

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

DP

BULLETIN 1461

July 24, 1962

TABLE OF CONTENTS

ITEM

1. DISCIPLINARY PROCEEDINGS (New Brunswick) - SALE IN VIOLATION OF STATE REGULATION NO. 38 - FOUL LANGUAGE - FAILURE TO POSSESS COPY OF LICENSE APPLICATION - HINDERING INVESTIGATION - LICENSE SUSPENDED FOR 50 DAYS.
2. DISCIPLINARY PROCEEDINGS (Harrison) - GAMBLING (NUMBERS) - PRIOR SIMILAR AND DISSIMILAR RECORD - LICENSE SUSPENDED FOR 50 DAYS - NO REMISSION FOR PLEA ENTERED ON HEARING DATE.
3. DISCIPLINARY PROCEEDINGS (Jersey City) - ALCOHOLIC BEVERAGES NOT TRULY LABELED - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.
4. DISCIPLINARY PROCEEDINGS (Union City) - GAMBLING (NUMBERS, DRAWING) - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.
5. DISCIPLINARY PROCEEDINGS (Weehawken) - GAMBLING (NUMBERS) - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.
6. DISCIPLINARY PROCEEDINGS (Paterson) - SALE IN VIOLATION OF STATE REGULATION NO. 38 - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.
7. DISCIPLINARY PROCEEDINGS (Jersey City) - ALCOHOLIC BEVERAGES NOT TRULY LABELED - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.
8. DISCIPLINARY PROCEEDINGS (Newark) - ALCOHOLIC BEVERAGES NOT TRULY LABELED - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.
9. DISCIPLINARY PROCEEDINGS (Paterson) - ALCOHOLIC BEVERAGES NOT TRULY LABELED - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.
10. DISCIPLINARY PROCEEDINGS (Wallington) - SALE IN VIOLATION OF STATE REGULATION NO. 38 - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.
11. DISCIPLINARY PROCEEDINGS (Jersey City) - ALCOHOLIC BEVERAGES NOT TRULY LABELED - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.
12. DISCIPLINARY PROCEEDINGS (Harrison) - SALE BELOW FILED PRICE - LICENSE SUSPENDED FOR 10 DAYS, LESS 5 FOR PLEA.
13. DISCIPLINARY PROCEEDINGS (Jersey City) - ALCOHOLIC BEVERAGES NOT TRULY LABELED - LICENSE SUSPENDED FOR 10 DAYS, LESS 5 FOR PLEA.
14. STATE LICENSES - NEW APPLICATIONS FILED.

"The Division produced the ABC agents who participated in the investigation of the licensed business. They will be referred to as Agents S and C.

"The evidence adduced to substantiate the charges shows that at 12:15 p.m. Sunday, November 19, 1961, Agents S and C parked their car about two blocks from the licensed premises and remained there until the legal opening hour of 1 p.m. Agent S then walked toward the tavern and observed a man leaving it with a brown paper bag in his possession. He also observed two cars parked in front of the tavern; that two men were in one of the cars which had its motor running, and that there were men standing near the other car. As he approached the tavern another man emerged therefrom carrying a pint bottle of an amber-colored fluid. Agent S then entered the tavern, wherein he saw another man place a pint bottle of whiskey under his belt and leave the premises. Agent S seated himself at the bar and ordered a glass of beer which was served to him by Louis Delbono (Lou), brother of the licensee, who was tending bar. While sipping his beer Agent S noticed a lone patron who was drinking ale lean over the bar and confer with Lou. He then saw Lou hand the patron a pint of VO whiskey, ring up \$4.35 on the cash register and give the patron 65 cents change. At this point Agent C entered and went to the men's room. When he came out, Agent S gave him a signal indicating that the man had 'made a buy.' When the patron finished his ale, he left the premises and got into the front seat of the car that had the motor running. Agent S followed and, after identifying himself, asked the man to hand over a pint of VO he had purchased. The man was about to comply when Anthony Delbono (Tony), the licensee, who was standing nearby, approached Agent S and told him to 'Get the f--- out of there' saying, 'He didn't get no bottle in there.' Agent S produced his credentials and explained that the licensed premises were under investigation. Tony slammed the car door shut, telling the driver to 'Get the f-- out of there. You aint got no bottle.' With that, the car was driven away. Agent S then entered the tavern and he and Agent C, who had seen and heard what occurred outside the premises, identified themselves to Lou and requested a copy of the current license application. Lou ignored their request. Tony and two men entered the tavern and Tony proceeded to the end of the bar where he consumed a glass of whiskey. When the two men remained near the agents, Agent S, fearing trouble, told Agent C to phone the local police. Agent S then went over to Tony and, after showing him his credentials, as did Agent C, he told him that what he had done was a serious thing since they were on official business, and he informed him of the sale for off-premises consumption during prohibited hours and asked for the license application. Tony said, 'Go ahead, call the f--- law. That don't mean nothing. You aint got no bottle. You didn't see no bottle and you didn't see me. Get the f-- out.' When Agent S again asked Lou for the license application, Tony said, 'Don't give him nothing' and said to the agents, 'Get the f--- out.' Both agents left the premises about 1:20 p.m.

