Commissioner Burnett
Sent to Regular Mailing List

STATE OF NEW JERSEY
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
744 Broad Street Newark, N. J.

BULLETIN NUMBER 146 NOVEMBER 6, 1936.

1. ELECTIONS - USE OF TAPROOMS FOR POLLING PLACES DEPRECATED - RULES GOVERNING USE OF LICENSED PREMISES WILL BE BROADENED HEREAFTER IF NECESSARY.

Dear Commissioner:

We have an inquiry from Chesilhurst, Winslow Township, Camden County, asking if it is alright to have a polling place in a taproom.

We find nothing in the election laws regarding same, and we would like to be in position to know definitely what the attitude of your department is regarding the matter.

The writer has told our Committeewoman that while the election laws say nothing about it, it is his opinion and only his opinion, since a taproom is closed during the hours that the polls are open it would be an embarrasing situation while the count of ballots were being taken for a taproom that had a polling place located upon its premises, as the election officers are justified in having any one removed who interferes with the work of the Election Board.

Would greatly appreciate hearing from you as to whether or not your department has or will make a ruling regarding same that we can truthfully pass information along.

Sincerely,

W. F. LEHMAN
Manager

October 29, 1936.

W. F. Lehman, Manager,
Republican Committee of Camden County,
Broadway and Stevens Street,
Camden, N. J.

Dear Mr. Lehman:

I agree with you that a bar is no place for a poll. To be sure, all bars are closed by State regulation while the polls are open. But when the polls are closed, the count begins. A taproom is not the proper setting for such a purpose.

I have not made any rule on this point because the question has not risen heretofore. While I deprecate such use of licensed premises, it is a late hour now to make a ruling after notices have been posted which might embarrass voters as well as officials if, perchance, arrangements have already been closed for such a place. In a Presidential year with its

usually heavy vote, it is better policy to refrain from doing anything that might operate to deprive any one of the qualified electorate to express his choice. A voter who had planned his time to vote just before the polls closed, might lose his suffrage entirely if he had to reach another and distant place in the closing minutes.

If any real occasion arises, I shall make a formal rule barring the use of taprooms as polling places. Please let me know any specific instance.

Very truly yours,

D, FREDERICK BURNETT
Commissioner

2. ELECTION DAY RULE - FORBIDS ANY SERVICE OR DELIVERY OF ALCOHOLIC BEVERAGES ALTHOUGH BOUGHT BEFORE ELECTION DAY - SUBTERFUGES ARE OUT OF STYLE.

October 28, 1936.

Dear Sir:

I have a party of men who want to bowl at my place on election day between 1 p. m. and 5:30 p. m. They want to know if they bought beer from me on Monday could they drink it in a back private room on election day.

They want me to serve food with the beer. I am to let them know by Friday night, so if you can give me an answer by then I will appreciate it very much.

I have a bar in front and alleys in the rear of my place.

Very truly yours,

ANDREW H. KRAFT

October 31, 1936.

Mr. Andrew H. Kraft,
Lyndhurst, New Jersey.

My dear Mr. Kraft:

The State Rule governing sales on election day provides:

> "No licensee shall sell or offer for sale at retail or deliver to any consumer, any alcoholic beverages in any municipality in which a general, municipal, primary or special election is being held, while the polls are open for voting at such election."

Under the Control Act, a delivery of alcoholic beverages by a licensee constitutes a sale.

Hence, you may not serve alcoholic beverages in any manner while the polls are open. Whether paid for in advance or served with or without food or in a private or public room makes no difference. Subterfuges are out of style. The rule was made to be respected, not flouted. Don't let your patrons

run you into trouble. You are responsible for what they do in your place. Revocation proceedings are mighty unpleasant.

Very truly yours,

D. FREDERICK BURNETT
Commissioner

3. NOTICE TO ALL CHIEFS OF POLICE CONCERNING RETAIL LIQUOR LICENSEES AND GENERAL ELECTION DAY, NOVEMBER 3, 1936.

Rule 2 concerning the conduct of licensees and the use of licensed premises provides:

> "No licensee shall sell or offer for sale at retail or deliver to any consumer, any alcoholic beverages in any municipality in which a general, municipal, primary or special election is being held, while the polls are open for voting at such election."

