

Gossweiler

STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
1100 Raymond Blvd. Newark, N.J. 07102

BULLETIN 1797

July 1, 1968

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Department of Law and Public Safety
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BULLETIN 1797

July 1, 1968

1. DISCIPLINARY PROCEEDINGS - SOLICITATION FOR PROSTITUTION - PRIOR
DISSIMILAR RECORD - LICENSE REVOKED.

In the Matter of Disciplinary
Proceedings against

POODLE CLUB, INC.
24 William Street
Newark, New Jersey

Holder of Plenary Retail Consumption
License C-649, issued by the Municipal
Board of Alcoholic Beverage Control of
the City of Newark.

CONCLUSIONS

and

ORDER

No Appearance on behalf of Licensee
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic
Beverage Control

BY THE DIRECTOR:

The Hearer has filed the following report herein:

Hearer's Report

The following charge was preferred against the licensee:

"On Friday night, November 17 into early
Saturday morning, November 18, 1967, you
allowed, permitted and suffered lewdness and
immoral activity in and upon your licensed
premises, viz., solicitation for prostitution
and the making of overtures and arrangements
for acts of illicit sexual intercourse; in
violation of Rule 5 of State Regulation No. 20."

This matter was set down for hearing on Tuesday, February
13, 1968, at 2 p.m., and the licensee was advised by letter to enter
a plea on or before February 8, 1968, and to appear on the said
hearing date. No word having been received with reference thereto,
a telegram was dispatched on February 9 to the licensee requesting
a response by return wire. The licensee did not respond, and at no
time up to the date of this report has it entered any plea with
respect to the said charge. No appearance was entered on February
13, and the matter was adjourned peremptorily to March 8, 1968.

On February 14 another letter addressed to the licensee
was delivered personally by a Division agent to Anthony Margotta
(president of the corporate licensee) advising the licensee that no
plea had been entered, and that the matter had been rescheduled for
hearing. Margotta signed a written acknowledgment of the receipt of
that notification.

When the matter came on for hearing on March 8, no appear-
ance was entered on behalf of the licensee nor was any plea entered.
Accordingly, this matter proceeded as though a plea of not guilty
had been entered. Hence this matter was heard ex parte, and the
following picture was reflected from the testimony.

ABC Agents B and F participated in the investigation of the subject premises pursuant to a specific assignment to investigate alleged prostitution and procuring for prostitution. On November 17, 1967, at 11:40 p.m., the agents entered the premises and engaged in a conversation with a female patron. She confided that she engaged in prostitution and obtained many of her customers at these premises. She was asked whether the bartender and owner know what she was doing, and she replied, "Sure, they all know, what you think every broad in here is doing, all making a buck the same as me." Agent B asked the bartender if he would recommend this female, and the bartender (later identified as Robert J. Theobald) recommended her highly as a desirable person with whom to have sexual intercourse. The female boasted that she frequently attends stag parties and engages in all sorts of perverted intercourse. In the presence of the bartender, the agents asked this female what her charge would be and she stated that she charged \$25. Arrangements were thereupon made to meet her at her room at a nearby hotel.

After notifying local police officers, Agent F entered her room and paid her in marked money to engage in sexual relations. While Agent F was in the room with this female, other ABC agents, together with the local police, were admitted to the room by Agent F and they then recovered the marked money given to this female by Agent F. Shortly thereafter Theobald was arrested and admitted having a conversation with this agent with respect to the activities of this female.

Considering the facts and circumstances in this case, and the fact that the Division has adequately proved the charge by a fair preponderance of the believable evidence, I recommend that the licensee be found guilty of the said charge.

Licensee has a prior adjudicated record. Its license was suspended by the Director for twenty days effective July 2, 1963, for sale to minors, and for sixty-five days effective December 1, 1964, for permitting gambling (acceptance of horse race and numbers bets). Re Poodle Club, Inc., Bulletin 1525, Item 5; Bulletin 1596, Item 2.