"The testimony of each agent corroborates that of the other respecting the incidents which occurred after Agent C entered the premises. While Agent C testified that he did not see the sale of the pint of VO, he did observe that \$4.35 was shown on the cash register.

"Louis Delbono testified in substance that he is employed as a bartender on the licensed premises; that on the date alleged he opened the tavern at 12:55 p.m. and that, a few minutes after 1 p.m., Agent S entered; that at the bar when the agent entered were three men -- one known as Ben who was drinking a bottle of ale, another Franklyn Mines who was drinking a can of beer, and the third Anthony Nigro; that the agent seated himself at the bar

and ordered a shot of blackberry brandy and a glass of beer; that he did not sell Ben a bottle of whiskey but did ring up \$4.35 which represented the price of the bottle of ale and four dollars for drinks served to Ben and his companion the day before; that he gave Ben 65 cents change from a five-dollar bill; that Ben left followed by Agent S; that thereafter Agent C entered the premises and went to the men's room; that Agent S came running in and told Agent C to call the police; that he did not see what took place outside the premises and that the agents didn't identify themselves until 1:20 p.m. when they asked him for the license, which he told them was on the wall. He further testified that the agents didn't ask for the license application; that he didn't recall Tony using any 'cuss' words when the agents asked for the application, and that Tony might have said 'Don't show them nothing.'

"Franklyn Mines testified in substance that he was in the licensed premises on the date alleged, having arrived there at 1:10 p.m.; that Mr. Nigro, the bartender and the two agents were on the premises when he entered, and another man 'was on his way out;' that he didn't notice any cars in front of the tavern; that he heard Agent S ask Tony, 'Are you the proprietor?' and that Tony replied, 'Yes;'; that Agent S didn't show his credentials until he had talked to Tony for over five minutes, and that he didn't observe Agent C go to the telephone booth to call the police.

"Anthony R. Nigro testified in substance that on the date alleged he was in the tavern when the agents entered; that he noticed that Agent S had an exposed blackjack in the back pocket of his trousers; that 'All of a sudden I heard a commotion on the outside ... and the next thing I knew was when Mr. S--- came in ... and I heard him say, "I want to see that license" ... and the bartender said, "I can't take it off the wall; if you want to see it come around the bar and look at it"; that Agent S said to Tony, 'Do you know who I am?' and that Tony said, 'I don't know who you are. Who are you to demand a license when I don't know who you are? You know I am the proprietor but I would like to know who you are'; that Agent S was showing Tony something and that Agent C went over and 'showed whatever he showed;'; that he saw Agent C go to the phone booth and that thereafter both agents left the premises.

"Anthony Delbono testified in substance that he is the licensee; that on the date alleged he was in front of the tavern 'getting a little sun' and talking to four or five fellows; that 'I seen this fellow (Agent S) running out there, I knew he was a stranger, he went by the car, it looked to me like there was going to be a fight or something, I slammed the door of the car and I said, "Pull this car away" and I went inside and wanted to know who the stranger was;'; that 'he had a blackjack on his hip ... He came up to me. He said, "Are you Tony?" I said "yes" five times. I said, "Who the h--- are you asking me who I am? Who the h--- are you? You don't show me nothing." Naturally, I got in a argument with him;'; that Agents S and C 'flashed badges' and 'I said, "You should have done that before"'. Tony testified further that he used profanity when he was outside the tavern and, 'I might have used a few words inside.'

