who served both Nathaniel and himself the bottles of beer; that he did not observe any other liquor store at the particular location; that defendant's premises, insofar as he (John) knew is located in a brick building; that two white bartenders were on duty at the time, although they were not Meyer Kurinsky or Irving Kurinsky (holders of 98 per cent of defendant corporation's stock).

"Nathaniel, age 18, testified that he was one of the persons who had visited defendant's licensed premises on the evening of May 8, 1958 and that he and his companions had stopped at another tavern before going to said premises; that they played the juke box and then he followed John to the bar where each was served a bottle of beer; that they carried the beer to a table where each consumed his bottle of beer; that two colored bartenders were on duty, one of whom served both John and himself, but that he could not identify the person who had made the service of the beer.

"Marcus Legall testified that he was in the company of the minors aforementioned on the night in question but did not see them order nor drink any alcoholic beverages in defendant's premises; that he saw only one colored bartender on duty at the time, but that he (Legall) did not purchase any drinks that evening but sat with a friend of his who was in the premises at the time they arrived there.

"An ABC agent testified that on May 27, 1958 he was directed by the two minors to defendant's premises where they claimed they were served alcoholic beverages on the evening of

May 8th; that all entered the rear door of the premises and were met by Irving Kurinsky, Meyer Kurinsky and three bartenders, namely, Eugene White, Samuel Moore and James Warrington; that Irving Kurinsky stated he was working on the night in question and James Warrington stated he was on duty as bartender at the time.

"Irving Kurinsky testified he supervises the operation of defendant's establishment and that both he and James Warrington, the bartender, were on duty on the evening of May 8, 1958; that he saw the two minors for the first time when they came into the premises in the company of two ABC agents; that all persons employed at defendant's licensed premises were present, and the minors could not identify the person alleged to have served them alcoholic beverages on the evening in question. On cross-examination Kurinsky testified that there is a liquor store located in the same building which is owned and operated by another licensee.

"James Warrington, employed as a bartender by defendant, testified that he was on duty the entire evening of May 8, 1958 but did not see either of the minors in the premises that evening; that he did not remember seeing anyone seated at tables and had never seen John and Nathaniel previous to the time when they called at the premises in the company of the ABC agents.

"The evidence presented herein by the Division's witnesses is very contradictory. John testified that on the evening of May 8th there were two white bartenders; Nathaniel testified there were two colored bartenders and Legall testified that only one colored bartender was on duty in the establishment on the evening of May 8th. Moreover, John testified he went to the bar, purchased a bottle of beer which he brought back to a table and, thereafter, Nathaniel did likewise. However, Nathaniel contends John was confused as they went to the bar at practically the same time to purchase beer. Legall testified that he had no drinks, nor did he see either John or Nathaniel have anything to drink at the defendant's premises. John also admitted that he was mistaken about the location of the door of defendant's premises, through which he and his companion had entered.

"The minors testified that previous to their visit to the defendant's premises they had visited another tavern where they had obtained alcoholic beverages. Furthermore, there is testimony that the minors also visited a liquor establishment later that evening. I might also mention that other information given to ABC agents by the minors (which was reduced to writing and signed by them) is in conflict with the testimony given by them at the instant hearing.

"Under the circumstances, there is a doubt in my mind from the evidence adduced herein that the minors were in defendant's licensed premises on the night in question. I shall resolve such doubt in favor of the defendant and, therefore, conclude that the Division has not established defendant's guilt by a fair preponderance of the evidence. I therefore recommend that an order be entered dismissing the charge preferred herein."

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

After carefully considering the facts and circumstances herein, I concur in the Hearer's findings and conclusions and adopt his recommendation.

Accordingly, it is, on this 9th day of February, 1959,

ORDERED that the charge herein be and the same is hereby dismissed.

WILLIAM HOWE DAVIS
Director.

6. DISCIPLINARY PROCEEDINGS - SALE TO MINOR - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary
Proceedings against

IGNATZ DOMITROVITZ
t/a BLUE DANUBE HALL
68 Matlock Street
Paterson, N. J.,

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consump-
tion License C-46, issued by the
Board of Alcoholic Beverage Control
for the City of Paterson.