It is obvious that the licensee has shown a callous disregard for the rules and regulations of this Division; that it has wantonly abused the privileges of its license, and that it has utterly failed to adhere to the standards of public morality and common decency. In view of the facts and circumstances herein, including the licensee's prior record, the serious nature of the present charge, and particularly considering its inexcusable and cynical failure to enter a plea to this charge or to appear at the hearing herein, it is clear that the continuance of this license would be contrary to the public interest.

It is therefore recommended that the only proper and justifiable penalty herein is outright revocation of this license. Re Farley & Danieli, Inc., Bulletin 1626, Item 1; Buckley v. Wallington, Bulletin 1772, Item 1; Re Monkey Club, Inc., Bulletin 1511, Item 1; cf. Butler Oak Tavern v. Division of Alcoholic Beverage Control, 20 N.J. 373 (1956).

Conclusions and Order

No exceptions to the Hearer's report were filed pursuant to Rule 6 of State Regulation No. 16.

Having carefully considered the record and the Hearer's report, I adopt the conclusions and the recommendations of the

Hearer as my conclusions herein.

Accordingly, it is, on this 25th day of April 1968,

ORDERED that Plenary Retail Consumption License C-649, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to Poodle Club, Inc., for premises 24 William Street, Newark, be and the same is hereby revoked, effective immediately.

JOSEPH M. KEEGAN
DIRECTOR

2. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS AND HORSE RACE BETS) - LOTTERY (HORSE RACE POOL) - LICENSE SUSPENDED FOR 60 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary)
Proceedings against)

PAULA'S RINGSIDE CAFE, INC.)
591 Summit Avenue)
Jersey City, New Jersey)

CONCLUSIONS

and

Holder of Plenary Retail Consumption)
License C-200 issued by the Munici-)
pal Board of Alcoholic Beverage)
Control of the City of Jersey City)

ORDER

Messano and Messano, Esqs., by Ralph P. Messano, Esq., Attorneys)
for Licensee)
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic)
Beverage Control)

BY THE DIRECTOR:

Licensee pleads non vult to charges (1) and (2) alleging that on divers dates between October 21 and November 11, 1967, it variously permitted the acceptance of numbers and horse race bets and conducted a lottery, viz., a horse race pool, on the licensed premises, in violation of Rules 6 and 7 of State Regulation No. 20.

Licensee has a previous record of suspension of license by the Director for ten days effective August 29, 1955, for sale during prohibited hours, in violation of State Regulation No. 38. Re Paula's Ringside Cafe, Inc., Bulletin 1078, Item 10.

The prior record of suspension of license for dissimilar violation occurring more than five years ago disregarded, the license will be suspended for sixty days, with remission of five days for the plea entered, leaving a net suspension of fifty-five days. Re Charles & Paul Riviera Lounge, Inc., Bulletin 1750, Item 4.

Accordingly, it is, on this 26th day of April, 1968,

ORDERED that Plenary Retail Consumption License C-200, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Paula's Ringside Cafe, Inc., for premises 591 Summit Avenue, Jersey City, be and the same is hereby suspended

for fifty-five (55) days, commencing at 2:00 a.m. Tuesday, April 30, 1968, and terminating at 2:00 a.m. Monday, June 24, 1968.

JOSEPH M. KEEGAN
DIRECTOR

3. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY LABELED -
PRIOR DISSIMILAR RECORD DISREGARDED BECAUSE OF PENDENCY OF
APPEAL - LICENSE SUSPENDED FOR 35 DAYS.

In the Matter of Disciplinary)
Proceedings against)

CROSS KEYS HOTEL & REST., INC.)
37 W. Cherry Street)
Rahway, New Jersey)

CONCLUSIONS

and

Holder of Plenary Retail Consumption)
License C-15 issued by the Municipal)
Board of Alcoholic Beverage Control)
of the City of Rahway)

ORDER

Francis C. Foley, Esq., Attorney for Licensee
Leon Chorkavy, Jr., Esq., and David S. Piltzer, Esq., Appearing for
Division of Alcoholic Beverage Control

BY THE DIRECTOR:

The Hearer has filed the following report herein:

Hearer's Report

Licensee pleaded not guilty to the following charges:

"On February 16, 1967, you possessed, had custody of and allowed, permitted and suffered in and upon your licensed premises, alcoholic beverages in bottles which bore labels which did not truly describe their contents, viz.,

Two one quart bottles labeled 'Canadian Club Blended Canadian Whisky, 86.8 Proof',

One one quart bottle labeled 'Four Roses Blended Whiskey, 86 Proof',

One one quart bottle labeled 'Schenley Reserve Blended Whiskey, 86 Proof',

Two one quart bottles labeled 'Cutty Sark Blended Scots Whisky, 86 Proof',

One one quart bottle labeled 'Midwood House Straight Kentucky Bourbon Whiskey (Choice) 86 Proof',

Two one quart bottles labeled 'Old Grand-Dad Kentucky Straight Bourbon Whiskey, 86 Proof' and

One one quart bottle labeled 'Old Forester Kentucky Straight Bourbon Whiskey, 100 Proof';

in violation of Rule 27 of State Regulation No. 20."

In behalf of the Division, Agent S gave the following account: On February 17, 1967, he visited the licensed premises (containing an upstairs and downstairs bar) at approximately 3:35 p.m. for the purpose of gauging open bottles of alcoholic beverages. Anthony Cerami, the president of the licensee corporation, was present. As a result of the gauging, S seized eleven open bottles (including the aforementioned bottles) and eight comparison bottles. The eight comparison bottles were sealed bottles which he opened for the purpose of comparing their contents with the open stock. Prior to removing the bottles from the premises, he resealed all of them with Division seals. He signed one side of each seal and Cerami signed the other side thereof. February 17 being a Friday, he placed the sealed bottles in the trunk of his automobile and brought them to his home. On Monday, February 20, S delivered the bottles to the Division laboratory and, in particular, to Mrs. Helen Osthoff who was employed by the Division as laboratory clerk.

After turning in the bottles on February 20, the agent next saw them on September 13, at which time he brought the open bottles into the hearing room for the purpose of using them as an exhibit in the within proceeding. On September 13, he again returned the bottles to the laboratory and, on November 8, he brought the open and comparison bottles into the hearing room again, for evidentiary purposes.

On cross examination, S testified that he checked a total of 110 bottles at the upstairs bar and took the eleven open and eight comparison bottles from that bar. He neither checked nor took any bottles from the downstairs bar. He was satisfied with their appearance. He took the eleven open bottles because, after a preliminary test, they appeared to be either off in color or low in proof.

Helen Osthoff testified that she was employed as a clerk-typist in the laboratory maintained by the Division and was so employed on February 20, 1967. Her duties include receiving alcoholic beverages brought in by Division agents. Prior to accepting bottles submitted to the laboratory, she makes certain that the bottles are properly sealed. On February 20, she accepted the delivery of the bottles referred to in the testimony herein from Agent S. She placed her signature on the tag affixed to each bottle and made entries for the Division records. The bottles were placed in a locked vault and kept in the vault until the chemist removed them in order to analyze the contents.

The testimony of John P. Brady, a graduate chemist and an expert in the field of chemical analysis of alcoholic beverages, may be summarized as follows: On April 6, 1967, he opened the sealed bottles which had been detained by Agent S and analyzed the contents of each for alcohol, acids, color and total solids. Analyzing and comparing the content of Exhibits D-1 through D-10 with the contents of numerous genuine comparison bottles of the same brands (some of which were taken from the licensed premises), he opined that the contents of the ten bottles were not genuine as labeled. Specifically, his findings were as follows:

D-1 Canadian Club Blended Whisky. Low in proof, high in solids and color;

D-2 Canadian Club Blended Whisky. Low in proof, high in color and solids;

- D-3 Four Roses Blended Whiskey. Off in proof, high in solids and acids;
- D-4 Schenley Reserve Blended Whiskey. Low in proof, high in solids and acids;
- D-5 Cutty Sark Blended Scots Whisky. Low in proof, high in solids;
- D-6 Cutty Sark Blended Scots Whisky. Low in proof, solids and acids;
- D-7 Midwood House Straight Kentucky Bourbon Whiskey. Off in proof, low in solids and high in acids;
- D-8 Old Grand-Dad Kentucky Straight Bourbon Whiskey. High in proof and solids, off in acids;
- D-9 Old Grand-Dad Kentucky Straight Bourbon Whiskey. Low in proof, high in solids and acids;
- D-10 Old Forester Kentucky Straight Bourbon Whiskey. Low in proof and acids, high in color.