"Agent S was recalled and testified that he was unarmed on the date alleged and didn't carry a blackjack; that Agent C carried a service revolver and that Mr. Mines was not on the premises during the investigation. Agent C was recalled and testified that Agent S didn't carry a blackjack or gun on the date alleged, and that 'he (Agent S) told me to put mine on, which I did.'

"Having had the opportunity to judge the credibility of the witnesses and recognizing the sharp dispute of facts, I find that the testimony of the ABC agents is highly credible and reflects what actually occurred during their investigation on the date alleged. On the contrary, I find that the version of what occurred as testified to by the licensee and his witnesses is, under the circumstances, unbelievable. I conclude, therefore, that the Division has sustained the burden imposed upon it of establishing the truth of Charges 1, 2 and 4 by the necessary preponderance of the believable evidence, and that there is insufficient evidence to establish the violation alleged in Charge 3.

"Licensee has a prior record. The local issuing authority suspended his license for fifteen days, effective June 7, 1942, for permitting gambling and sale to minors; forty-five days, effective June 15, 1953, for sale during prohibited hours; twenty days, effective May 10, 1954, for sale to minors; twenty days, effective July 10, 1955, for sale during prohibited hours, and effective March 25, 1957, his license was suspended for thirty days by the Director for sale to minors. See Re Delbono, Bulletin 1164, Item 4.

"The minimum penalty imposed for the violations set forth in Charges 1, 2 and 4, respectively, are fifteen days (Re Mackiewicz, Bulletin 1440, Item 8); ten days (Re A & B Bar, Inc., Bulletin 1416, Item 1) and twenty days (Re Italian American Columbus Relief Associatic Bulletin 1400, Item 9). However, because of the violations which occurred in 1953 and in 1955, which are similar to that alleged in Charge 1 herein, and because of the 1957 violation which, although dissimilar to any of the violations charged herein, occurred within a five-year period, an additional fifteen days should be imposed. In view of the aforesaid, I recommend that Charge 3 be dismissed, and that the license in question be suspended for a period of sixty days."

Written exceptions to the Hearer's Report and written argument to substantiate the exceptions were filed with me by the licensee's attorney 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 brief submitted by the licensee's attorney, the Hearer's Report and the exceptions and argument with respect thereto, I concur in the findings and conclusion of the Hearer and adopt his recommendation with modification as to the penalty.

Since it appears that the foul language indulged in by the licensee was part and parcel of and contributed to the hindering and delay of the agents in their investigation as alleged in Charge 4, the penalty of thirty days recommended by the Hearer for the violations set forth in Charges 2 and 4 will be reduced to twenty days. In view of the aforesaid, I shall suspend licensee's license for a total period of fifty days.

Accordingly, it is, on this 28th day of May, 1962,

ORDERED that Plenary Retail Consumption License C-70, issued by the Board of Commissioners of the City of New Brunswick to Anthony Delbono, t/a Delbono's Grill, for premises 181 Throop Avenue, New Brunswick, be and the same is hereby suspended for the balance of its term, effective 2:00 A. M. Monday, June 4, 1962; and it is further

ORDERED that any renewal of the license shall be and remain under suspension until 2:00 A. M. Tuesday, July 24, 1962.

WILLIAM HOWE DAVIS
DIRECTOR

2. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS) - PRIOR SIMILAR AND DISSIMILAR RECORD - LICENSE SUSPENDED FOR 50 DAYS - NO REMISSION FOR PLEA ENTERED ON HEARING DATE.

In the Matter of Disciplinary Proceedings against

Francis Beesley & Catherine A. Tuite t/a Packy's Tavern 203 South 4th Street Harrison, N. J.,

CONCLUSIONS

and

ORDER

Holder of Plenary Retail Consumption License C-22, issued by the Town Council of the Town of Harrison.

Licensees, Pro se, by Francis Beesley, a partner. Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensees plead non vult to charges alleging that on April 18, 1962, they permitted the acceptance of numbers bets on the licensed premises, in violation of Rules 6 and 7 of State Regulation No. 20.

