

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

BULLETIN 1659

February 11, 1966

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

BULLETIN 1659

February 11, 1966

STATE REGULATIONS - REGULATION NO. 17 - RULE 12 AMENDED.

January 17, 1966

NOTICE TO ALL LICENSEES:

Rule 12 of State Regulation No. 17 was amended, effective May 1, 1961, to permit licensees to affix a small transit insignia to a certain location on the rear unmovable window of passenger type vehicles. Those passenger vehicles having a station wagon type of body or a movable rear window were excluded and a regular size insignia is required to be affixed to the body of that type of vehicle on the left hand side thereof.

The principal reason for the amendment was to permit a licensee to destroy and remove an insignia from a vehicle in accordance with the regulation when discontinuing the use of the vehicle, without decreasing its value by marring the paint or finish of the body.

After serious consideration I have determined to afford similar relief to those licensees, the number of which is continually increasing, who use commercial vehicles or vehicles having a station wagon type of body in the operation of their business. Hereafter licensees who obtain insignia for a commercial or station wagon type of vehicle may affix such regular size insignia either on the body or on an unmovable window, on the left side thereof.

Accordingly, effective January 17, 1966, Rule 12 of State Regulation No. 17 has been amended as follows:

"Except as otherwise provided in the third paragraph of this Rule, transit insignia must be directly affixed to the vehicle, at the below designated location, for which such insignia has been issued, immediately upon its receipt.

"In the case of any vehicle with a commercial or station wagon type of body or passenger type of body with movable rear window, such insignia must be so affixed upon the exterior of the body or on an unmovable window on the left side thereof, and shall be clearly visible at all times. In the case of any vehicle with a passenger type of body (not including station wagons) and an unmovable rear window, such insignia must be so affixed to the rear window, in the lower left hand corner thereof, in a manner not to interfere with the driver's rear view, and shall be clearly visible at all times.

"In lieu of affixing the insignia in the manner prescribed above, it may be carried in the vehicle while engaged in the transportation of alcoholic beverages, provided an inscription is painted on the exterior of the body of the vehicle on the left side thereof, clearly visible at all times, which inscription shall, in letters not less than one (1) inch in height and of proper and proportionate width, indicate the number of the current insignia and the date of its expiration in form as follows (inserting the appropriate number and year):

STATE OF NEW JERSEY
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
TRANSIT INSIGNIA NO.....
EXPIRES APRIL 30, 19....."

JOSEPH P. LORDI
DIRECTOR

Promulgated Monday, January 17, 1966.
Effective Monday, January 17, 1966.
Filed with the Secretary of State (N.J.) Monday, January 17, 1966.

2. DISCIPLINARY PROCEEDINGS - GAMBLING (NUMBERS BETS) - SALE IN VIOLA-
TION OF STATE REGULATION NO. 38 - PRIOR DISSIMILAR RECORD - LICENSE
SUSPENDED FOR 80 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary)
Proceedings against)

Frank DiGiuseppe)
t/a M & D Tavern)
507-509-511 S. Clinton Avenue)
Trenton, N.J.)

CONCLUSIONS
and
ORDER

Holder of Plenary Retail Consumption)
License C-21, issued by the City)
Council of the City of Trenton)

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 (1) and (2) on November 7-8, 1965, he permitted acceptance of numbers bet on the licensed premises, in violation of Rules 6 and 7 of State Regulation No. 20, and (3) on October 3, November 3 and 8, 1965, he sold a 6 pack of beer on each occasion for off-premises consumption during prohibited hours, in violation of Rule 1 of State Regulation No. 38.

Licensee has a previous record of suspension of license by the municipal issuing authority for twenty-five days effective March 10, 1963, for sale to minors.

The license will be suspended on the first and second charges for sixty days (Re Blue Fountain, Inc., Bulletin 1647, Item 4) and on the third charge for fifteen days (Re Furman, Bulletin 1646, Item 5), to which will be added five days by reason of the record of suspension of license for dissimilar violation occurring within the past five years (Re Sawicki, Bulletin 1645, Item 2), or a total of eighty days, with remission of five days for the plea entered, leaving a net suspension of seventy-five days.

