

STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
1060 Broad Street Newark 2, N. J.

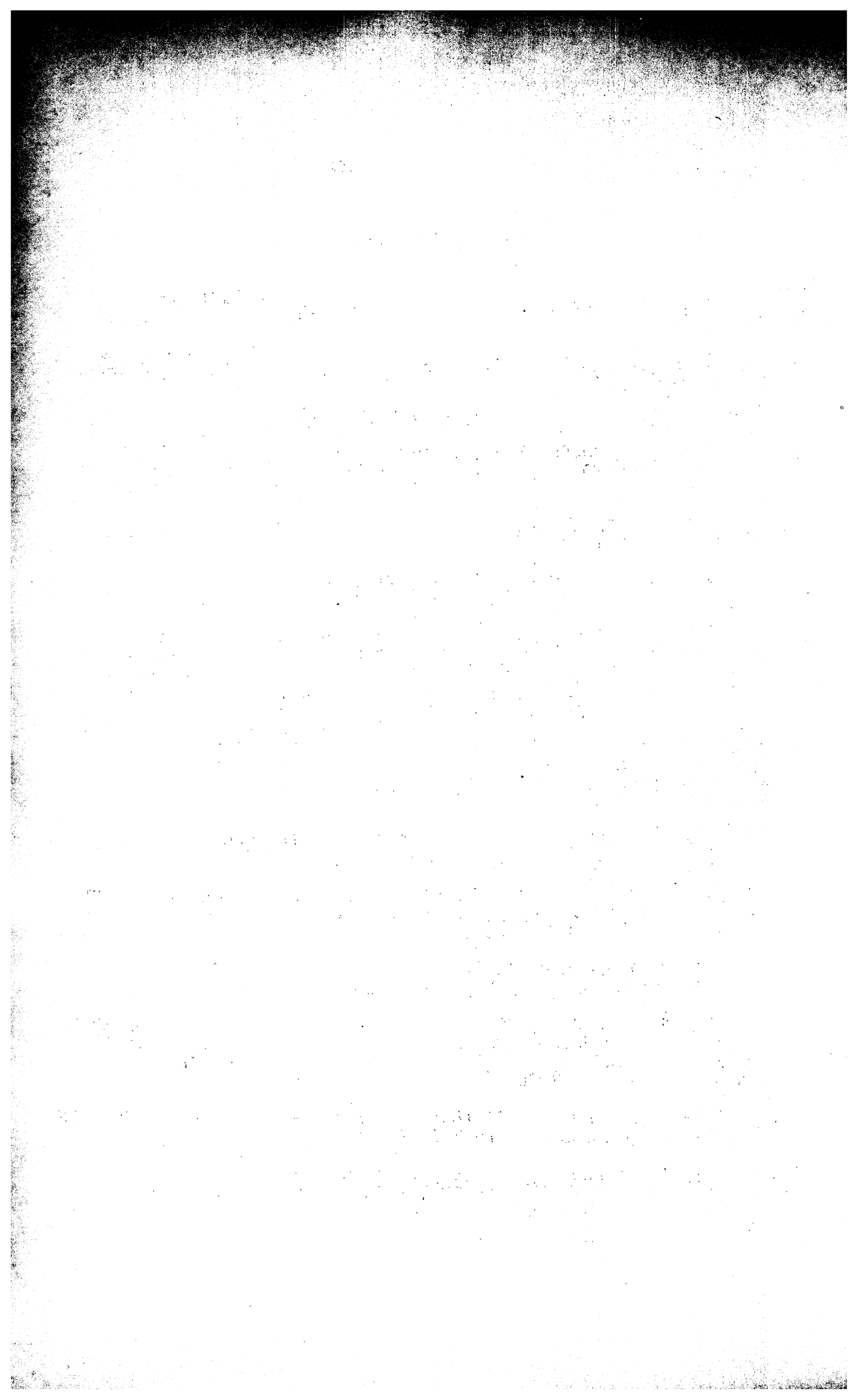
BULLETIN 912

July 19, 1951.

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STATE OF NEW JERSEY
 Department of Law and Public Safety
 DIVISION OF ALCOHOLIC BEVERAGE CONTROL
 1060 Broad Street Newark 2, N. J.

BULLETIN 912

July 19, 1951.