Despite an intensely exhaustive cross examination by the licensee's attorney, the chemist's determination concerning the contents of bottles D-1 through D-10 was unchanged.

In defense of the charge, Anthony J. Cerami (president of the corporate licensee) testified that he opened the bottle of Midwood House whiskey in the morning of the day that Division Agent S came in to test the bottles of liquor. He remained on duty tending bar all day and all during the time that S was testing bottles. Nothing was done to the bottle of Midwood House from the time he opened it to the time it was taken except to affix a pourer to it. He recalled having three bottles of Canadian Club whisky behind the bar, "one in the well empty, one in back of the bar, and one the other back bar. One was sealed, one was opened, one was empty. He made his comparison tests with the bottles there, and then later on in testing he asked me to get him another bottle from the store-room." The agent sealed and took with him two bottles of Canadian Club that had been opened by him. He had no specific recollection of the other bottles.

On cross examination, the witness denied being informed by the agent that he took the bottles because he suspected that they had been tampered with, nor did the agent ask him as to whether or not he had tampered with the bottles.

In rebuttal, S testified that he informed Cerami that it appeared to him that the contents of some of the bottles appeared to be low in proof and off in color and asked him as to whether or not anyone had tampered with the bottles. He opened only one sealed bottle of Canadian Club for comparison purposes.

Over the objection of licensee's attorney, I permitted the prosecutor to amend the charge to read "February 17, 1967" instead of "February 16, 1967," following previous practice in the Division and the practice followed in the courts of our State.

Furthermore, the licensee failed to show that he was prejudiced in the presentation of his defense by allowing the amendment herein.

In brief, the licensee's attorney argued (1) the Director could not convict because he had not previously promulgated standards and had no power to legislate on a case-to-case basis, citing Boller Beverages, Inc. v. Davis, 38 N.J. 138 (1962); (2) the Division had not established continuity of custodianship and (3) the Division had failed to meet the burden of proof.

In commenting on the first point raised by the licensee, I fail to observe any similarity between the Boller case and the factual and legal complex presented by the instant case. The charge herein alleges a violation of a specific rule which has been in existence for many years and whose salutary effect has never been questioned. Simply stated, an allegation that this rule has been violated brings into focus the question whether or not the container (be it a bottle or otherwise) bears a label which does not truly describe its contents. The norm or standard is established by the manufacturer of the product.

The second point raised by the licensee in its argument is without merit. The proof presented by the Division clearly established an uninterrupted continuity of possession from the time that the Division agent seized the bottles to the time that the chemist tested the contents thereof. The licensee's unsubstantiated allegation of lack of continuity of custodianship does not overcome the Division's clear proof to the contrary.

In considering the third point raised by the licensee, I find the unchallenged testimony of the chemist, wherein he gave his expert opinion to the effect that the bottles bore labels which did not truly describe their contents, to be fully and clearly dispositive of that issue.

In view of the aforesaid, I conclude that the Division has established the truth of the charge by a fair preponderance of the credible evidence, and I recommend that the licensee be adjudged guilty as charged.

Although the licensee has a previous record of suspension of license by the Director for ninety days for permitting immoral activity (room renting) on the licensed premises (Re Cross Keys Hotel & Rest., Inc., Bulletin 1771, Item 1), it is further recommended that the prior record of suspension of license be disregarded by reason of the pendency of appeal to the Appellate Division from said suspension (cf. Re Suppa, Bulletin 1775, Item 4) and that the license be suspended for thirty-five days. Re Lev's Bar, Inc., Bulletin 1431, Item 3.

Conclusions and Order

Written exceptions to the Hearer's report and argument thereto were filed by the licensee's attorney, pursuant to Rule 6 of State Regulation No. 16.