Licensee Francis Beesley has a previous record of suspension of license for forty-five days by the Director, effective March 30, 1959, for permitting the acceptance of numbers bets, violation of State Regulation No. 38 and violation of municipal hours ordinance. Re Beesley, Bulletin 1274, Item 3.

The prior record of similar and dissimilar violations within the past five years considered, the license will be suspended for fifty days. Cf. Re Titone, Bulletin 1293, Item 2. No remission will be granted for the plea because it was entered on the date of the hearing herein. Re Freedman, Bulletin 1436, Item 4.

Accordingly, it is, on this 28th day of May 1962,

ORDERED that plenary retail consumption license C-22, issued by the Town Council of the Town of Harrison to Francis Beesley & Catherine A. Tuite, t/a Packy's Tavern, for premises 203 South 4th Street, Harrison, be and the same is hereby suspended for the balance of its term, effective at 2 a.m. Monday, June 4, 1962; and it is further

ORDERED that any renewal license that may be granted shall be and remain under suspension until 2 a.m. Tuesday, July 24, 1962.

WILLIAM HOWE DAVIS DIRECTOR

3. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY LABELED - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against

John Kicey
t/a Steve's Tavern
330 St. Paul's Ave.,
Jersey City 6, New Jersey,

Holder of Plenary Retail Consumption License C-243, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City.

Schnitzer & Schnitzer, Esqs., by S. Authur Schnitzer, Esq.,
Attorneys for Licensee
Davis S. Piltzer, Esq., Appearing for Division of Alcoholic
Beverage Control

CONCLUSIONS
and
ORDER

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on February 5, 1962, he possessed three bottles of alcoholic beverages bearing labels which did not truly describe their contents, in violation of Rule 27 of State Regulation No. 20.

Licensee has a previous record of suspension of license by the Director for fifty-five days effective January 4, 1961, for purchase of stolen alcoholic beverages. Re Kicey, Bulletin 1373, Item 6.

The prior record of suspension for dissimilar violation within five years past considered, the license will be suspended for twenty-five days, with remission of five days for the plea entered, leaving a net suspension of twenty days. Re Pompeike Inn, Inc., Bulletin 1443, Item 12.

Accordingly, it is, on this 29th day of May 1962,

ORDERED that plenary retail consumption license C-243, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to John Kicey, t/a Steve's Tavern, for premises 330 St. Paul's Ave., Jersey City, be and the same is hereby suspended for twenty (20) days, commencing at 2 a.m. Tuesday, June 5, 1962, and terminating at 2 a.m. Monday, June 25, 1962.

WILLIAM HOWE DAVIS
DIRECTOR

4. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS, DRAWING) - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

Fred & Mae Bolten)
1915 New York Avenue)
Union City, New Jersey,)

CONCLUSIONS
and
ORDER

Holders of Plenary Retail Consumption License C-135, issued by the Board of Commissioners of the City of Union City.)

Licensees, Pro se
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensees plead non vult to charges (1 and 2) alleging that on April 24, 1962, they permitted the acceptance of numbers bets and conducted a drawing for a prize on the licensed premises, in violation of Rules 6 and 7 of State Regulation No. 20.

Absent prior record, the license will be suspended for twenty-five days, with remission of five days for the plea entered, leaving a net suspension of twenty days. Re Tartaglia, Bulletin 1441, Item 10; Re Gavenas, Bulletin 1374, Item 3.

Accordingly, it is, on this 29th day of May 1962,

ORDERED that plenary retail consumption license C-135, issued by the Board of Commissioners of the City of Union City to Fred & Mae Bolten, for premises 1915 New York Avenue, Union City, be and the same is hereby suspended for twenty (20) days, commencing at 3 a.m. Tuesday, June 5, 1962, and terminating at 3 a.m. Monday, June 25, 1962.

WILLIAM HOWE DAVIS,
DIRECTOR

5. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS) - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

Edward Darrow & Stanislaw Dudek)
t/a Ed & Joe's Inn)
4522 Park Avenue)
Weehawken, N. J.)

CONCLUSIONS
AND
ORDER

Holders of Plenary Retail Consumption License C-5, issued by the Township Committee of the Township of Weehawken.)