1. RECAPITULATION OF ACTIVITY BY QUARTERLY PERIODS FOR THE FISCAL YEAR 1950-51

	1st Quarter			2d Quarter			3d Quarter			4th Quarter			Total
	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	
ARRESTS:													
Total number of persons arrested	79			50			54			70			253
Licensees and employees	21			14			13			17			65
Bootleggers	57			36			40			53			186
ABC agent impersonator	1			0			1			0			2
SEIZURES:													
Motor vehicles - cars	9			10			2			2			23
- trucks	0			1			3			0			4
Stills - over 50 gallons	2			3			5			2			12
- 50 gallons or under	6			6			3			1			16
Mash - gallons	3,580.00			2,640.00			24,118.83			1,750.00			32,088.83
Alcohol - gallons	0			35.51			86.39			0			121.90
Distilled alcoholic beverages - gallons	163.65			36.97			25.00			57.10			282.72
wine - gallons	74.34			17.51			429.57			873.29			1,394.71
Brewed malt alcoholic beverages - gallons	46.78			37.48			38.66			88.46			211.38
RETAIL LICENSEES:													
Premises inspected	2,087			2,638			3,051			2,847			10,623
Premises where alcoholic beverages gauged	1,856			2,670			2,174			2,846			9,546
Bottles gauged	35,264			44,968			37,426			48,796			166,454
Premises where violations were found	72			208			249			132			661
Violations found	98			225			279			153			755
Type of violations found:													
Unqualified employees	46			25			50			42			163
Reg. #38 sign not posted	9			23			14			7			53
Prohibited signs	1			25			16			5			47
Other mercantile business	9			4			6			5			24
Gambling devices	5			2			6			4			17
Improper beer taps	3			6			4			5			18
Probable fronts	3			6			1			2			12
Disposal permit necessary	2			3			3			6			14
Other violations	20			131			179			77			407
STATE LICENSEES:													
Premises inspected	19			62			58			33			172
License applications investigated	38			31			36			65			168
COMPLAINTS:													
Complaints assigned for investigation	1,076			1,349			1,309			1,181			4,915
Investigations completed	1,041			1,251			1,179			1,094			4,565
Investigations pending	-			-			-			154			154
LABORATORY:													
Analyses made	403			394			389			426			1,612
"Shake-up" cases (alcohol, water & artificial color) - bottles	32			41			24			26			123
Liquor not genuine as labeled - bottles	20			12			8			9			49
IDENTIFICATION BUREAU:													
Criminal fingerprint identifications made	77			42			54			97			270
Persons fingerprinted for non-criminal purposes	671			447			511			816			2,445
Iden. contacts w/other enforcement agencies	565			350			488			685			2,088
MV identifications via N.J.St. Police teletype	26			16			47			31			120
DISCIPLINARY PROCEEDINGS:													
Cases transmitted to municipalities	44			24			47			43			158
Violations involved:													
Sale during prohibited hours	10			10			22			22			64
Sale to minors	17			6			8			10			41
Permitting bookmaking on premises	2			3			4			5			14
Permitting brawls on premises	5			3			2			2			12
Sale to non-members by clubs	4			0			3			2			9
Permitting females to tend bar	2			1			4			0			7
Permitting gambling (cards, pool-selling, darts)	2			3			0			1			6
Sale outside scope of license	3			1			0			0			4
Sale to intoxicated persons	2			0			1			0			3
Sale by retailer on credit	1			0			1			0			2
Possessing chilled beer (DL licensee)	1			1			0			0			2
Failure to afford view into premises during prohibited hours	0			2			4			5			9
Permitting lottery activity	0			1			0			1			2
Possessing contraceptives on premises	0			0			2			0			2
Permitting hostesses on premises	0			0			1			1			2
Permitting women at the bar	0			0			1			0			1
Cases instituted at Division	27			59*			49**			61			196
Violations involved:													
Possessing illicit liquor	10			8			7			11			36
Sale to minors	1			8			9			9			27
Permitting immoral activity on premises	5			7			6			8			26
Fraud and front	4			8			3			6			21
Sale during prohibited hours	3			6			6			4			19
Mislabeled beer taps	2			6			4			3			15
Delivery without bona fide invoices	3			2			2			1			8
Possessing contraceptives on premises	2			2			1			3			8
Sale to non-members by clubs	1			3			2			0			6
Sale outside scope of license	2			0			0			4			6

*2 include cancellation proceedings: (1) licensee not a bona fide club at time license application was made; (2) for club's lack of continuous possession of club quarters for 3 years prior to application.

**1 includes cancellation proceedings (licensee not a bona fide club at time license application was made).

DISCIPLINARY PROCEEDINGS (Cont'd)	1st Quarter		2d Quarter		3d Quarter		4th Quarter		Total
	July	Aug. Sept.	Oct. Nov.	Dec.	Jan. Feb.	Mar.	Apr. May	June	
Cases instituted at Division (Cont'd)									
Violations involved:									
Permitting hostesses on premises	1		3		0		0		4
Conducting business as a nuisance	1		1		0		0		2
Peddling alcoholic beverages from vehicle	1		1		0		0		2
Permitting pin ball machines on premises	1		0		1		0		2
Employee soliciting without permit	1		0		0		0		1
Whirl-failing to notify of change of employees	1		0		0		0		1
Permitting persons of ill repute on premises	1		0		0		0		1
Failure to display license certificate	1		0		0		0		1
Sale below minimum resale price	0		3		3		0		6
Permitting bookmaking on premises	0		2		4		8		14
Failure to file notice of change in application	0		3		1		1		5
Permitting prostitutes on premises	0		2		0		0		2
Transporting in unlicensed vehicle	0		2		0		1		3
Transporting without invoice	0		2		0		0		2
Permitter engaging in conduct prohibited to employer	0		2		0		0		2
Serving women at bar	0		1		1		0		2
Storage off licensed premises	0		1		1		0		2
Illegal activity connected w/ licensed premises	0		1		0		0		1
Retailer bottling without license	0		1		0		1		2
Retailer soliciting from house to house	0		1		0		0		1
Solicitor aiding and abetting wash sale	0		1		0		0		1
Unauthorized transportation	0		1		0		0		1
Failure to afford view into premises during prohibited hours	0		1		0		1		2
Aiding and abetting unlicensed transportation	0		1		0		0		1
Wholesaler giving "free goods" to retailer	0		1		0		0		1
Conviction of crime involving moral turpitude	0		1		0		1		2
Hindering investigation	0		0		6		3		9
Permitting gambling (betting, cards)	0		0		3		0		3
Permitting lottery activity (numbers, raffles)	0		0		2		5		7
Employing unqualified persons	0		0		3		2		5
Sale to intoxicated persons	0		0		3		1		4
Furthering illegal activity	0		0		1		4		5
Permitting act of violence on premises	0		0		1		1		2
Permitting brawls on premises	0		0		1		0		1
Licensee working while drunk	0		0		1		1		2
Employee working while drunk	0		0		1		0		1
Violation of special condition	0		0		1		1		2
Aiding and abetting unlawful sale	0		0		0		1		1
Sol'r engaging in conduct prohibited to employer	0		0		0		4		4
Sale on Election Day	0		0		0		1		1
Purchase from improper source	0		0		0		1		1
Wholesaler accepting unlawful returns	0		0		0		1		1
Permitting vehicles w/ insignia to be used in other business	0		0		0		1		1
Failure to report retailer in default	0		0		0		1		1
Cases brought by municipalities on own initiative and reported to Division	17		27		42		27		113
Violations involved:									
Sale to minors	8		11		13		11		43
Permitting brawls on premises	4		6		9		4		23
Sale during prohibited hours	3		5		10		5		23
Permitting bookmaking on premises	2		3		6		4		15
Hindering investigation	2		0		3		1		6
Permitting gambling on premises	1		0		1		1		3
Permitting persons of ill repute on premises	0		2		1		0		3
Conducting business as a nuisance	0		1		2		0		3
Furthering illegal activity	0		1		1		0		2
Sale to intoxicated persons	0		1		0		0		1
Failure to make timely payment for license	0		1		0		0		1
Permitting immoral activity on premises	0		0		3		1		4
Sale on Election Day	0		0		2		0		2
Serving women at bar	0		0		1		0		1
Permitting females to tend bar	0		0		1		0		1
Permitting lottery activity on premises	0		0		1		0		1
Permitting act of violence on premises	0		0		1		0		1
Employing unqualified persons	0		0		1		1		2
Licensee working while drunk	0		0		1		0		1
CANCELLATION PROCEEDINGS instituted at Division:									
Violations involved:	0		1		0		1		2
Club's lack of continuous possession of club quarters for 3 years prior to application			1		0		0		1
Licensee improvidently issued because one of licensees had been convicted of crimes involving moral turpitude			0		0		1		1
HEARINGS HELD AT DIVISION:									
Total number of hearings held	92		112		104		112		420
Appeals	20		7		16		15		58
Disciplinary proceedings	29		54		61		61		205
Eligibility	17		17		8		9		51
Seizures	20		19		12		19		70
Tax revocation	1		8		4		3		16
Applications for license	2		0		2		4		8
Application for permit	2		7		0		0		9
Application for certificate	0		0		1		0		1
Hearing on petition	0		0		0		1		1
PERMITS ISSUED:									
Total number of permits issued	7,667		3,381		2,019		2,787		15,854
Employment	2,100		327		403		482		3,312
Solicitors	2,960		169		267		294		3,690
Disposal of alcoholic beverages	336		280		296		271		1,183
Social affairs	4,125		1,022		717		1,098		3,962
Special wine	199		1,238		30		0		1,467
Miscellaneous	947		345		306		642		2,240