In a letter dated March 14, 1968, the licensee's attorney has requested that the decision in the instant matter be withheld pending disposition by the Appellate Division of the appeal taken by the licensee from the action of the Director suspending its license for ninety days effective November 21, 1967, for permitting lewdness and immoral activity (room renting for illicit sexual intercourse) on the licensed premises. Re Cross Keys Hotel & Rest., Inc., Bulletin 1771, Item 1. Inasmuch as the matter considered in

the instant case and the charge in the matter now on appeal are in nowise interrelated, I perceive no valid reason for deferring the decision herein. Hence, the request is denied.

I find that the matters contained in the exceptions have either been considered in detail by the Hearer in his report or are without substantial merit.

Having considered the entire record herein, including the transcript of the testimony, the exhibits, the Hearer's report and the exceptions thereto, I concur in the findings and recommendations of the Hearer and adopt them as my conclusions herein.

Accordingly, it is, on this 24th day of April, 1968,

ORDERED that Plenary Retail Consumption License C-15, issued by the Municipal Board of Alcoholic Beverage Control of the City of Rahway to Cross Keys Hotel & Rest., Inc. for premises 37 West Cherry Street, Rahway, be and the same is hereby suspended for thirty-five (35) days, commencing at 2:00 a.m. Wednesday, May 1, 1968, and terminating at 2:00 a.m. Wednesday, June 5, 1968.

JOSEPH M. KEEGAN
DIRECTOR

4. DISCIPLINARY PROCEEDINGS - GAMBLING (HORSE RACE AND NUMBERS BETS)
- LICENSE SUSPENDED FOR 60 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

TONY PRATTS INC.)
t/a Tony's Palm Bar)
907 White Horse Pike)
Egg Harbor City, New Jersey)

CONCLUSIONS
and

Holder of Plenary Retail Consumption License C-6, issued by the Common Council of the City of Egg Harbor City.)

ORDER

Curcio, Donio & DeMarco, Esqs., by Mark A. DeMarco, Esq.,
Attorneys for Licensee
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic
Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to charges (1) and (2) alleging that on divers days between March 31 and May 13, 1967, it permitted acceptance of horse race and 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 sixty days, with remission of five days for the plea entered, leaving a net suspension of fifty-five days. Re Reiker, Bulletin 1780, Item 4.

Accordingly, it is, on this 7th day of May 1968,

ORDERED that Plenary retail Consumption License C-6, issued by the Common Council of the City of Egg Harbor City to Tony Pratts Inc., t/a Tony's Palm Bar, for premises 907 White Horse

Pike, Egg Harbor City, be and the same is hereby suspended for the balance of its term, viz., until midnight June 30, 1968, commencing at 3 a.m. Tuesday, May 14, 1968; and it is further

ORDERED that any renewal license that may be granted shall be and the same is hereby suspended until 3 a.m. Monday, July 8, 1968.

JOSEPH M. KEEGAN
DIRECTOR

5. DISCIPLINARY PROCEEDINGS - GAMBLING (WAGERING) - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDED FOR 25 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against

MARIE LOTITO
t/a Bridge Inn
45 Bridge Street
Paterson, New Jersey

CONCLUSIONS

and

Holder of Plenary Retail Consumption License C-21, issued by the Board of Alcoholic Beverage Control for the City of Paterson.

ORDER

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Grabow, Verp & Rosenfelt, Esqs., by Donald A. Rosenfelt, Esq.,
Attorneys 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 December 9, 1967 she permitted the playing of a card game for money stakes on the licensed premises, in violation of Rule 7 of State Regulation No. 20.

Licensee has a previous record of suspension of license by the Director for ten days effective April 17, 1967, and again for fifteen days effective October 19, 1967, both for sale to minors. Re Lotito, Bulletin 1732, Item 9; Bulletin 1767, Item 9.

The license will be suspended for fifteen days (Re Addas, Bulletin 1779, Item 8), to which will be added ten days by reason of the record of two suspensions of license for dissimilar violation within the past five years (Re Silver Star Cafe, Inc., Bulletin 1783, Item 5), or a total of twenty-five days, with remission of five days for the plea entered, leaving a net suspension of twenty days.