Ignatz Domitrovitz, Defendant-licensee, Pro se.
Edward F. Ambrose, Esq., appearing for Division of Alcoholic
Beverage Control.

BY THE DIRECTOR:

Defendant pleaded non vult to a charge alleging that he sold and served alcoholic beverages to a minor, in violation of Rule 1 of State Regulation No. 20.

On the evening of January 14, 1959, ABC agents who were in defendant's premises observed at the bar four male patrons, one of whom appeared to be a minor. Pursuant to an order received from one of the patrons, who was an adult, defendant-licensee served a glass of beer to each of the four patrons and took money from the bar. After these drinks had been consumed and a second round of similar drinks partially consumed, the agents identified themselves and ascertained that the apparent minor was Anton ---, 19 years of age.

Defendant has no prior adjudicated record. I shall suspend defendant's license for fifteen days, which is the minimum penalty for an unaggravated sale to a 19-year-old minor. Re Barth, Bulletin 1236, Item 9. Five days will be remitted for the plea, leaving a net suspension of ten days.

Accordingly, it is, on this 3rd day of February, 1959,

ORDERED that Plenary Retail Consumption License C-46, issued by the Board of Alcoholic Beverage Control for the City of Paterson to Ignatz Domitrovitz, t/a Blue Danube Hall, for premises 68 Matlock Street, Paterson, be and the same is hereby suspended for ten (10) days, commencing at 3:00 a.m. Tuesday, February 10, 1959, and terminating at 3:00 a.m. Friday, February 20, 1959.

WILLIAM HOWE DAVIS
Director.

7. DISCIPLINARY PROCEEDINGS - SALE TO INTOXICATED PERSON -
 LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary
 Proceedings against

GOLDEN SLIPPER, INC.
 t/a THE GOLDEN SLIPPER
 841 Genesee Street
 Trenton, N. J.,

CONCLUSIONS
 AND ORDER

Holder of Plenary Retail Consump-
 tion License C-141, issued by the
 Board of Commissioners of the City
 of Trenton.

 Defendant-licensee, by Mildred T. Sciarrotta, President.
 Edward F. Ambrose, Esq., appearing for the Division of
 Alcoholic Beverage Control.

BY THE DIRECTOR:

Defendant pleaded non vult to the following charge:

"On November 26, 1958, you sold, served and delivered and allowed, permitted and suffered the sale, service and delivery of alcoholic beverages, directly or indirectly, to 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 Regulation No. 20."

On November 26, 1958 ABC agents were in defendant's licensed premises and observed an apparently intoxicated male patron consuming alcoholic beverages and staggering about the premises. The patron fell to the floor and, after being helped to his feet, staggered to the bar and was served a glass of beer by the bartender.

Defendant has no prior adjudicated record. I shall suspend defendant's license for fifteen days, the minimum suspension for a violation of this kind. Cf. Re Venuto, Bulletin 1255, Item 2. Five days will be remitted for the plea entered herein, leaving a net suspension of ten days.

Accordingly, it is, on this 3rd day of February, 1959,

ORDERED that Plenary Retail Consumption License C-141, issued by the Board of Commissioners of the City of Trenton to Golden Slipper, Inc., t/a The Golden Slipper, for premises 841 Genesee Street, Trenton, be and the same is hereby suspended for ten (10) days, commencing at 2:00 a.m. Tuesday, February 10, 1959, and terminating at 2:00 a.m. Friday, February 20, 1959.

WILLIAM HOWE DAVIS
 Director.

8. DISCIPLINARY PROCEEDINGS - DELIVERING ALCOHOLIC BEVERAGES WITHOUT PROPER INVOICE OR MANIFEST - LICENSE SUSPENDED FOR 10 DAYS; LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

HARRY STILLWAGGON
t/a STILLWAGGON'S
New Market Road & William Street
Piscataway Township
PO New Market, N. J.,)

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consumption License C-12, issued by the Township Committee of Piscataway Township.)