Accordingly, it is, on this 30th day of December, 1965,

ORDERED that Plenary Retail Consumption License C-21, issued by the City Council of the City of Trenton to Frank DiGiuseppe, t/a M & D Tavern, for premises 507-509-511 S. Clinton Avenue, Trenton, be and the same is hereby suspended for seventy-five (75) days, commencing at 2:00 a. m. Thursday, January 6, 1966, and terminating at 2:00 a.m. Tuesday, March 22, 1966.

JOSEPH P. LORDI,
DIRECTOR

3. DISCIPLINARY PROCEEDINGS - LEWDNESS AND IMMORAL ACTIVITY (INDECENT ENTERTAINMENT) - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against Wayne Falls, Inc. t/a Wayne Falls, Inc. 2455 Hamburg Turnpike Wayne, N. J.,

CONCLUSIONS and ORDER

Holder of Plenary Retail Consumption License C-27, issued by the Municipal Council of the Township of Wayne.

Daniel Amster, Esq., Attorney for Licensee Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on October 29, 1965, it permitted lewdness and immoral activity (indecent entertainment) on the licensed premises, in violation of Rule 5 of State Regulation No. 20.

Reports of investigation disclose that on the date alleged, a female entertainer appeared fully clothed and, to musical background, successively removed here various items of apparel to a bare minimum, meanwhile performing "bumps and grinds" and engaging in other suggestive bodily movements -- a standard strip routine.

Absent prior record, the license will be suspended for thirty days, with remission of five days for the plea entered, leaving a net suspension of twenty-five days. Re McLoughlin & Stock, Inc., Bulletin 1611, Item 5.

Accordingly, it is, on this 3rd day of January 1966,

ORDERED that Plenary Retail Consumption License C-27, issued by the Municipal Council of the Township of Wayne to Wayne Falls, Inc., t/a Wayne Falls, Inc., for premises 2455 Hamburg Turnpike, Wayne, be and the same is hereby suspended for twenty-five (25) days, commencing at 3 a.m. Monday, January 10, 1966, and terminating at 3 a.m. Friday, February 4, 1966.

JOSEPH P. LORDI, DIRECTOR

4. DISCIPLINARY PROCEEDINGS - SALE DURING PROHIBITED HOURS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - PRIOR DISSIMILAR RECORD - PRIOR SIMILAR RECORD OF CORPORATION IN WHICH LICENSEE WAS OFFICER AND STOCKHOLDER - LICENSE SUSPENDED FOR 30 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

Robert Moore)
t/a Old Homestead Tavern)
76 Kearney Avenue)
Jersey City, N. J.,)

CONCLUSIONS
and
ORDER

Holder of Plenary Retail Consumption License C-168, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City.)

-----)
Raymond A. Brown, Esq., Attorney for Licensee
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that on Sunday, November 7, 1965, at 12:30 p.m., he sold a pint bottle of whiskey (1) and (2) before 1 p.m., in violation of local hours regulation, and (3) for off-premises consumption, in violation of Rule 1 of State Regulation No. 38.

Licensee has a previous record of suspension of license by the Director for ten days effective September 4, 1962, for possession of an alcoholic beverage in a container not truly labeled. Re Moore, Bulletin 1477, Item 8. In addition, the license then held by Old Homestead Tavern, Inc. for the same premises, of which the licensee was president and 40% stockholder, was suspended by the Director for twenty-five days effective October 10, 1960, for sale during prohibited hours, in violation of municipal ordinance and State Regulation No. 38, and sale outside the licensed premises. Re Old Homestead Tavern, Inc., Bulletin 1362, Item 7.