Accordingly, it is, on this 7th day of May 1968,

ORDERED that Plenary Retail Consumption License C-21, issued by the Board of Alcoholic Beverage Control for the City of Paterson to Marie Lotito, t/a Bridge Inn, for premises 45 Bridge Street, Paterson, be and the same is hereby suspended for twenty (20) days, commencing at 3 a.m. Tuesday, May 14, 1968 and terminating at 3 a.m. Monday, June 3, 1968.

JOSEPH M. KEEGAN
DIRECTOR

6. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY
LAELED - PRIOR DISSIMILAR RECORD - LICENSE SUSPENDEE FOR 20
DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary
Proceedings against

EDWARD LESNIEWSKI
t/a Johnny's Cafe
1135-37 S. 4th Street
Camden, New Jersey

CONCLUSIONS

and

ORDER

Holder of Plenary Retail Consumption
License C-19, issued by the Municipal
Board of Alcoholic Beverage Control
of the City of Camden.

Licensee, Pro se
Walter H. Cleaver, Esq., Appearing for Division of Alcoholic
Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on
February 20, 1968 he possessed an alcoholic beverage in a 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 suspensions of license
by the Director for thirty days effective August 12, 1964, and
again for seventy-five days effective June 8, 1967, both for sale
to intoxicated persons and permitting foul language on the li-
censed premises. Re Lesniewski, Bulletin 1581, Item 5; Bulletin
1743, Item 5.

The prior record of two suspensions of license for dis-
similar violations within the past five years considered, the li-
cense will be suspended for twenty days, with remission of five
days for the plea entered, leaving a net suspension of fifteen
days. Re Sabe, Inc., Bulletin 1733, Item 6.

Accordingly, it is, on this 29th day of April 1968,

ORDERED that Plenary Retail Consumption License C-19,
issued by the Municipal Board of Alcoholic Beverage Control of the
City of Camden to Edward Lesniewski, t/a Johnny's Cafe, for premises
1135-37 S. 4th Street, Camden, be and the same is hereby sus-
pended for fifteen (15) days, commencing at 2 a.m. Monday, May 6,
1968, and terminating at 2 a.m. Tuesday, May 21, 1968.

JOSEPH M. KEEGAN
DIRECTOR

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

In the Matter of Disciplinary
 Proceedings against

C. & E. CORP.
 t/a Edghill's Lounge
 1700-02-04 Baltic Avenue
 Atlantic City, New Jersey

CONCLUSIONS

and

Holder of Plenary Retail Consumption
 License C-111, issued by the Board
 of Commissioners of the City of
 Atlantic City.

ORDER

-----)
 Licensee, by James Edghill, President, Pro se
 Walter H. Cleaver, Esq., Appearing for Division of Alcoholic
 Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on
 January 13, 1968 it 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.

Although the licensee has no previous record of sus-
 pension, the license then held by James R.O. Edghill, 98 per cent.
 stockholder of the licensee corporation, for premises 1301
 Agriatic Avenue, Atlantic City, was suspended by the municipal
 issuing authority for fifteen days effective October 16, 1956,
 for sale to minors.

The prior record of suspension of license for dis-
 similar violation occurring more than five years ago disregarded,
 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 Mancuso, Inc., Bulletin 1785, Item 3.

Accordingly, it is, on this 29th day of April 1968,

ORDERED that Plenary Retail Consumption License C-111,
 issued by the Board of Commissioners of the City of Atlantic City
 to C. & E. Corp., t/a Edghill's Lounge, for premises 1700-02-04
 Baltic Ave., Atlantic City, be and the same is hereby suspended
 for ten (10) days, commencing at 7 a.m. Monday, May 6, 1968,
 and terminating at 7 a.m. Thursday, May 16, 1968.

JOSEPH M. KEEGAN
 DIRECTOR

8. 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

TERMINAL RESTAURANT and BAR, A
CORPORATION
t/a Terminal Bar and Liquor Store
227-229 Market Street
Camden, New Jersey

CONCLUSIONS

and

ORDER

Holder of Plenary Retail Consumption
License C-31 issued by the Municipal
Board of Alcoholic Beverage Control
of the City of Camden

Licensee, by William Orland, Secretary-Treasurer, Pro se
Walter H. Cleaver, Esq., Appearing for Division of Alcoholic
Beverage Control

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on
February 9, 1968, it sold six cans of beer for off-premises con-
sumption during hours prohibited by Rule 1 of State Regulation
No. 38.