Dated: July 10, 1951.

2. NUMBER OF MUNICIPAL LICENSES ISSUED AND AMOUNT OF FEES PAID FOR THE PERIOD JULY 1, 1950 TO JUNE 30, 1951 AS REPORTED TO THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL BY THE LOCAL ISSUING AUTHORITIES PURSUANT TO R. S. 33:1-19

CLASSIFICATION OF LICENSES

County	Plenary Retail Consumption		Plenary Retail Distribution		Club		Limited Retail Distribution		Seasonal Retail Consumption		Number Surrendered Revoked Expired	Number Licenses in Effect	Total Fees Paid
	No. Issued	Fees Paid	No. Issued	Fees Paid	No. Issued	Fees Paid	No. Issued	Fees Paid	No. Issued	Fees Paid			
Atlantic	488	\$ 204,179.18	70	\$ 25,500.00	18	\$ 1,675.00						576	\$ 231,354.18
Bergen	815	297,400.00	296	78,927.00	74	6,858.01	64	\$ 2,753.47	10	\$ 2,616.19	8	1251	388,554.67
Burlington	186	72,325.00	30	8,300.00	38	5,400.00	1	25.00				255	86,050.00
Camden	456	217,236.98	82	31,575.00	65	6,171.84			2	750.00	1	604	255,733.82
Cape May	133	65,750.00	11	3,700.00	15	1,586.03						159	71,036.03
Cumberland	81	34,800.00	14	3,650.00	29	3,910.00						124	42,360.00
Essex	1,377	759,847.67	350	203,197.95	100	13,209.65	33	1,650.00	1	750.00	3	1853	978,655.27
Gloucester	107	34,650.00	13	2,950.00	14	1,389.32						134	38,989.32
Hudson	1,559	676,032.92	298	117,810.00	79	9,404.58	73	3,091.71			1	2008	806,339.21
Hunterdon	79	24,350.00	6	1,850.00	6	667.00						91	26,867.00
Mercer	425	255,000.00	51	20,600.00	55	7,670.89			1	107.50	2	530	283,378.39
Middlesex	634	300,209.24	71	21,695.00	69	6,518.97	5	160.34				779	328,583.55
Monmouth	550	274,713.51	112	38,450.00	33	3,812.26	11	410.00	58	25,223.00	31	733	342,608.77
Morris	353	118,515.00	95	30,200.00	41	4,048.42	10	400.80	11	2,091.90	5	505	155,256.12
Ocean	192	105,084.15	46	19,049.97	16	2,176.78					1	253	126,310.90
Passaic	881	360,663.23	166	51,030.00	35	4,299.66	15	696.16			1	1096	416,689.05
Salem	50	19,000.00	7	1,300.00	14	1,122.47						71	21,422.47
Somerset	187	75,865.97	37	9,803.20	23	2,522.14					1	246	88,191.31
Sussex	173	45,955.00	17	3,355.00	9	534.86	1	50.00	1	225.00	1	200	50,119.86
Union	547	291,586.40	142	57,150.00	66	7,280.96	30	1,412.08			2	783	357,429.44
Warren	151	41,805.00	17	3,307.50	30	2,906.05			3	395.44	2	199	48,413.99
Totals	9,424	\$4,274,969.25	1,931	\$733,400.62	829	\$93,164.89	243	\$10,649.56	87	\$32,159.03	59	12,455	\$5,144,343.35

Respectfully submitted,
John H. Michelson
Deputy Director.

ERWIN B. HOCK
Director.

3. DISCIPLINARY PROCEEDINGS - SALE TO MINORS - CHARGE ALLEGING SALE TO INTOXICATED PERSON DISMISSED FOR LACK OF PROOF - PRIOR RECORD - LICENSE SUSPENDED FOR 20 DAYS.

In the Matter of Disciplinary Proceedings against

CASA BLANCA COCKTAIL BAR, INC. 1011 Broad Street Newark 2, N. J.,

Holder of Plenary Retail Consumption License C-377 for the 1950-51 licensing year, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark, and transferred during the pendency of these proceedings to

EL MOROCCO COCKTAIL BAR, INC., and renewed for the 1951-52 licensing year, for the same premises.