Licenseses, Pro se.

Edward F. Ambrose, Esq., Appearing for the Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licenseses plead non vult to charges (1 and 2) alleging that on April 13 and 16, 1962, they permitted the acceptance of numbers bets on the licensed premises, in violation of Rules 6 and 7 of State Regulation No. 20.

Absent prior record, the license will be suspended for twenty-five days, with remission of five days for the plea entered, leaving a net suspension of twenty days. Re Tartaglia, Bulletin 1445, Item 10.

Accordingly, it is, on this 29th day of May, 1962,

ORDERED that Plenary Retail Consumption License C-5, issued by the Township Committee of the Township of Weehawken to Edward Darrow and Stanislaw Dudek, t/a Ed & Joe's Inn, for premises 4522 Park Avenue, Weehawken, be and the same is hereby suspended for twenty (20) days, commencing at 2:00 A. M. Tuesday, June 5, 1962, and terminating at 2:00 A. M. Monday, June 25, 1962.

WILLIAM HOWE DAVIS
DIRECTOR

6. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against

Nehoc Tavern, Inc.
t/a Jay's Corner
27 Paterson Street
Paterson 1, N. J.,

CONCLUSIONS

and

ORDER

Holder of Plenary Retail Consumption License C-348, issued by the Board of Alcoholic Beverage Control for the City of Paterson.

Robert I. Goodman, 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 Sunday, April 29, 1962, it sold a pint bottle of whiskey for off-premises consumption, in violation of Rule 1 of State Regulation No. 38.

Licensee has a previous record of suspension of license for the balance of its term, effective January 2, 1957, for permitting prostitutes and solicitation for prostitution on the licensed premises (Re Nehoc Tavern, Inc., Bulletin 1149, Item 5), and five days effective May 1, 1961, by the municipal issuing authority for permitting a brawl and disturbance on the licensed premises.

The first dissimilar violation occurring more than five years ago disregarded and considering the second dissimilar violation occurring within five years, 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 Gaggis & Paskalis, Bulletin 1441, Item 6.

Accordingly, it is, on this 28th day of May 1962,

ORDERED that plenary retail consumption license C-348, issued by the Board of Alcoholic Beverage Control for the City of Paterson to Nehoc Tavern, Inc., t/a Jay's Corner, for premises 27 Paterson Street, Paterson, be and the same is hereby suspended for fifteen (15) days, commencing at 3 a.m. Monday, June 4, 1962, and terminating at 3 a.m. Tuesday, June 19, 1962.

WILLIAM HOWE DAVIS
DIRECTOR

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

In the Matter of Disciplinary Proceedings against)

Frankie Burns, Inc.)
57 Sip Ave.)
Jersey City 6, New Jersey,)

Holder of Plenary Retail Consumption License C-16, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City.)

CONCLUSIONS and ORDER

Licensee, by Frank Burns, Secretary-Treasurer, Pro se
David S. Piltzer, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on February 27, 1962, it possessed three bottles of alcoholic beverages 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 Dellaira and Pietrowski, Bulletin 1440, Item 7.

Accordingly, it is, on this 28th day of May 1962,

ORDERED that plenary retail consumption license C-16, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Frankie Burns, Inc., for premises 57 Sip Ave., Jersey City, be and the same is hereby suspended for fifteen (15) days, commencing at 2 a.m. Monday, June 4, 1962, and terminating at 2 a.m. Tuesday, June 19, 1962.

WILLIAM HOWE DAVIS
DIRECTOR

8. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY LABELED - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against

Andrew Radawiec
t/a Plaza Bar & Liquor Store
47 Rutgers Street
Newark, New Jersey,

)
) CONCLUSIONS
) and
) ORDER
)

Holder of Plenary Retail Consumption License C-414, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark.

Robert W. Wolfe, Esq., Attorney for licensee
David S. Piltzer, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on March 19, 1962, he possessed an alcoholic beverage in one bottle bearing a label which did not truly describe its contents, in violation of Rule 27 of State Regulation No. 20.

Licensee has a previous record of suspension of license for ten days effective January 26, 1959, for false statements in the license application. Re Radawiec, Bulletin 1311, Item 6.