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 Kicey,
Bulletin 1787, Item 4.

Accordingly, it is, on this 29th day of April, 1968,

ORDERED that Plenary Retail Consumption License C-31,
issued by the Municipal Board of Alcoholic Beverage Control of
the City of Camden to Terminal Restaurant and Bar, A Corporation,
t/a Terminal Bar and Liquor Store, for premises 227-229 Market
Street, Camden, be and the same is hereby suspended for ten (10)
days, commencing at 7:00 a.m. Monday, May 6, 1968, and terminating
at 7:00 a.m. Thursday, May 16, 1968.

JOSEPH M. KEEGAN
DIRECTOR

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

In the Matter of Disciplinary
Proceedings against

MICHAEL B. O'BRIEN and
AGATHA O'BRIEN
t/a O'Brien's Liquor Store
614 Erial Road
Pine Hill, New Jersey

CONCLUSIONS

and

ORDER

Holders of Plenary Retail Distribution
License D-2, issued by the Borough
Council of the Borough of Pine Hill.

Licensees, Pro se
Walter H. Cleaver, Esq., Appearing for Division of Alcoholic
Beverage Control

BY THE DIRECTOR:

Licensees plead guilty to a charge alleging that on March 30, 1968 they sold three six-packs of beer to a minor, age 18, in violation of Rule 1 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 Norwood Restaurant & Lounge, Inc., Bulletin 1787, Item 6.

Accordingly, it is, on this 30th day of April 1968,

ORDERED that Plenary Retail Distribution License D-2, issued by the Borough Council of the Borough of Pine Hill to Michael B. O'Brien and Agatha O'Brien, t/a O'Brien's Liquor Store, for premises 614 Erial Road, Pine Hill, be and the same is hereby suspended for ten (10) days, commencing at 9 a.m. Tuesday, May 7, 1968, and terminating at 9 a.m. Friday, May 17, 1968.

JOSEPH M. KEEGAN
DIRECTOR

10. DISCIPLINARY PROCEEDINGS - ALCOHOLIC BEVERAGES NOT TRULY
LAELED - LICENSE SUSPENDEE FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)	
)	
THE BAR FOUR, INC.)	CONCLUSIONS
t/a Culmone's Florida Cafe)	
2437 Atlantic Avenue)	
Atlantic City, New Jersey)	and
Holder of Plenary Retail Consumption License C-104 issued by the Board of Commissioners of the City of Atlantic City.)	ORDER
)	
-----)		
Blatt, Blatt & Consalvo, Esqs., by Martin L. Blatt, Esq.,		
Attorneys for Licensee		
Walter H. Cleaver, Esq., Appearing for Division of Alcoholic Beverage Control		

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on November 22, 1967, it 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 Mancuso, Inc., Bulletin 1785, Item 3.

Accordingly, it is, on this 2d day of May, 1968,

ORDERED that Plenary Retail Consumption License C-104, issued by the Board of Commissioners of the City of Atlantic City

to The Bar Four, Inc., t/a Culmone's Florida Cafe, for premises 2437 Atlantic Avenue, Atlantic City, be and the same is hereby suspended for ten (10) days, commencing at 7:00 a.m. Monday, May 6, 1968, and terminating at 7:00 a.m. Thursday, May 16, 1968.

JOSEPH M. KEEGAN
DIRECTOR

11. 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

JACOB ISENBERG
t/a Jack's Tavern
295 Ninth Street
Jersey City, New Jersey

Holder of Plenary Retail Consumption
License C-509 issued by the Municipal
Board of Alcoholic Beverage Control
of the City of Jersey City.