CONCLUSIONS AND ORDER

Anthony P. Bianco, Esq., Attorney for Defendant-licensee. Edward F. Ambrose, Esq., appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Defendant pleaded not guilty to charges as follows:

- "1. On Saturday, April 28, 1951, you sold, served and delivered and allowed, permitted and suffered the service and delivery of alcoholic beverages, directly or indirectly, at your licensed premises to Pfc. Harold ---, U. S. Army, Pvt. Paul ---, U. S. Army, and Pvt. Jackie ---, U. S. Army, persons under the age of twenty-one (21) years, and allowed, permitted and suffered the consumption of alcoholic beverages by such persons upon your licensed premises; in violation of Rule 1 of State Regulations No. 20.
"2. On Saturday, April 28, 1951, you sold, served and delivered and allowed, permitted and suffered the service and delivery of an alcoholic beverage, directly or indirectly, to Ann ---, a person actually or apparently intoxicated; in violation of Rule 1 of State Regulations No. 20."

From a review of the voluminous testimony in the case I find that the facts are as follows:

On the afternoon of April 28, 1951, the three soldiers, who were respectively twenty, nineteen and eighteen years of age, came from Camp Kilmer to the City of Newark. They visited defendant's premises in the afternoon and again early in the evening, but the evidence is not sufficient to establish that alcoholic beverages were sold to them or consumed by them on either of these occasions. After their second visit they went to the Hurricane Bar, where they purchased and consumed alcoholic beverages. (See Re Hurricane Bar, decided herewith.) After leaving Hurricane Bar they again entered defendant's premises at about 11:30 p.m. At this time they were accompanied by two girls, Esther --- and Ann ---.

Upon entering the premises, Esther --- and Ann --- had a brief conversation between themselves, at or near the entrance, after which Esther --- left the premises. Ann --- and the three soldiers then headed toward the bar but, because of the crowded conditions, only

two of the soldiers were able to find places directly at the bar, Ann --- and the third soldier being directly behind them. Harold ---, one of the soldiers at the bar, testified that he ordered four beers, one of which he stated was intended for each member of the party, pursuant to which order the bartender placed four glasses of beer on the bar in front of Harold --- and his companion. One of the minor soldiers at the bar took a drink from one of the glasses of beer, at which time the ABC agents identified themselves and seized the contents of the four glasses as evidence. Ann --- and the third soldier never came into possession of any of these glasses of beer since they left their position near the bar while the bartender was placing the glasses of beer on the bar. Ann approached a booth which appears to have been occupied by Moe J. Grabelle, a member of the defendant corporation. Mr. Grabelle claims that he had called Ann --- over to talk with her because he had ordered her from the premises three months earlier, and further claims that he again wished to order her from the premises for the stated reason that he had been "told she was trouble".

On the evidence presented I find the defendant guilty of Charge 1.

However, while the conduct of the bartender, as above recited, ordinarily would be sufficient to constitute indirect service and delivery and allowing, permitting and suffering service and delivery of an alcoholic beverage to the four members of the party (including Ann ---), under the peculiar circumstances of this case and in all fairness to the licensee, particularly in view of the fact that service and delivery to Ann --- were apparently interrupted by Mr. Grabelle (who claims to have been in the process of ordering Ann --- from the licensed premises), I shall dismiss Charge 2.

The usual minimum suspension indicated for sales to minors is ten days. Re Hotel Traymore Company, Bulletin 877, Item 5. Defendant, however, has a prior adjudicated record. On November 20, 1950, its license was suspended for a net period of fifteen days for a similar, though aggravated, violation. Cf. Re Casa Blanca Cocktail Bar, Inc., Bulletin 890, Item 11. Following the usual practice in aggravation caused by prior similar violation, I shall suspend its license for twenty days.

Although the proceedings referred to herein were instituted against the prior licensee, any transfer is subject to the penalty which may be imposed herein. State Regulations No. 16.

Accordingly, it is, on this 6th day of July, 1951,

ORDERED that Plenary Retail Consumption License C-377, for the licensing year 1951-52, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to El Morocco Cocktail Bar, Inc., for premises 1011 Broad Street, Newark, in renewal of the license transferred to El Morocco Cocktail Bar, Inc. from Casa Blanca Cocktail Bar, Inc. during the 1950-51 licensing year, be and the same is hereby suspended for twenty (20) days, commencing at 2:00 a.m. July 17, 1951, and terminating at 2:00 a.m. August 6, 1951.

ERWIN B. HOCK
Director.

4. DISCIPLINARY PROCEEDINGS - SALE TO MINORS - LICENSE SUSPENDED FOR 10 DAYS.

In the Matter of Disciplinary Proceedings against)

HURRICANE BAR, INC.)
971 Broad Street)
Newark 2, N. J.,)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-241 for the 1950-51 and 1951-52 licensing years, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark.)
-----)

Sidney Simandl, Esq., Attorney for Defendant-licensee.
Edward F. Ambrose, Esq., appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Defendant has pleaded non vult to charges alleging that (1) on April 28, 1951, it sold, served and delivered, and allowed, permitted and suffered the service and delivery of alcoholic beverages at its licensed premises to three minors, namely, Pfc. Harold ---, Pvt. Paul ---, and Pvt. Jackie ---, all enlisted men in the United States Army, and allowed, permitted and suffered the consumption of said beverages by such minors upon its licensed premises, in violation of Rule 1 of State Regulations No. 20; and (2) it sold, served and delivered, and allowed, permitted and suffered the service and delivery of alcoholic beverages at its licensed premises to AMEN Thomas ---, an enlisted man in the U. S. Navy and a person under the age of 21 years, and allowed, permitted and suffered the consumption of said beverages by such person upon its licensed premises, in violation of Rule 1 of State Regulations No. 20.