The general election will be held on Tuesday, November 3rd. Polls will be open from 7:00 A. M. to 8:00 P. M.

Sales, service or delivery by retail licensees come within the Rule.

Do NOT arrest but order licensee to stop immediately and report to me for revocation proceedings his name, address, license number, time, nature and detail of violation. This office will be open during polling hours to advise and cooperate with you in any matter. Telephone Market 3-3970.

I shall backstop you in every way.

D. FREDERICK BURNETT
Commissioner

October 31, 1936.

4. ELECTION DAY RULES - STATE BEVERAGE DISTRIBUTORS - THE RULE PROHIBITS ALL SALES AT RETAIL AND ALL DELIVERIES TO CONSUMERS BUT DOES NOT PROHIBIT DELIVERY TO LICENSED RETAILERS.

October 27, 1936.

Dear Sir:

Some of our retail malt beverage customers, especially some who may operate a regular restaurant or other legal eating place in connection with their beverage licenses, may ask us to deliver beer to them on Election Day for consumption on the premises after the polls have closed and when they may legally open for business. Can we as a State Beverage Distributor legally deliver our malt beverage products to such licensed retailers during the hours when the election is in progress?

Very truly yours,

HUSEX BEVERAGE CO.

October 31, 1936.

Husex Beverage Company,
Hoboken, New Jersey.

Gentlemen:

I have yours of October 27th.

The State Rule provides:

"No licensee shall sell or offer for sale at retail or deliver to any consumer, any alcoholic beverages in any municipality in which a general, municipal, primary or special election is being held, while the polls are open for voting at such election."

The rule prohibits all sales at retail and all deliveries of alcoholic beverages to consumers on any election day while the polls are open for voting. It applies to all retail sales whether made by state beverage distributors or municipal retail licensees. See re Hickey, Bulletin 124, item 8.

The rule does not, however, prohibit sales at wholesale to licensed retailers. Consequently, it does not prevent delivery of your products to licensed retailers during the hours the election is in progress.

Very truly yours,

D. FREDERICK BURNETT
Commissioner

5. APPELLATE DECISIONS - LATZ vs. SOMERS POINT

EVALYN L. LATZ,)
Appellant,)
-vs) ON APPEAL
THE MAYOR AND COMMON COUNCIL OF THE CITY OF SOMERS POINT,) CONCLUSIONS
Respondent.)

Emory J. Kiess, Esq., Attorney for Appellant.
Enoch A. Higbee, Jr., Esq., Attorney for Respondent.

BY THE COMMISSIONER:

Appellant appeals from the denial of her application for a plenary retail consumption license for premises located at Bay and New Jersey Avenues, Somers Point.

The premises in question are known as Latz's Hotel. They have been operated as a public inn by the appellant and her husband since 1923, except for two intervals when the premises were closed entirely. It is true that the dining room has been

the principal attraction and source of income, and that the renting of the 17 sleeping rooms has been incidental to the operation of the restaurant. On the other hand, a register of guests was kept in the past and appellant's husband was a member of the New Jersey Hotel Association.

There is no evidence to controvert appellant's testimony that she intends to operate the premises as an hotel in the future. What constitutes an hotel is largely a question of fact to be determined by a consideration of all the circumstances in any given case. See Anthony v. Branchville, Bulletin #80, Item #9. In Re: Corona, Bulletin #29, Item #5, an hotel was defined as:

> "*****a public house for the lodging and entertainment of travelers or wayfarers for a compensation. In short, an inn of the better class. It is to be distinguished from a tavern or a house of public entertainment that does not provide lodging, and from a boarding house which, while it provides lodging, is not a public house. The boarding house keeper may refuse accommodations to anyone he chooses. The innkeeper must entertain all travelers or wayfarers who are of good conduct and ready to pay the proper charges."

The premises in question substantially conform to this definition.