The prior record considered, the license will be suspended for fifteen days, with remission of five days for the plea entered, leaving a net suspension of ten days. Re Point Inn, Inc., Bulletin 1443, Item 11.

Accordingly, it is, on this 28th day of May 1962,

ORDERED that plenary retail consumption license C-414, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to Andrew Radawiec, t/a Plaza Bar & Liquor Store, for premises 47 Rutgers Street, Newark, be and the same is hereby suspended for ten (10) days, commencing at 2 a.m. Monday, June 4, 1962, and terminating at 2 a.m. Thursday, June 14, 1962.

WILLIAM HOWE DAVIS
DIRECTOR

9. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY LABELED - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against

Steinhauser's Bar, Inc.
t/a Steinhauser's Bar
997 Madison Avenue
Paterson 3, N. J.,

Holder of Plenary Retail Consumption License C-346, issued by the Board of Alcoholic Beverage Control for the City of Paterson.

CONCLUSIONS

and

ORDER

Licensee, by Walter Steinhauser, President, Pro se
David S. Piltzer, Esq., Appearing for Division of Alcoholic Beverage Control

BY THE DIRECTOR:

Licensee pleads guilty to a charge alleging that on February 13, 1962, it possessed an alcoholic beverage in one bottle bearing a label which did not truly describe its contents, in violation of Rule 27 of State Regulation No. 20.

Licensee's president, while an individual licensee, has a previous record of suspension of license for eight days effective March 1, 1943, for an "hours" violation, and for fifteen days effective November 27, 1944, for permitting gambling on the licensed premises, both imposed by the municipal issuing authority. In addition, the licensee-corporation has a record of suspension of license for ten days effective October 31, 1960, for violation of State Regulation No. 38. Re Steinhauser's Bar, Inc., Bulletin 1366, Item 4.

The prior record of dissimilar violations by the individual will be disregarded because occurring more than five years ago. The prior dissimilar record of the licensee considered, the license will be suspended for fifteen days, with remission of five days for the plea entered, leaving a net suspension of ten days. Re Point Inn, Inc., Bulletin 1443, Item 11.

Accordingly, it is, on this 28th day of May 1962,

ORDERED that plenary retail consumption license C-346, issued by the Board of Alcoholic Beverage Control for the City of Paterson to Steinhauser's Bar, Inc., t/a Steinhauser's Bar, for premises 997 Madison Avenue, Paterson, be and the same is hereby suspended for ten (10) days, commencing at 3 a.m. Monday, June 4, 1962, and terminating at 3 a.m. Thursday, June 14, 1962.

WILLIAM HOWE DAVIS
DIRECTOR

10. DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against

The 134 Tavern, Inc.
t/a The 134 Tavern, Inc.
128 Locust Avenue
Wallington, N. J.

CONCLUSIONS
AND
ORDER

Holder of Plenary Retail Consumption License C-39, issued by the Mayor and Council of the Borough of Wallington.

Joseph F. Matisovsky, 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 at 12:35 A. M. on April 28, 1962, it sold a pint bottle of whiskey for off-premises consumption, in violation of Rule 1 of State Regulation No. 38.

Licensee has a previous record of suspension of license for five days, effective August 4, 1941, for possession of a slot machine and permitting gambling, and for twenty days, effective January 25, 1955, for an "hours" violation and hindering an investigation. Re 134 Tavern, Inc., Bulletin 1050, Item 4.

The prior record of dissimilar violations disregarded because occurring more than five years ago, the license will be suspended for fifteen days, with remission of five days for the plea entered, leaving a net suspension of ten days. Re Tom and Jerry's, Inc., Bulletin 1445, Item 1.

Accordingly, it is, on this 28th day of May 1962,

ORDERED that Plenary Retail Consumption License C-39, issued by the Mayor and Council of the Borough of Wallington to The 134 Tavern, Inc. for premises 128 Locust Avenue, Wallington, be and the same is hereby suspended for ten (10) days, commencing at 3:00 A. M. Monday, June 4, 1962, and terminating at 3:00 A. M. Thursday, June 14, 1962.