At about 10:30 p.m. on the evening of Saturday, April 28, 1951, the three soldiers, their ages, respectively, 20, 19 and 18 years, were served beer by a bartender employed by defendant-licensee. They were not questioned as to their ages and were permitted to consume the beer so purchased by them. Early in the afternoon of Sunday, April 29, at about 2:30 p.m., while engaged in securing the statements of the licensee and his bartenders in reference to the violation alleged in Charge 1, agents of the State Division of Alcoholic Beverage Control observed a sale of an alcoholic beverage made by another bartender at the bar in defendant's licensed premises to the minor sailor, 19 years of age, mentioned in Charge 2. The sailor consumed the beverage. He was not questioned as to his age.

Defendant has no prior adjudicated record. Considering all the circumstances, I shall suspend the license for 15 days and remit 5 days for the plea, leaving a net suspension of 10 days.

Although this proceeding was instituted during the 1950-51 licensing period, it does not abate but remains fully effective against the renewal license for the fiscal year 1951-52. State Regulations No. 16.

Accordingly, it is, on this 6th day of July, 1951,

ORDERED that Plenary Retail Consumption License C-241, issued for the 1951-52 licensing period by the Municipal Board of Alcoholic Beverage Control of the City of Newark to Hurricane Bar, Inc., for premises 971 Broad Street, Newark, be and the same is hereby suspended for a period of ten (10) days, commencing at 2:00 a.m. July 17, 1951, and terminating at 2:00 a.m. July 27, 1951.

ERWIN B. HOCK
Director.

5. DISCIPLINARY PROCEEDINGS - ILLICIT LIQUOR - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA:

In the Matter of Disciplinary Proceedings against)

LEO GLADKY)
350 Henderson Street)
Jersey City 2, N. J.,)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-177, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City.)

-----)
Leo Gladky, Defendant-licensee, Pro Se.
William F. Wood, Esq., appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Defendant has pleaded non vult to a charge alleging that he possessed illicit alcoholic beverages, namely, one 4/5 quart bottle labeled "Kinsey Distilled Dry Gin 94.4 Proof", which bottle bore a label which did not truly describe its contents, in violation of Rule 27 of State Regulations No. 20.

On April 12, 1951, an inspector employed by the Alcohol Tax Unit, Internal Revenue Service, Treasury Department, examined twenty-five bottles of alcoholic beverages on defendant's licensed premises and seized the bottle in question when field tests indicated that the contents thereof were not genuine as labeled. Subsequent analysis by a Federal chemist disclosed that the contents of the seized bottle were not genuine as labeled.

Defendant has no previous adjudicated record. I shall suspend defendant's license for the minimum period of fifteen days, less five days' remission for the plea entered herein, leaving a net suspension of ten days. Re Moore, Bulletin 883, Item 11.

Accordingly, it is, on this 12th day of June, 1951,

ORDERED that Plenary Retail Consumption License C-177, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Leo Gladky, for premises 350 Henderson Street, Jersey City, be and the same is hereby suspended for ten (10) days, commencing at 2:00 a.m. June 18, 1951, and terminating at 2:00 a.m. June 28, 1951.

ERWIN B. HOCK
Director.

6. DISCIPLINARY PROCEEDINGS - ALLOWING LICENSED PREMISES TO BE USED IN CONNECTION WITH ILLEGAL ACTIVITY (SLOT MACHINES) RESULTING IN A CONVICTION IN CRIMINAL PROCEEDINGS - LICENSE SUSPENDED FOR 10 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against

WASHINGTON NEW JERSEY HOME ASSOCIATION, INC. 162 E. Washington Avenue Washington Borough (Warren County), N.J.,

CONCLUSIONS AND ORDER

Holder of Club License CB-155, issued by the Director of the Division of Alcoholic Beverage Control.

Saul N. Schechter, Esq., Attorney for Defendant-licensee. Edward F. Ambrose, Esq., appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Defendant has pleaded non vult to a charge alleging that it allowed, permitted and suffered its licensed premises and licensed business to be used in furtherance and aid of and in connection with an illegal activity that resulted in a conviction in a criminal proceeding, in violation of Rule 4 of State Regulations No. 20.

On April 16, 1951, an agent of the State Division of Alcoholic Beverage Control, together with the Chief of Police of Washington Borough, discovered six slot machines, "one arm bandit type", in the possession of the defendant in its club building. The machines were not on the club's licensed premises, but they were accessible only from that part of the building covered by the license.

On May 4, 1951, the club, in the Superior Court of New Jersey, Warren County (Law Division) (Criminal), waived indictment and trial by jury, pleaded guilty to a charge of violating R. S. 2:135-2 (possession of slot machines). The defendant was fined \$100.00.

Defendant has no prior adjudicated record within ten years. I shall suspend the license for ten days. Remitting five days because of the plea will leave a net suspension of five days.

Accordingly, it is, on this 12th day of June, 1951,

ORDERED that Club License CB-155, issued by the Director of the Division of Alcoholic Beverage Control to Washington New Jersey Home Association, Inc., 162 E. Washington Avenue, Washington Borough (Warren County), be and the same is hereby suspended for five (5) days, commencing at 1:00 a.m. June 18, 1951, and terminating at 1:00 a.m. June 23, 1951.

ERWIN B. HOCK Director.

7. DISCIPLINARY PROCEEDINGS - ALLOWING LICENSED PREMISES TO BE USED IN CONNECTION WITH ILLEGAL ACTIVITY (SLOT MACHINES) RESULTING IN A CONVICTION IN CRIMINAL PROCEEDINGS - LICENSE SUSPENDED FOR 10 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

WASHINGTON LODGE 512,)
LOYAL ORDER OF MOOSE)
31 Belvidere Avenue)
Washington Borough (Warren County),)
New Jersey,)

CONCLUSIONS AND ORDER

Holder of Club License CB-2, issued by the Common Council of the Borough of Washington.)

-----)
Edward E. Stover, Esq., Attorney for Defendant-licensee.
Edward F. Ambrose, Esq., appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Defendant has pleaded non vult to a charge alleging that it allowed, permitted and suffered its licensed premises and licensed business to be used in furtherance and aid of and in connection with an illegal activity that resulted in a conviction in a criminal prosecution, in violation of Rule 4 of State Regulations No. 20.