Respondent contends that the application was properly denied because the number of retail licenses now outstanding is adequate. I sustained this contention as regards a distribution license just recently in Sam Karpf Co. vs. Somers Point, Bulletin 137, Item #4. Hotels, however, stand on a different footing. They are affected with a public interest so far as the sale of alcoholic beverages is concerned. In A.B.C. Holding Company Inc. v. Newton, Bulletin #58, Item #11, it was said:

> "Hotels, as such, must be distinguished from ordinary liquor stores. Hotels are vested with a quasi-public function. They are charged with the duty of accepting all proper persons as guests and of furnishing them with accommodations so far as the capacity of the hotel permits. See Watkins v. Cope, 84 N. J. L. 143 (Sup. Ct. 1913); see also Re: Corona, Bulletin #29, Item #5. They discharge a public function. They are, therefore, not to be classed as ordinary drinking places. It is not fair to discriminate against a hotel unless good cause exists."

This ruling was followed in the case of Maurer v. Sussex, Bulletin #79, item 10.

Accordingly, respondent's determination that there are a sufficient number of licensed places in the City is held to be unreasonable in its application to appellant.

The action of respondent is, therefore, reversed and respondent is ordered to issue the licensed as applied for.

D. FREDERICK BURNETT
Commissioner

Dated: October 31, 1936.

6. APPELLATE DECISIONS - MULLIGAN vs. LYNDHURST

PATRICK W. MULLIGAN,)
Appellant,)
-vs-) ON APPEAL
BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LYNDHURST,) CONCLUSIONS
Respondent.)

. . . . . .

William C. Egan, Esq., Attorney for Appellant.
Leo F. Reilly, Esq., Attorney for Respondent.

BY THE COMMISSIONER:

Appellant appeals from the refusal of his application for plenary retail consumption license, for premises 744 Ridge Road, Lyndhurst.

While the premises are located, technically, in a district zoned for business, the neighborhood is predominantly residential. The premises are completely surrounded by residences and are themselves a converted dwelling house. Across the street, in the same block, there are several homes and a large school. A great many children from the school pass the premises daily.

On the same side of the street and about 250 feet north is a licensed tavern which, it was testified, adequately supplies the thirst requirements of both residents and transients. While this tavern is also objectionable to the residents, it is apparently less so because of the fact that it is one of a group of stores and not immediately adjoining any dwelling house. The stores, aside from the tavern, are small neighborhood shops and a gasoline station.

The fact that the premises are located in a district zoned for business is not decisive when the neighborhood is in fact residential. Re Cranford Veterans Holding Co. Inc., Bulletin #126, item 11; Borkowski v. Clifton, Bulletin #139, item 5. The vigorous personal protests of the neighborhood residents at the hearing on appeal together with a petition signed by more than twenty objectors, bespeak eloquently of the prevailing sentiment of the community against granting the license in question.

It is true that the premises in question have been licensed continuously since Repeal. During practically that entire period, however, they have been the source of numerous complaints by neighboring residents. Several of them testified to the boisterous conduct and profanity of the patrons during the operation by previous licensees. They testified that they were unable to sleep because of the noise. One of the residents stated that the last licensee had an orchestra which annoyed the neighborhood until 3 o'clock in the morning.

Appellant argues that he has no connection with the former licensees and should not be penalized because of the improper

manner in which they conducted the premises in the past.

The reputation of the premises sought to be licensed is a proper factor to be considered by the issuing authority in determining whether to issue a license. Zito v. Newark, Bulletin #69, item 14; MacGrath v. Haddon, Bulletin #44, item 9; Alexander v. Trenton, Bulletin #37, item 13; Lalliker vs. New Milford, Bulletin #141, item 8.

It may well be that the license for the premises should not have been renewed in previous years. However, it is evident that the members of the respondent issuing authority are now convinced that they should not again hazard the recurrence of the neighborhood annoyance caused by the previous operation of the saloon in question. Such a determination, when made in good faith and substantially supported by the evidence, should be sustained. Goodman v. Atlantic City, Bulletin #128, item 8; Lavelle v. Way, Bulletin #140, item 1.

Accordingly, the action of respondent is affirmed.

D. FREDERICK BURNETT
Dated: October 31, 1936. Commissioner

APPELLATE DECISIONS - WALSH vs. EGG HARBOR TOWNSHIP

ROY J. WALSH,)
Appellant,)
-vs-) ON APPEAL
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF EGG HARBOR,) CONCLUSIONS
Respondent.)
. . . . . .)

William Charlton, Esq., Attorney for Appellant.
C. B. Dixon, Esq., Attorney for Respondent.