The license will be suspended for twenty days (Re Russo, Bulletin 1627, Item 4), to which will be added five days by reason of the licensee's record of suspension for dissimilar violation occurring within the past five years (Re Elvee Corporation, Bulletin 1651, Item 5) and five days by reason of the record of suspension of license of Old Homestead Tavern, Inc. (Re Baines & Gray, Bulletin 1644, Item 2) for similar violation occurring more than five but less than ten years ago (Re Coleman, Bulletin 1651, Item 4), or a total of thirty days, with remission of five days for the plea entered, leaving a net suspension of twenty-five days.

Accordingly, it is, on this 4th day of January, 1966,

ORDERED that Plenary Retail Consumption License C-168, issued by the Municipal Board of Alcoholic Beverage Control of the City of Jersey City to Robert Moore, t/a Old Homestead Tavern, for premises 76 Kearney Avenue, Jersey City, be and the same is hereby suspended for twenty-five (25) days, commencing at 2 a.m. Monday, January 10, 1966, and terminating at 2 a.m. Friday, February 4, 1966.

JOSEPH P. LORDI,
DIRECTOR

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

In the Matter of Disciplinary Proceedings against)

Walt Whitman Hotel, Inc., n/e Cor. Broadway & Cooper St., Camden, N. J.,)

CONCLUSIONS and ORDER

Holder of Plenary Retail Consumption License C-62, issued by the Municipal Board of Alcoholic Beverage Control of the City of Camden.)

David Novack, Esq., Attorney for Licensee
Morton B. Zemel, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on September 17, 1965, it possessed alcoholic beverages in five 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 twenty-five days, with remission of five days for the plea entered, leaving a net suspension of twenty days. Re Oak Tree Associates, Inc., Bulletin 1633, Item 5.

Accordingly, it is, on this 4th day of January, 1966,

ORDERED that Plenary Retail Consumption License C-62, issued by the Municipal Board of Alcoholic Beverage Control of the City of Camden to Walt Whitman Hotel, Inc., for premises n/e Cor. Broadway & Cooper St., Camden, be and the same is hereby suspended for twenty (20) days, commencing* at 2 a.m. Tuesday, January 11, 1966, and terminating at 7 a.m. Monday, January 31, 1966.

JOSEPH P. LORDI,
DIRECTOR

*By order dated January 10, 1966, suspension was deferred to commence at 2:00 a.m. Friday, March 11, 1966 and to terminate at 2:00 a.m. Thursday, March 31, 1966.

6. DISCIPLINARY PROCEEDINGS - FALSE STATEMENT IN LICENSE APPLICATION - UNQUALIFIED EMPLOYEE - RECORD OF SUSPENSION IMPOSED SUBSEQUENT TO VIOLATION DISREGARDED - LICENSE SUSPENDED FOR 15 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against Esther Cletzky t/a Dundee Liquors 128 Passaic Street Passaic, N. J.,

CONCLUSIONS and ORDER

Holder of Plenary Retail Distribution License D-19, issued by the Board of Commissioners of the City of Passaic.)

Joseph Fish, Esq., Attorney for Licensee David S. Piltzer, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to charges alleging that (1) in her current application for license she falsely stated that she was a resident of New Jersey whereas, in fact, she was a resident of New York, in violation of R.S. 33:1-25, and (2) from October 1, 1964 to October 15, 1965 she employed a non-resident (her husband, as manager of the licensed premises) without requisite employment permit, in violation of Rule 4 of State Regulation No. 13.

It appears that the unlawful situation indicated in the first charge has been corrected by the licensee's having become a resident of New Jersey.

Licensee has a record of suspension of license by the municipal issuing authority for ten days effective October 25, 1965, for sale to a minor.

The record of suspension of license effective October 25, 1965 disregarded because imposed subsequent to the occurrence of the violations herein (Re Club Ali-Baba, Inc., Bulletin 1654, Item 4), the license will be suspended on the first charge for ten days (Re Riddle Bar, Inc., Bulletin 1647, Item 6) and on the second charge for five days (Re Talk of the Town, Inc., Bulletin 1614, Item 3) or a total of fifteen days, with remission of five days for the plea entered, leaving a net suspension of ten days.