On April 16, 1951, an agent of the State Division of Alcoholic Beverage Control, together with an officer of the New Jersey State Police, discovered six slot machines, "one arm bandit type", in the possession of defendant in its club building. While the machines were not on a part of the premises licensed, the only access to that part of the premises was through the other part of the building covered by the license.

On May 4, 1951, the club, in Superior Court of New Jersey, Warren County (Law Division) (Criminal), waived indictment and trial by jury for a violation of R. S. 2:135-2 (possession of slot machines), and, pleading guilty, was fined \$100.00.

Defendant has no prior adjudicated record. I shall suspend its license for ten days. Remitting five days because of the plea will leave a net suspension of five days. Re Fraternal Order of Eagles, etc., Bulletin 863, Item 7.

Accordingly, it is, on this 12th day of June, 1951,

ORDERED that Club License CB-2, issued by the Common Council of the Borough of Washington to Washington Lodge #512, Loyal Order of Moose, 31 Belvidere Avenue, Washington Borough (Warren County), be and the same is hereby suspended for five (5) days, commencing at 1:00 a.m. June 18, 1951, and terminating at 1:00 a.m. June 23, 1951.

ERWIN B. HOCK
Director.

8. DISCIPLINARY PROCEEDINGS - PRIOR SUSPENSION FOR BALANCE OF TERM LIFTED UPON CORRECTION OF ILLEGAL SITUATION SUSPENSION LIFTED EFFECTIVE IMMEDIATELY.

In the Matter of Disciplinary Proceedings against)

MILITARY INN, INC.)
T/a MILITARY INN, INC.)
N/E cor. Main St. and Fort Dix Rd.)
Wrightstown, N. J.,)

ON PETITION
O R D E R

Holder of Plenary Retail Consumption License C-3, issued by the Borough Council of the Borough of Wrightstown.)

Parker, McCay and Criscuolo, Esqs., Attorneys for Petitioner Pioneer Cafe, Inc.

BY THE DIRECTOR:

On April 26, 1951, I suspended defendant's license for the balance of its term, effective immediately, after it had pleaded non vult to charges alleging that, subsequent to the issuance of its license, Myron Colbert, who was then president, secretary-treasurer and 100% stockholder of defendant corporation, was convicted of crimes involving moral turpitude, and that defendant failed to notify the issuing authority of said convictions, in violation of R. S. 33:1-34. See Re Military Inn, Inc., Bulletin 905, Item 7. In said order it was provided that, if and when the illegal situation was corrected, a petition might be filed with me for an order lifting said suspension.

Pioneer Cafe, Inc., a corporation of the State of New Jersey, has filed a petition herein which sets forth that Louis Schwartz holds ninety-eight shares of its stock; Richard T. Lamb holds one share of its stock, and Charles Dekin holds one share of its stock; that no other person has any interest, directly or indirectly, in said stock, and, specifically, that Myron Colbert has no interest of any kind in the business to be conducted by petitioner.

The petition further recites that an application was made to the Borough Council of the Borough of Wrightstown for the transfer of License No. C-3 from defendant to petitioner. Subsequent to the filing of said petition, the Borough Clerk of the Borough of Wrightstown forwarded to me a copy of a resolution adopted by the Borough Council of Wrightstown on June 1, 1951. The resolution reads as follows:

"WHEREAS, application has been made to the Borough Council of the Borough of Wrightstown, County of Burlington, for the transfer of Retail Consumption License C-3, and said application was accompanied with the necessary forms and a payment of 10% of the annual license fee, that fee being \$500.00;

"THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Wrightstown, in the County of Burlington and State of New Jersey, that permission be granted to transfer to Pioneer Cafe, Inc., for premises located at Northeast Corner of Main Street and Fort Dix Road, the Plenary Retail Consumption License C-3, heretofore issued to Military Inn Inc., also located at the Northeast Corner of Main Street and Fort Dix Road."

From the foregoing it appears that the unlawful situation has been corrected.

The license has been under suspension since April 26, 1951. Under all the circumstances, I shall lift the suspension effective immediately.

Accordingly, it is, on this 13th day of June, 1951,

ORDERED that the suspension heretofore imposed be lifted, and that Plenary Retail Consumption License C-3, issued by the Borough Council of the Borough of Wrightstown, be restored to full force and operation effective immediately. Upon receipt of a copy of this order, the transfer of the license from defendant to petitioner may be endorsed upon the license certificate by the Borough Clerk.

ERWIN B. HOCK
Director.

9. MORAL TURPITUDE - COMMERCIALIZED GAMBLING MAY OR MAY NOT INVOLVE MORAL TURPITUDE - CONVICTION FOR BOOKMAKING HELD NOT TO INVOLVE MORAL TURPITUDE UNDER FACTS OF CASE.

June 15, 1951.

Re: Case No. 616

Applicant seeks a ruling on his eligibility to obtain an employment permit from this Division.

On January 23, 1950, he was convicted in this State on a charge of bookmaking and sentenced to pay a fine of \$1,000.00, and placed on probation until said fine was fully paid.

Apparently, the applicant, working for a licensee in this State as a waiter in a hotel, agreed to place a bet for an agent of this Division then engaged in an investigation. Applicant explains the situation, by sworn testimony; that he placed bets with a bookmaker who came down to his neighborhood from New York State, and that once in a while as a favor to friends of his and customers of the hotel he would place bets for them with this bookmaker. He never secured any commission from the bookmaker and, in fact, received nothing for his services in acting as a go-between, except the good will engendered thereby.

From the fact that the sentence imposed did not include any jail term, and that the fine is the minimum under the law, it would appear that, from the information before us, he is not a principal, a lieutenant, or even a supervisory employee in the bookmaking business. Under the facts herein, I do not believe that the said conviction is a conviction of a crime involving moral turpitude within the provisions of the statute, R.S. 33:1-25 and 26.