BY THE COMMISSIONER:

This is an appeal from the denial of plenary retail consumption license for premises on Albany Avenue Boulevard, Township of Egg Harbor. The premises are located in a section of the Township which is known locally as West Atlantic City.

Respondent denied the application because, as is alleged, (1) this is a high class residential section; (2) a petition signed by approximately ninety per centum of the property owners opposed the application; (3) the location might create a traffic hazard; (4) respondent has consistently denied applications for the sale of alcoholic beverages in West Atlantic City.

The premises for which the license is sought consist of a one-story shack with a stand in front thereof, and is known as "Ye Old Clam Bar". In the building is a kitchen with about five

tables. The business has been conducted by appellant for the past six years, and consists for the most part of serving stews, chowders and shell food. The nearest licensed places are located about two miles away; one to the east in the City of Atlantic City and the other to the west on the Albany Avenue Boulevard (also known as Black Horse Pike) in the City of Pleasantville. It should be noted that the City of Pleasantville was carved out of the northeast corner of Egg Harbor Township, and is so laid out that it separates the West Atlantic City section of Egg Harbor Township from the rest of the Township.

As to the first reason set forth for the denial, it appears that the nearest house to the premises in question is located seven-eighths of a mile away, and the nearest group of houses is more than one and one-quarter miles away. Far from being a high class residential section, the immediate vicinity is almost entirely undeveloped. The hope that it may in time become a residential section is the only color for the thought that it now is. The first reason given is, therefore, without any weight.

Because of the location of the premises and the residences of those objecting to the issuance of the license, protests filed by these residents, who apparently would not be affected in any way by the operation of the licensed premises, would not be a sufficient reason for denying the license.

Nor is there any plausible support for the third defence alleged.

The fourth ground, however, requires consideration. The Chairman of the Township Committee testified that, although there is no restriction on the number of licenses to be issued, it has been the policy of the Committee to refuse to issue licenses in the section of the Township which is known locally as West Atlantic City. The Clerk of the Township testified that a number of applications have been received for licenses in that section of the Township, and that all of such licenses, without exception, had been refused. The policy seems to be supported by the petition filed with the Township Committee requesting that appellant's license be denied. It has been decided that local issuing authorities have the right to limit the number of licenses to a definite quota for particular streets or highways or sections, provided the sections of the municipality in which licenses will be issued are specifically designated. In re Henn, Bulletin #133, item 6; in re Scull, Bulletin #125, item 5. So likewise local issuing authorities may refuse to issue licenses in certain sections of the municipality where local sentiment clearly supports such action, and the policy is not used as a subterfuge to hide discrimination against an applicant. Ely vs. Long Branch, Bulletin #99, item 2. Of course, such policy must be reasonable. It could not be applied arbitrarily to certain wards of a municipality; Brighton Hotel vs. Loder, Bulletin #41, item 6; or to certain streets of a city; Foxwell vs. Atlantic City, Bulletin #41, item 3. The sections of the municipality affected by such policy are to be determined with due recognition of public convenience and necessity. Brighton Hotel vs. Loder, supra. If, in fact, public convenience and necessity require the issuance of a license in a certain section of a municipality, then a denial simply because the premises are situated in such certain section would not be justified.

An examination of the evidence in the case does not show that a license is needed at appellant's premises to take care of

the local needs of the citizens of Egg Harbor Township. In fact, the citizens of the Township reside near appellant's premises. There is testimony in the case that the traffic upon Albany Avenue Boulevard, or Black Horse Pike, is very heavy. However, the needs of the transient business are only one of the matters to be considered and, while there is a distance of about four miles between licensed places upon this Highway, that fact standing alone is not sufficient to show necessity. The most that has been shown in this case is that the license would be a convenience to appellant, but that is an entirely different matter than the question as to whether or not the license is necessary for the need of the traveling public.

I find that the issuing authorities have acted in good faith and that they are not alleging a policy of refusing licenses in West Atlantic City merely to cloak discriminatory action against appellant.

The action of respondent is, therefore affirmed.

D. FREDERICK BURNETT
Commissioner

Dated: October 31, 1936.