Harry Stillwaggon, Defendant-licensee, Pro se.
Edward F. Ambrose, Esq., appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Defendant pleaded non vult to the following charge:

"On January 17, 1959, you delivered and transported alcoholic beverages in a vehicle without the driver thereof having in his possession a bona fide, authentic and accurate delivery slip, invoice, manifest, waybill or similar document stating the bona fide name and address of the purchaser or consignee and the brand, size of container and quantity of each item of the alcoholic beverages being so delivered and transported; in violation of Rule 3 of State Regulation No. 17."

On January 17, 1959, two ABC agents observed the defendant, at his licensed premises, loading his licensed truck with numerous cases of beer, several bottles of whiskey and cases of soda. After defendant drove from his premises the agents stopped the truck and ascertained that defendant did not have bona fide documents required by Rule 3 of State Regulation No. 17 for the alcoholic beverages he was transporting. Defendant admitted to the agents that he carries extra quantities of alcoholic beverages for customers who may want more than their standing order.

Defendant has no prior record. I shall suspend defendant's license for the minimum period of ten days imposed in cases of this kind. Re Janowitz, Bulletin 1199, Item 9. Five days will be remitted for the plea, leaving a net suspension of five days.

Accordingly, it is, on this 3rd day of February, 1959,

ORDERED that Plenary Retail Consumption License C-12, issued by the Township Committee of Piscataway Township to Harry Stillwaggon, t/a Stillwaggon's, for premises at New Market Road & William Street, Piscataway Township, be and the same is hereby suspended for five (5) days, commencing at 2:00 a.m. Monday, February 9, 1959, and terminating at 2:00 a.m. Saturday, February 14, 1959.

WILLIAM HOWE DAVIS
Director.

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

In the Matter of Disciplinary)
Proceedings against)

MILTON R. PITTMAN)
t/a PITT'S PLACE)
285 W. Market Street)
Newark 3, N. J.,)

CONCLUSIONS
AND ORDER

Holder of Plenary Retail Consump-)
tion License C-387, issued by the)
Municipal Board of Alcoholic)
Beverage Control of the City of)
Newark.)

Van Y. Clinton, Esq., Attorney for Defendant-licensee.
William F. Wood, Esq., appearing for Division of Alcoholic
Beverage Control.

BY THE DIRECTOR:

Defendant pleaded non vult to a charge alleging that he possessed on his licensed premises alcoholic beverages in bottles bearing labels which did not truly describe their contents, in violation of Rule 27 of State Regulation No. 20.

On October 29, 1958, an ABC agent seized a number of bottles of alcoholic beverages on the defendant's licensed premises because their contents appeared to be off in color. Subsequent analysis by the Division's chemist disclosed that the contents of three of said bottles when compared with samples of the genuine product of the labeled brands varied substantially in solids and acids.

Defendant has no prior adjudicated record. I shall suspend defendant's license for the minimum period of twenty days imposed in cases involving three bottles (Re Pawlus, Bulletin 1104, Item 7). Five days will be remitted for the plea entered herein, leaving a net suspension of fifteen days.

Accordingly, it is, on this 9th day of February, 1959,

ORDERED that Plenary Retail Consumption License C-387, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to Milton R. Pittman, t/a Pitt's Place, for premises 285 W. Market Street, Newark, be and the same is hereby suspended for fifteen (15) days, commencing at 2:00 a.m. Monday, February 16, 1959, and terminating at 2:00 a.m. Tuesday, March 3, 1959.

WILLIAM HOWE DAVIS
Director.

10. DISCIPLINARY PROCEEDINGS - SALE AT LESS THAN PRICE LISTED
IN MINIMUM CONSUMER RESALE PRICE LIST - LICENSE SUSPENDED
FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary)
Proceedings against)

SAMUEL FRIEDMAN & LOUIS FRIEDMAN)
62 Main Street)
Madison, N. J.,)

CONCLUSIONS
AND ORDER

Holders of Plenary Retail Distribution)
License D-3, issued by the Borough)
Council of the Borough of Madison.)

Samuel Friedman & Louis Friedman, Defendant-licensees, Pro se.
Edward F. Ambrose, Esq., appearing for the Division of
Alcoholic Beverage Control.