It is recommended that applicant be advised that under the rules laid down in Re Case No. 315, Bulletin 396, Item 4 and Re Case No. 295, Bulletin 351, Item 10, his conviction aforesaid is not the conviction of a crime involving moral turpitude, and he is eligible, if otherwise qualified, to receive an employment permit as a non-resident of this State.

Edward F. Hodges
Attorney.

APPROVED:
ERWIN B. HOCK
Director.

10. DISCIPLINARY PROCEEDINGS - MISLABELED BEER TAP - LICENSE SUSPENDED FOR 3 DAYS, LESS 1 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

ANDREW GYETVAN & FRANK N. GYETVAN)
T/a MONUMENT BAR)
107-109 Brunswick Avenue)
Trenton 8, N. J.,)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-10, issued by the Board of Commissioners of the City of Trenton.)

-----)
Andrew Gyetvan and Frank H. Gyetvan, Defendant-licensees, Pro Se. Edward F. Ambrose, Esq., appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

The defendants pleaded non vult to a charge that they possessed on their licensed premises a tap connected to a barrel of beer, which tap did not bear a marker or name label, in violation of Rule 26 of State Regulations No. 20.

An ABC agent on routine inspection of defendants' licensed premises on May 22, 1951, found that beer was being drawn from a barrel containing Piel's beer, through a tap or spigot having no name label thereon.

Defendants have no previous adjudicated record. I shall suspend the license for three days. Remitting one day because of the plea will leave a net suspension of two days. Re Jersey Avenue, Inc., Bulletin 906, Item 12.

Accordingly, it is, on this 14th day of June, 1951,

ORDERED that Plenary Retail Consumption License C-10, issued by the Board of Commissioners of the City of Trenton to Andrew Gyetvan & Frank N. Gyetvan, t/a Monument Bar, for premises 107-109 Brunswick Avenue, Trenton, be and the same is hereby suspended for a period of two (2) days, commencing at 2:00 a.m. June 20, 1951, and terminating at 2:00 a.m. June 22, 1951.

ERWIN B. HOCK
Director.

11. DISCIPLINARY PROCEEDINGS - SALE OF ALCOHOLIC BEVERAGES AND FAILURE TO HAVE LICENSED PREMISES CLOSED DURING PROHIBITED HOURS IN VIOLATION OF LOCAL REGULATION - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

JOSEPH PETROSI)
54 Church Street)
Paterson 1, N. J.,)

CONCLUSIONS AND ORDER

Holder of Plenary Retail Consumption License C-359, issued by the Board of Alcoholic Beverage Control of the City of Paterson.)

John A. Masiello, Esq., Attorney for Defendant-licensee.)
Vincent T. Flanagan, Esq., appearing for Division of Alcoholic Beverage Control.)

BY THE DIRECTOR:

Defendant has pleaded non vult to charges alleging that (1) he sold alcoholic beverages after 3:00 a.m. and before 1:00 p.m. on Sunday, May 6, 1951; and (2) failed to have his licensed premises closed during said hours; both in violation of a local ordinance.

An examination of the file herein discloses that at 2:45 a.m. on Sunday, May 6, 1951, an ABC agent entered defendant's licensed premises. A few minutes before 3:00 a.m., the defendant-licensee, who was tending bar at the time, turned out the outside lights and returned to the bar. At 3:03 a.m. defendant served a drink of alcoholic beverages to the agent. At 3:16 a.m., the ABC agent observed the defendant serve a glass of beer to a male patron seated at the bar. Another ABC agent entered defendant's licensed premises at 3:20 a.m., at which time both ABC agents made known their identity to the defendant.

Defendant has no previous adjudicated record. I shall suspend his license for fifteen days. Five days will be remitted for the plea entered herein, leaving a net suspension of ten days. Cf. Quinlan, Bulletin 876, Item 13.

Accordingly, it is, on this 14th day of June, 1951,

ORDERED that Plenary Retail Consumption License C-359, issued by the Board of Alcoholic Beverage Control of the City of Paterson to Joseph Petrosi, for premises 54 Church Street, Paterson, be and the same is hereby suspended for a period of ten (10) days, commencing at 3:00 a.m. June 19, 1951, and terminating at 3:00 a.m. June 29, 1951.

ERWIN B. HOCK
Director.

12. DISCIPLINARY PROCEEDINGS - CHARGE ALLEGING SALE TO MINORS
DISMISSED BECAUSE EVIDENCE NOT SUFFICIENTLY CREDIBLE.

In the Matter of Disciplinary)
 Proceedings against)
 ELMWOOD HOUSE (corporation))
 Broadway and River Drive)
 East Paterson, N. J.,)
 Holder of Plenary Retail Consump-)
 tion License C-11, issued by the)
 Borough Council of the Borough of)
 East Paterson.)

CONCLUSIONS
AND ORDER

 Walter H. Jones, Esq., Attorney for Defendant-licensee.
 Edward F. Ambrose, Esq., appearing for Division of Alcoholic
 Beverage Control.

BY THE DIRECTOR:

The defendant pleaded not guilty to a charge alleging that it sold, served and delivered alcoholic beverages to two minors, in violation of Rule 1 of State Regulations No. 20.

The issue which must be resolved herein is the credibility of the testimony given by the minors. The question arises from their admissions of having falsely accused another tavern owner of having served them alcoholic beverages on the same day that they were allegedly served at the premises of this defendant. See Re Savastano, Bulletin 896, Item 7, where the proceeding was dismissed after the minors admitted that, although they had given prior sworn statements to ABC agents to the effect that they had consumed alcoholic beverages at Savastano's tavern, these statements were complete prevarications.

Varying explanations were offered by the minors for recanting their prior statements. In sum, they testified that they had made a "mistake"; that they had previously given the same false story to the police and felt obliged to adhere to it when questioned by the ABC agents, and that the ABC agents had promised to aid them in connection with a criminal charge then pending against them in return for their implicating these licensees in these violations of the liquor laws. Nevertheless, both minors insisted that, although they had lied in the Savastano case, they were truthful in their testimony that they had each consumed two glasses of beer at the tavern of this defendant.