Accordingly, it is, on this 3rd day of January, 1966,

ORDERED that Plenary Retail Distribution License D-19, issued by the Board of Commissioners of the City of Passaic to Esther Cletzky, t/a Dundee Liquors, for premises 128 Passaic Street, Passaic, be and the same is hereby suspended for ten (10) days, commencing at 9 a.m. Monday, January 10, 1966, and terminating at 9 a.m. Thursday, January 20, 1966.

JOSEPH P. LORDI, DIRECTOR

DISCIPLINARY PROCEEDINGS - SALE BELOW FILED PRICE - AGGRAVATING CIRCUMSTANCE - LICENSE SUSPENDED FOR 20 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against
 William J. Sitar, Jr.
 t/a Sitar's Liquor Store
 1297 Roosevelt Avenue
 Carteret, N. J.,
 Holder of Plenary Retail Distribution License D-6, issued by the Mayor and Council of the Borough of Carteret.

CONCLUSIONS
 and
 ORDER

 Wilentz, Goldman & Spitzer, Esqs., by Morris Brown, Esq., Attorneys for Licensee
 David S. Piltzer, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on December 16, 1964, he sold a quantity of alcoholic beverages at less than filed price, in violation of Rule 5 of State Regulation No. 30.

Reports of investigation disclose that the sale was made to two industrial accounts in total filed price of \$2,505.94 comprising approximately thirty-two cases, principally whiskey, at a 10% discount.

Absent prior record, in view of the large quantity involved the license will be suspended for twenty days, with remission of five days for the plea entered, leaving a net suspension of fifteen days. Cf. Re Marshall, Bulletin 1357, Item 5; Re Hampshire Bar, Inc., Bulletin 1541, Item 3.

Accordingly, it is, on this 4th day of January 1966,

ORDERED that Plenary Retail Distribution License D-6, issued by the Mayor and Council of the Borough of Carteret to William J. Sitar, Jr., t/a Sitar's Liquor Store, for premises 1297 Roosevelt Avenue, Carteret, be and the same is hereby suspended for fifteen (15) days, commencing at 9 a.m. Tuesday, January 11, 1966, and terminating at 9 a.m. Wednesday, January 26, 1966.

JOSEPH P. LORDI,
 DIRECTOR

8. SEIZURE - FORFEITURE PROCEEDINGS - UNLAWFUL TRANSPORTATION AND SALE OF ALCOHOLIC BEVERAGES - MOTOR VEHICLE, CASH AND ALCOHOLIC BEVERAGES ORDERED FORFEITED.

In the Matter of the Seizure)	Case No. 11,521
on June 13, 1965 of a quantity)	On Hearing
of alcoholic beverages, a bottle)	
of ginger ale, \$9.82 in cash, and)	CONCLUSIONS
a Buick station wagon in an open)	and
area at Fenwick Station Road, in)	ORDER
Pilesgrove Township, County of)	
Salem and State of New Jersey.)	
-----)	

John Newton, Pro Se.

I. Edward Amada, Esq., appearing for the Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

The Hearer has filed the following Report herein:

Hearer's Report

This matter came on for hearing pursuant to the provisions of R.S. 33:1-66 and State Regulation No. 28 to determine whether 54 containers of alcoholic beverages, a bottle of ginger ale, \$9.82 in cash and one 1957 Buick station wagon, more particularly described in a schedule attached hereto, made part hereof and marked Schedule "A", seized on June 13, 1965 in an open area at Fenwick Station Road, in Pilesgrove Township, County of Salem, New Jersey, constitute unlawful property and should be forfeited.

At the said hearing John Newton, the registered owner of the said motor vehicle appeared and sought return of the motor vehicle, the alcoholic beverages and the cash.