Licensee, Pro se
Walter H. Cleaver, Esq., Appearing for Division of Alcoholic
Beverage Control

CONCLUSIONS

and

ORDER

BY THE DIRECTOR:

Licensee pleads guilty to a charge alleging that on April 13, 1968, he sold a pint of gin for off-premises consumption during hours prohibited by Rule 1 of State Regulation No. 38.

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 Kicey, Bulletin 1787, Item 4.

Accordingly, it is, on this 6th day of May, 1968,

ORDERED that Plenary Retail Consumption License C-509, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Jacob Isenberg, t/a Jack's Tavern, for premises 295 Ninth Street, Jersey City, be and the same is hereby suspended for ten (10) days, commencing at 2:00 a.m. Monday, May 13, 1968, and terminating at 2:00 a.m. Thursday, May 23, 1968.

JOSEPH M. KEEGAN
DIRECTOR

12. DISCIPLINARY PROCEEDINGS - GAMBLING (HORSE RACE BETS) - FOUL LANGUAGE - LICENSE SUSPENDED FOR 70 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary
Proceedings against

EDWARD S. ANISKO
t/a The Barrel House
40 West Grand Street
Elizabeth, New Jersey

CONCLUSIONS

and

Holder of Plenary Retail Consumption
License C-252 issued by the City
Council of the City of Elizabeth

ORDER

Licensee, Pro se

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

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that he (1) on January 3 and 17 and February 7, 1968, permitted acceptance of horse race bets on the licensed premises, in violation of Rule 7 of State Regulation No. 20, and (2) on January 12, 1968, permitted foul and filthy language by patrons on the licensed premises, in violation of Rule 5 of State Regulation No. 20.

Absent prior record, the license will be suspended on the first charge for sixty days (Re The Globe Hotel Company, Inc., Bulletin 1782, Item 3) and on the second charge for ten days (Re Jule's Bar, Inc., Bulletin 1752, Item 5), or a total of seventy days, with remission of five days for the plea entered, leaving a net suspension of sixty-five days.

Accordingly, it is, on this 8th day of May, 1968,

ORDERED that Plenary Retail Consumption License C-252, issued by the City Council of the City of Elizabeth to Edward S. Anisko, t/a The Barrel House, for premises 40 West Grand Street, Elizabeth, be and the same is hereby suspended for the balance of its term, viz., until midnight, June 30, 1968, commencing at 2:00 a.m. Wednesday, May 15, 1968; and it is further

ORDERED that any renewal license that may be granted shall be and the same is hereby suspended until 2:00 a.m. Friday, July 19, 1968.

JOSEPH M. KEEGAN
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

JEAN & BILL, INC.
 t/a Peacock Cafe
 587 South Orange Avenue
 Newark, New Jersey

CONCLUSIONS

and

ORDER

Holder of Plenary Retail Consumption
 License C-255, issued by the Municipal
 Board of Alcoholic Beverage Control of
 the City of Newark.

Licensee, by William West, President, Pro se
 Walter H. Cleaver, Esq., Appearing for Division of Alcoholic
 Beverage Control

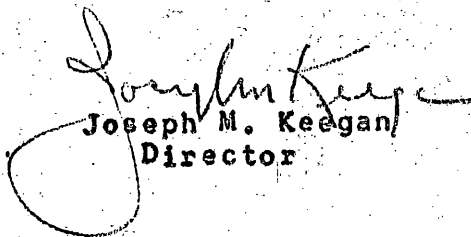
BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that
 on April 26, 1968 it possessed an alcoholic beverage in a
 bottle bearing a label which did not truly describe its con-
 tents, in violation of Rule 27 of State Regulation No. 20.

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 Club Derby, Inc.,
 Bulletin 1790, Item 5.

Accordingly, it is, on this 9th day of May 1968,

ORDERED that Plenary Retail Consumption License
 C-255, issued by the Municipal Board of Alcoholic Beverage
 Control of the City of Newark to Jean & Bill, Inc., t/a Peacock
 Cafe, for premises 587 South Orange Avenue, Newark, be and the
 same is hereby suspended for five (5) days, commencing at 2 a.m.
 Monday, May 13, 1968, and terminating at 2 a.m. Saturday,
 May 18, 1968.


 Joseph M. Keegan
 Director