8. APPELLATE DECISIONS - PETRUSHA vs. MINE HILL

JOHN PETRUSHA,)
Appellant,)
-vs-) ON APPEAL
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MINE HILL,) CONCLUSIONS
Respondent.)

. . . . . .

John Petrusha, Pro Se.
Lyman M. Smith, Esq., Attorney for Respondent.

BY THE COMMISSIONER:

This is an appeal from the denial of an application for a plenary retail consumption license for premises located on Randolph Avenue, Mine Hill Township, Morris County.

Respondent denied the application by reason of a resolution limiting the number of such licenses to three, adopted June 4, 1936, at which time there were already issued the allotted number.

Appellant first applied for a license in May of this year. His application was denied at a meeting of the Township Committee on June 4th. At the same meeting the resolution above referred to was adopted.

The chairman of the Township Committee who presided throughout this meeting is a brother of Elizabeth Powell, one of the three who then held licenses. At the meeting in question he obtained the consent of his fellow committeemen to apply to this Department, pursuant to Section 18A of the Control Act, for a

transfer of his sister's license into his own name. This application has since been granted.

It does not appear from the minutes of the meeting of June 4th whether or not the chairman actually voted on the resolution limiting the number of licenses. Whether he did or not is immaterial. His personal interest in the subject matter of the resolution and his participation in the meeting were sufficient not merely to disqualify him from voting, but also to taint the whole measure with illegality. In re Brundage, Bulletin #80, Item 7; Asbury Park cases, Bulletin #39, items 2 and 3; Stevens vs Haussermann, 113 N. J. L. 162; 172 Atl. 738 (Sup. Ct. 1934). Accordingly, the resolution is a nullity and cannot be invoked by the respondent as a basis for denying the present application. Respondent was specifically apprised of this salutary doctrine in the case of Burd vs. Mine Hill, Bulletin 38, item 7. That case would have been decided the same way as this if it had not been for the failure of the appellant therein to pay the necessary fee for a Federal stamp. This decision, therefore, will occasion no surprise.

Resolutions limiting the number of licenses to be issued, when enacted by disinterested and impartial municipal officials, have been upheld on appeal time and again. Citation of cases is superfluous. But such limitations, when impregnated with the poison of self-interest of a member of an issuing authority, which directly or immediately affects him individually, are against public policy and are vitiated at the threshold.

After the refusal of his application on June 4, appellant re-applied for a license. There is no question of the personal fitness of the appellant, the suitability of the premises or his compliance with the formal prerequisites. The premises in question have been operated for more than a hundred years as a hotel.

I have heretofore held that hotels are affected with a public interest so far as the sale of alcoholic beverages is concerned. In A.B.C. Holding Company, Inc. vs. Newton, Bulletin #58, item 11, it was said:

> "Hotels, as such, must be distinguished from ordinary liquor stores. Hotels are vested with a quasi-public function. They are charged with the duty of accepting all proper persons as guests and of furnishing them with accommodations so far as the capacity of the hotel permits. See Watkins vs. Cope, 84 N.J.L. 143 (Sup. Ct. 1913); see also Re: Corona, Bulletin #29, Item #5. They discharge a public function. They are, therefore, not to be classed as ordinary drinking places. It is not fair to discriminate against a hotel unless good cause exists."

This ruling was followed in the case of Maurer vs. Sussex, Bulletin #79, item 10, and in Latz vs. Somers Point, Bulletin #146, item 5.

Accordingly, the action of respondent is reversed. Respondent is ordered to issue the license as applied for.

D. FREDERICK BURNETT
Commissioner

Dated: November 1, 1936.

9. APPELLATE DECISIONS - BROWN vs. NEWARK

WILLIE BROWN,)

Appellant,)

-vs-)

THE MUNICIPAL BOARD OF ALCOHOLIC BEVERAGE CONTROL OF THE CITY OF NEWARK,)

Respondent.)

ON APPEAL

CONCLUSIONS

. . . . . .

Roger M. Yancey, Esq., Attorney for Appellant.
No appearance for Respondent.
J. Spielman, Esq., Attorney for Objectors.

BY THE COMMISSIONER:

Appellant appeals from the refusal to renew her plenary retail consumption license for premises ~~#23~~ Colden Street, Newark.