Apart from anything else, I am convinced that their testimony concerning the promise of reward made to them by the ABC agents is completely false. The agents categorically denied that any such promise was made. All witnesses in the case were fully examined and cross-examined, but a review of the evidence leads me to conclude that it is not sufficiently credible to warrant a finding of guilt. Hence, in all fairness, I find the licensee not guilty of the charge.

Accordingly, it is, on this 21st day of June, 1951,

ORDERED that the proceedings herein be and the same are hereby dismissed.

ERWIN B. HOCK
 Director.

13. DISCIPLINARY PROCEEDINGS - ILLICIT LIQUOR - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary)
 Proceedings against)
)
 RUSTIC CABIN INC.)
 Sylvan Avenue & Hollywood Blvd.)
 Englewood Cliffs)
 P.O. Box Englewood, N. J.,)

CONCLUSIONS
 AND ORDER

Holder of Plenary Retail Consump-)
 tion License C-1, issued by the)
 Englewood Cliffs Borough Council.)

Leo J. Berg, Esq., Attorney for Defendant-licensee.
 William F. Wood, Esq., appearing for Division of Alcoholic
 Beverage Control.

BY THE DIRECTOR:

Defendant has pleaded non vult to a charge alleging that it possessed on its licensed premises alcoholic beverages in bottles bearing labels which did not truly describe the contents thereof, in violation of Rule 27 of State Regulations No. 20.

On February 23, 1951, an agent of the Federal Treasury Department, Internal Revenue Service, seized on defendant's premises one 4/5 quart bottle labeled "Haig & Haig The Finest Blended Scots Whisky 86.8 Proof" and one 4/5 quart bottle labeled "Canadian Club Blended Canadian Whisky 90.4 Proof" when his field tests indicated a variance between the labels on the bottles and the contents thereof. An analysis by a Federal chemist disclosed that the contents of the said bottles were not genuine as labeled.

Defendant has no previous adjudicated record. I shall suspend its license for a period of fifteen days, less five days for the plea entered herein, leaving a net suspension of ten days. Re Meyers, Bulletin 904, Item 9.

Accordingly, it is, on this 26th day of June, 1951,

ORDERED that any renewal for the 1951-52 licensing year of Plenary Retail Consumption License C-1, issued by the Englewood Cliffs Borough Council to Rustic Cabin Inc., for premises at Sylvan Avenue & Hollywood Blvd., Englewood Cliffs, be and the same is hereby suspended for ten (10) days, commencing at 2:00 a.m. July 2, 1951, and terminating at 2:00 a.m. July 12, 1951.

ERWIN B. HOCK
 Director.

14. STATE LICENSES - NEW APPLICATIONS FILED.

Charles H. Rubens Jr.
 26 East Madison Ave., Dumont, N. J.
 Application filed June 22, 1951 for State Beverage Distributor License.

Raymond D. Wright, t/a Union Beverage Co.
 529 5th St., Union City, N.J.
 Application filed June 11, 1951 for State Beverage Distributor License.

Salvatore Turco, t/a S. Turco & Son
 396 Harrison Ave., Lodi, N. J.
 Application filed June 18, 1951 for State Beverage Distributor License.

Anton Amon and Winfield A. Gunther, t/a Rahway Bottling Works
56 West Main St., Rahway, N. J.
Application filed July 5, 1951 for Transfer of State Beverage
Distributor License SBD-32 from William & Milton Mann, t/a Rahway
Bottling Works, same address.

N. J. Winery & Grocery Co., Inc.
93 Speedwell Avenue, Morristown, N. J.
Application filed July 6, 1951 for Limited Winery License.

Louis Miesch, Sr., t/a Golden Rule Beverages
72 Dewey Ave., Totowa Borough, N. J.
Application filed July 6, 1951 for State Beverage Distributor
License.

R. Romano & Son, Inc.
59-75 Imlay St., Brooklyn, N. Y.
Application filed July 6, 1951 for Wine Wholesale License.

Charles A. Diehl, t/a Secaucus Beverage Co.
Rear 1262 Paterson Plank Road, Secaucus, N. J.
Application filed July 9, 1951 for State Beverage Distributor
License.

South Bethlehem Brewing Company
327 Webster Street, Bethlehem, Pennsylvania.
Application filed July 10, 1951 for Transportation License.

Coastline Transportation Co., Inc.
Parker & Logan Avenues, Trenton, N. J.
Application filed July 11, 1951 for Transportation License.

Frances & Angelo Arena
101 Main Ave., East Paterson, N. J.
Application filed June 25, 1951 for State Beverage Distributor
License.

Albert J. Bakunas, t/a A. J. Bakunas Beverages
316 3rd Street, Cliffside Park, N. J.
Application filed June 26, 1951 for State Beverage Distributor License.

Felix Gianantonio, t/a Felix's
419 71st St., North Bergen, N. J.
Application filed June 25, 1951 for State Beverage Distributor License.

Thomas W. Kavanagh, t/a Kavanagh's Beverages
25 Rucereto Ave., Dumont, N. J.
Application filed June 19, 1951 for State Beverage Distributor License.

Martin Kuiken
18-26 Walray Ave., North Haledon, N.J.
Application filed June 19, 1951 for State Beverage Distributor License.

Edward Kabot, t/a Home Beverage Service
95 North Dean St., Englewood, N.J.
Application filed June 18, 1951 for State Beverage Distributor License.

Jean Noger
85 - 71st Street, Guttenberg, N.J.
Application filed June 25, 1951 for State Beverage Distributor License.

Albert E. Peterson, Jr., t/a Peterson's Home Beverage Service
1120 South Ave., Westfield, N.J.
Application filed June 13, 1951 for State Beverage Distributor License.

Carmine Cocco, t/a Millville Beverage Company
Snyder Avenue, Landis Township, Millville, N. J.
Application filed July 16, 1951 for State Beverage Distributor License.

Ernest E. Hock
Director.