BY THE DIRECTOR:

Defendants pleaded non vult to the following charge:

"On December 18, 1958, you sold, at retail, three cases (twelve one-quart bottles to each case) of Seagram's Seven Crown American Blended Whiskey, one case (twelve 4/5-quart bottles to the case) of Old Smuggler Blended Scotch Whisky and one case (twelve 4/5-quart bottles to the case) of Fleischmann's Bottled in Bond Kentucky Straight Bourbon Whiskey, alcoholic beverages, at less than the prices thereof listed in the then currently effective Pamphlet of New Jersey Minimum Consumer Resale Prices of Alcoholic Beverages published by the Director of the Division of Alcoholic Beverage Control; in violation of Rule 5 of State Regulation No. 30."

During an investigation of a complaint alleging that defendants sold alcoholic beverages at less than the minimum resale price, ABC agents obtained a sworn, written statement from Samuel Friedman, a partner of the above-named licensee. In his statement, Samuel Friedman admitted that on December 18, 1958 he had sold the five cases of whiskey set forth in the charge herein to a customer at prices substantially below the minimum consumer resale prices then in effect for said items.

Defendants have no prior adjudicated record. The minimum penalty for a violation of this kind is ten days. However, because of the large amount of alcoholic beverages sold, I shall suspend defendants' license for fifteen days. Re Brodsky, Bulletin 1056, Item 7. Five days will be remitted for the plea entered herein, leaving a net suspension of ten days.

Accordingly, it is, on this 11th day of February, 1959,

ORDERED that Plenary Retail Distribution License D-3, issued by the Borough Council of the Borough of Madison to Samuel Friedman & Louis Friedman, for premises 62 Main Street, Madison, be and the same is hereby suspended for a period of ten (10) days, commencing at 9:00 a.m. Tuesday, February 24, 1959 and terminating at 9:00 a.m. Friday, March 6, 1959.

WILLIAM HOWE DAVIS
Director.

11.

ACTIVITY REPORT FOR FEBRUARY 1959

ARRESTS:

Total number of persons arrested - - - - -	33
Licensees and employees - - - - -20	
Bootleggers - - - - -13	

SEIZURES:

Motor vehicles - cars - - - - -	3
- trucks - - - - -	1
Distilled alcoholic beverages - gallons - - - - -	135.15
Wine - gallons - - - - -	18.06
Brewed malt alcoholic beverages - gallons - - - - -	.65

RETAIL LICENSEES:

Premises inspected - - - - -	504
Premises where alcoholic beverages were gauged - - - - -	876
Bottles gauged - - - - -	15,399
Premises where violations were found - - - - -	42
Violations found - - - - -	62
Unqualified employees - - - - -18	
Application copy not available - - - - -9	
Other mercantile business - - - - -7	
Reg. #39 sign not posted - - - - -5	
Prohibited signs - - - - -5	
Disposal permit necessary - - - - -1	
Other violations - - - - -17	

STATE LICENSEES:

Premises inspected - - - - -	23
License applications investigated - - - - -	6

COMPLAINTS:

Complaints assigned for investigation - - - - -	449
Investigations completed - - - - -	407
Investigations pending - - - - -	213

LABORATORY:

Analyses made - - - - -	228
Refills from licensed premises - bottles - - - - -	36
Bottles from unlicensed premises - - - - -	25

IDENTIFICATION:

Criminal fingerprint identifications made - - - - -	12
Persons fingerprinted for non-criminal purposes - - - - -	172
Identification contacts made with other enforcement agencies - - - - -	119
Motor vehicle identifications via N. J. State Police teletype - - - - -	1

DISCIPLINARY PROCEEDINGS:

Cases transmitted to municipalities - - - - -	14
Violations involved - - - - -	15
Sale during prohibited hours - - - - -11	
Sale to minors - - - - -4	
Cases instituted at Division - - - - -	22*
Violations involved - - - - -	30
Sale during prohibited hours - - - - -7	
Sale to minors - - - - -5	
Sale to intoxicated persons - - - - -3	
Possessing liquor not truly labeled - - - - -2	
Permitting bookmaking on premises - - - - -2	
Possessing indecent matter - - - - -2	
Conducting business as a nuisance - - - - -2	
Fraud and front - - - - -2	
Delivery without bona fide invoice - - - - -1	
Permitting foul language on premises - - - - -1	
Sale below minimum resale price - - - - -1	
Employee without requisite identification card (local reg.) - - - - -1	
Sale outside scope of license - - - - -1	

*Includes two cancellation proceedings--

License improvidently issued in violation of State Limitation Law

License improvidently issued to club lacking requisite possession of quarters

Cases brought by municipalities on own initiative and reported to Division - - - - -	16
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Violations involved - - - - -	17
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Sale to minors - - - - -10

Sale during prohibited hours - - - - -5

Permitting brawls on premises - - - - -2
--

HEARINGS HELD AT DIVISION:

Total number of hearings held - - - - -	41
Appeals - - - - -1	
Disciplinary proceedings - - - - -29	
Eligibility - - - - -5	
Seizures - - - - -3	
Tax revocations - - - - -2	
Applications for license - - - - -1	

STATE LICENSES AND PERMITS ISSUED:

Total number issued - - - - -	902
Licenses - - - - -2	
Employment permits - - - - -139	
Solicitors' " - - - - -48	
Disposal " - - - - -50	
Social affair " - - - - -302	
Wine permits - - - - -3	
Miscellaneous permits - - - - -93	
Transit insignia - - - - -249	
Transit certificates - - - - -16	

Dated: March 3, 1959

WILLIAM HOWE DAVIS
DIRECTOR

12. DISCIPLINARY PROCEEDINGS - SUSPENSION LIFTED UPON CORRECTION OF UNLAWFUL SITUATION.

In the Matter of Disciplinary Proceedings against)

A.W.K. CORPORATION)
t/a ERIE CAFE)
952 N. Front Street)
Camden, N. J.,)

O R D E R

Holder of Plenary Retail Consumption License C-185, issued by the)
Municipal Board of Alcoholic)
Beverage Control of the City of)
Camden.)
-----)

BY THE DIRECTOR:

By order dated January 14, 1959, I suspended defendant's license for the balance of its term effective at 2:00 a.m. Wednesday, January 21, 1959, after defendant was adjudged guilty on charges alleging that it failed to notify the issuing authority that it had entered into an agreement with its manager whereby it agreed to permit her to retain all of the profits from the licensed business after the payment of a fixed weekly fee to its officers, and that it knowingly aided and abetted its manager to exercise the rights and privileges of its plenary retail consumption license. Leave was given to apply to me for an order lifting said suspension if the illegal situation was corrected provided, however, that the suspension would not be lifted until the expiration of twenty-five days from the effective date thereof. The president of the corporate licensee has filed a verified petition in which it appears that the aforesaid profit-sharing agreement has been terminated.

It thus appearing that the unlawful situation has been corrected and that the suspension will have been in effect for twenty-five days at 2:00 a.m. on Sunday, February 15, 1959,

It is, on this 9th day of February, 1959,

ORDERED that the suspension heretofore imposed be lifted and that License C-185 be restored to full force and operation at 2:00 a.m. Sunday, February 15, 1959.

WILLIAM HOWE DAVIS
Director.

13. STATE LICENSES - NEW APPLICATIONS FILED.

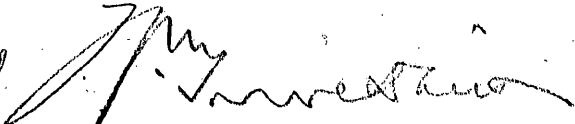
Garden State Liquor Corp.
t/a Garden State Liquor Corp.
2121 Clement Avenue, Pennsauken, N.J.

Application filed March 17, 1959 for Plenary Wholesale License.

Suffern Distributors, Inc.
27-33 Franklin Turnpike
Mahwah, N.J.

Application filed March 20, 1959 for Additional Warehouse on Limited Wholesale License WL-41 at 100 Franklin Turnpike, Mahwah, N.J.

New Jersey State Library


William Howe Davis
Director.