Respondent denied the application because of the alleged improper manner in which the premises have been conducted in the past.

The premises are located in a neighborhood where colored residents predominate. The patronage is drawn largely from the neighborhood. Appellant has operated a saloon at the same location since 1934. During that entire time there have been frequent complaints to the police arising out of disturbances in and about the premises. There is abundant evidence in the record of indecent acts and language, fighting, cursing and swearing.

There is no question about appellant's own character. One of the principal objectors testified:

"Q You have no personal grievance against Willie Brown?

A No, we haven't got a bit, and I say that with all sincerity."

It is simply that the licensee is unable to control her customers. When asked if disputes started in her place, she answered:

"Oh, no. Some had disputes but I asked them to talk outside. The people that live around there fight and come in and get a glass of beer and go back and fight some more. What can I do about it as long as they don't fight in my place?"

It is evident that the behavior of patronage of this character amply justifies the complaints which resulted in the respondent's refusal to renew the license. A licensee must keep his place and his patronage under proper control. When the exercise of his personal right becomes a nuisance to the community, public interest requires that the privilege terminate.

Conte vs. Princeton, Bulletin #139, item 8.

The action of respondent is, therefore, affirmed.

D. FREDERICK BURNETT
Commissioner

Dated: November 1, 1936.

10. SPECIAL PERMITS - DENIED TO MERCANTILE BUSINESS WHEN SOUGHT FOR THE PURPOSE OF GIVING ALCOHOLIC BEVERAGES TO CUSTOMERS.

Dear Sir:

The writer operates a dining car at the above address.

Recently I started to construct an addition to my dining car which I expect will be completed in about a week.

As an expression of appreciation to my many patrons, I would like to dispense beer absolutely free of charge, for a period of two hours, some evening after the completion of my dining room.

The dispensation of this beverage will in nowise obligate my friends and customers to purchase food.

Will you please inform me what it will be necessary for me to do to get your approval for this little get together.

Sincerely,

ANNA E. ZOELLNER

November 2, 1936.

Mrs. Anna E. Zoellner,
Newark, N. J.

My dear Mrs. Zoellner:

According to my records, there is no license issued in your name or for your premises.

I understand that upon the completion of the addition to your dining car which you are now building, you want to give away beer on some designated evening to your patrons. Business will be going on as usual and any customer is free to come in and get a beer merely for the asking.

There is nothing in the Alcoholic Beverage Control Act which would prevent an individual not licensed to sell alcoholic beverages from giving alcoholic beverages to his friends provided the gift is really gratuitous in every respect. But gifts by proprietors of restaurants to their patrons cannot be said to be

purely gratuitous. Regardless of whether or not there is any obligation on the patron to purchase food at the time he is served the alcoholic beverages, it is surely accompanied by the expectation of developing trade with its resulting financial gain. It is, therefore, a sale within the contemplation of the Act (re Frommelt, Bulletin 123, item 5) and consequently, may not be made except pursuant to the terms of the proper license or permit.

You do not hold a license. And special permits are not issuable for private commercial purposes. The situation you present is essentially the same as in re Wallenstein, Bulletin 90, item 1, and is governed by that decision. The dispensing of beer in the manner that you propose is not permissible.

Very truly yours,

D. FREDERICK BURNETT
Commissioner

11. EDUCATIONAL CAMPAIGN

November 2, 1936

To: Commissioner Burnett
From: E. W. Garrett

The speaking engagements arranged to date are as follows:

WEEK BEGINNING NOVEMBER 1, 1936

Wed. Nov. 4 -	Rotary Club, Salem Apartment Hotel, Salem - 12:15 P. M.	Inspector F.M. Middleton
Thur. Nov. 5 -	Rotary Club, Bernards Inn, Bernardsville - 6:15 P. M.	Inspector Wm. S. Codd

WEEK BEGINNING NOVEMBER 8, 1936

Sun. Nov. 8 -	Christian Endeavor Society, First Reformed Church, Irvington - 7:00 P. M.	Inspector S.J.MacIntosh

WEEK BEGINNING NOVEMBER 15, 1936

Tues. Nov. 17 -	Orange-West Orange Kiwanis, Y.M.C.A. of Oranges - 12:15 P. M.	Deputy Comm'r N. L. Jacobs
Thur. Nov. 19 -	Chamber of Commerce, 51 E. 22nd Street, Bayonne	Inspector M. J. Shapiro