WILLIAM HOWE DAVIS
DIRECTOR

11. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY LABELED - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

Basil Kistulinec and Anna Kistulinec)
t/a Basil's Tavern)
365 Henderson St.)
Jersey City 2, N. J.)

CONCLUSIONS
AND
ORDER

Holders of Plenary Retail Consumption License C-409, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City.)

Licensees, by Basil Kistulinec, Pro se.
David S. Piltzer, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensees plead guilty to a charge alleging that on March 9, 1962, they possessed alcoholic beverages in two 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 fifteen days, with remission of five days for the plea entered, leaving a net suspension of ten days. Re Colucci, Bulletin 1435, Item 8.

Accordingly, it is, on this 28th day of May, 1962,

ORDERED that Plenary Retail Consumption License C-409, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Basil Kistulinec and Anna Kistulinec, t/a Basil's Tavern, for premises 365 Henderson Street, Jersey City, be and the same is hereby suspended for ten (10) days, commencing at 2:00 A. M. Monday, June 4, 1962, and terminating at 2:00 A. M. Thursday, June 14, 1962.

WILLIAM HOWE DAVIS
DIRECTOR

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

In the Matter of Disciplinary Proceedings against)

Catherine Ditchkus & John Ditchkus)
t/a O. K. Delicatessen)
504 North Fourth Street)
Harrison, New Jersey)

CONCLUSIONS
AND
ORDER

Holder of Plenary Retail Distribution License D-3, issued by the Town Council of the Town of Harrison.)

Licensees, by John Ditchkus, Pro se.
Dora Prestup-Rothschild, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensees plead non vult to a charge alleging that on April 30, 1962, they sold a bottle of wine 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 Lloyd's Liquors, Inc., Bulletin 1441, Item 9.

Accordingly, it is, on this 28th day of May, 1962,

ORDERED that Plenary Retail Distribution License D-3, issued by the Town Council of the Town of Harrison to Catherine Ditchkus and John Ditchkus, t/a O. K. Delicatessen, for premises 504 North Fourth Street, Harrison, be and the same is hereby suspended for five days, commencing at 9:00 A. M. Monday, June 4, 1962, and terminating at 9:00 A. M. Saturday, June 9, 1962.

WILLIAM HOWE DAVIS
DIRECTOR

13. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY LABELED - LICENSE SUSPENDED FOR 10 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

Michael Marchitto & Dominic Marchitto)
t/a Marchitto's Tavern)
37 Coles Street)
Jersey City 2, N. J.)

CONCLUSIONS
AND
ORDER

Holder of Plenary Retail Consumption License C-280, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City.)

Licensees, by Michael Marchitto, Pro se.
David S. Piltzer, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensees plead non vult to a charge alleging that on March 13, 1962, they possessed an alcoholic beverage in one bottle bearing a label which did not truly describe its contents, in violation of Rule 27 of State Regulation No. 20.

Licensees have a previous record of suspension of license by the municipal issuing authority for five days, effective April 28, 1952, for an "hours" violation.

The prior record of dissimilar violation disregarded because occurring more than five years ago, 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 Santina & Peter Berta, Inc., Bulletin 1441, Item 10.

Accordingly, it is, on this 4th day of June, 1962,

ORDERED that Plenary Retail Consumption License C-280, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Michael Marchitto and Dominic Marchitto, t/a Marchitto's Tavern, for premises 37 Coles Street, Jersey City, be and the same is hereby suspended for five (5) days, commencing at 2:00 A. M. Monday, June 11, 1962, and terminating at 2:00 A. M. Saturday, June 16, 1962.

WILLIAM HOWE DAVIS
DIRECTOR

14. STATE LICENSES - NEW APPLICATIONS FILED.

G. Heileman Brewing Company
915-925 South 3rd Street
La Crosse, Wisconsin
Application filed July 20, 1962 for person-to-person transfer of Limited Wholesale License WL-16 from Fox Head Brewing Co., Waukesha, Wisconsin.

J & J Distributing Co.
312 Frelinghuysen Avenue
Newark, New Jersey
Application filed July 20, 1962 for place-to-place transfer of Additional Warehouse License AW-40 from 1609 Atlantic Avenue, Atlantic City, N. J. to 430 N. Pennsylvania Ave., Atlantic City, N. J.