WEEK BEGINNING NOVEMBER 29, 1936

Sun. Nov. 29 -	Young People's Society, First Reformed Church, Pequannock - 7:00 P. M.	Inspector E. M. Tapner

WEEK BEGINNING DECEMBER 6, 1936

Thur. Dec. 10 -	Lions Club, Merchantville - 6:15 P. M.	Investigator R. G Lockwood

WEEK BEGINNING DECEMBER 13, 1936

Mon. Dec. 14 -	W. C. T. U., Maplewood - 3:00 P.M.	Inspector S. J. MacIntosh

WEEK BEGINNING JANUARY 10, 1937

Mon. Jan. 11 - Sheriffs' Association of New Jersey, Stacy Trent Hotel, Trenton - 6:00 P. M. — Commissioner D. Frederick Burnett

WEEK BEGINNING JANUARY 17, 1937

Wed. Jan. 20 - Branchville Woman's Club, Branchville - 2:00 P. M. — Deputy Comm'r E. B. Hock

WEEK BEGINNING MARCH 28, 1937

Tues. Mar. 30 - Arlington Women's Club - Arlington — Inspector M. E. Ash

E. W. GARRETT,
Deputy Commissioner.

12.

ENFORCEMENT DIVISION ACTIVITY FOR OCTOBER 1 to OCTOBER 31, 1936, INCL.

ARRESTS: Total number of persons 73
Licensees - 6 Non-Licensees 67

SEIZURES: Stills - total number seized. 21
1 - 50 gal. capacity - 17
Over 50 gal. capacity - 4

Motor Vehicles - total number seized. . 9
Trucks - 1 Pleasure cars - 8

Alcohol - Beverage Alcohol 74 gals.

Mash - Total number of gallons. . . .5,880

Alcoholic Beverages
Beer, Ale, etc. . . . .34 bottles
Wine. . . . . 173 gallons
Whiskies and other hard liquor. . . . . .1896 gallons

RETAIL INSPECTIONS: Licensed premises inspected 1,529

Bootleg liquor. 14
Gambling violations . . .96
Sign Violations 46
Unqualified employees . .42
Other violations. 24

TOTAL VIOLATIONS FOUND..222

TOTAL NUMBER OF BOTTLES GAUGED. . . .7,882

COMPLAINTS: Investigated and closed. 402
Investigated, pending completion . . .191
Referred to local police 2

LABORATORY: Number of analyses made. 264
Number of poison liquor cases. . . 23
Number of samples with artificial coloring. 38
Number of samples of moonshine liquor. 35

Respectfully submitted,
E. W. GARRETT,
Deputy Commissioner.

13. DISCIPLINARY PROCEEDINGS - SALES TO MINORS FOLLOWED BY DRUNKEN DRIVING - LICENSEES WHO CONTRIBUTE TO THE CAUSE MUST BE TAUGHT THEIR RESPONSIBILITY.

November 4, 1936

Mr. Abram L. Yonkers,
Borough Clerk,
Midland Park, Bergen County, N. J.

Dear Mr. Yonkers:

I have staff report of the proceedings before the Borough Council of Midland Park against Frank J. Schumann charged with having sold alcoholic beverages to a minor.

The report states:

"On July 22, 1936 Wilbur Meyer, 20 years of age was arrested in Ridgewood and charged with 'drunken driving'.

"Investigation revealed that this minor had been served several glasses of beer at the licensed premises some time prior to his arrest.

"The licensee stated that the minor appeared to be over 21 years and had, therefore, not questioned him as to his age."

I note the licensee pleaded guilty to the charge and that his license was suspended for one day; that the Mayor in passing sentence stated that the extremely light penalty was imposed only because the appearance of the minor might have deceived the licensee into the belief that he was of age.

I hope that the action of the Council will serve as a warning to licensees that no sales may lawfully be made to any minor. Drunken driving is becoming an increasing menace to life and limb. Licensees who contribute to the cause must be taught their responsibility. Heavier penalties are indicated if the warning does not suffice.

Very truly yours,

Commissioner.