The Division's case was presented through the testimony of ABC Agents B and J and may be summarized as follows: Agent B was specifically assigned to investigate the alleged illegal sales of alcoholic beverages at an open picnic area at Fenwick Station Road at Pilesgrove Township, New Jersey where a revival meeting was taking place on Sunday, June 13, 1965. Upon his arrival he noted that there were about 3,00 persons in attendance. He further observed that John Newton was selling alcoholic beverages from the rear of a 1957 Buick station wagon referred to in Schedule "A". He purchased a shot of gin and a can of Ballantine beer and paid Newton the sum of 85¢ for the said purchase. Newton obtained the alcoholic beverages from the rear of this motor vehicle. He remained in the immediate area for about 15 minutes and noted that Newton made a number of sales to various other persons. He then left the area, and, after notifying his superior, returned shortly thereafter to the scene.

Fortified with three "marked" one-dollar bills, he made another purchase of a shot of gin and a can of Ballantine beer from Newton and paid him with one of the "marked" bills. While he was consuming this drink, he was joined by Agent J and State troopers who thereupon identified themselves and placed Newton under arrest. An examination of his person disclosed the "marked" bill commingled with cash which was seized by Agent B.

Newton, questioned at that time, did not deny selling the alcoholic beverages, and was thereupon brought to State Police Barracks where he was charged with the sale of alcoholic beverages and possession of same with intent to sell without a license, contrary to R.S. 33:1-2 in violation of R.S. 33:1-50. He was arraigned in the Pilesgrove Township Municipal Court and held in bail, pending action by the Salem County Grand Jury.

The alcoholic beverages, the other personal property and the motor vehicle were seized by the Division agents. A check of the registration disclosed that the motor vehicle was registered in the name of John Newton.

Analysis of a sample of the contents of one six-ounce bottle containing alleged Ballentine beer disclosed that it is an alcoholic beverage, fit for beverage purposes, with an alcoholic content by volume of 6.4%.

The records of this Division disclose that there was no license issued authorizing Newton to sell alcoholic beverages nor was there a permit or license authorizing the sale of alcoholic beverages at these premises. There was admitted into evidence the affidavit of mailing, affidavit of publication, chemist's report and the inventory.

Agent J substantially corroborated the testimony of Agent B with respect to the confrontation at the time of the arrest and stated that, at no time, did Newton deny engaging in the sale of alcoholic beverages. He also observed that there were a number of other persons "...standing about drinking".

John Newton, testifying in support of his claim, gave the following account: On the date in question he, together with his wife, his children and 17 of his relatives and friends, purchased a one-half gallon of Ballantine Scotch, a one-half gallon of Seagram's Gin and three cases of beer, specifically intended for their own consumption. He denied that he sold any alcoholic beverages at this place and time and emphatically denied that he sold any whiskey or beer to Agent B.

On cross-examination, he insisted that the money that was taken from his person was not counted in his presence and the first time he saw Agent B was in the State Trooper Barracks.

Eleanor Newton, the wife of John Newton, also insisted that Agent B was not the one who arrested her husband, and that, in fact, the money was not put in an envelope, but was put in a little paper box. She further stated that the money was not counted at the time that it was confiscated.

She stated that the liquor was purchased in Newark; that her relatives "...all chipped in together", to buy the liquor. However, she did not know what quantity was purchased or how much was spent for it.

In response to my questions, she admitted that she did protest when her husband was arrested; she was then asked the following:

"Q Do you remember when your husband was arrested?

A Yes.

Q Did any of those people speak to the agents?

A No.

Q Why didn't they come up and say to the agents, 'This liquor belongs to us'?

A I don't know.

Q Did you go up to the agent and tell him this liquor belonged to you?

A My husband was talking to him.

Q You saw your husband being arrested. Didn't you think you should have gone up and told the agent?

A I was busy and didn't."

She further admitted that at the time of the arrest her relatives left the scene when they saw the officer come by, and none of them remained.

My examination and analysis of this testimony convinces me that the version given by the agents of what transpired at the time and place aforesaid is a forthright, credible and true account. On the other hand, I am completely unimpressed with the testimony of the claimant and his wife. It seems inconceivable to me, that if, in fact, this whiskey was purchased for the consumption of the claimant and his relatives and friends, that no such representation was made by the claimant or any one else at the time of the confrontation by the agents.

The claimant did not deny the sale at that time nor did his wife raise her voice in protest at what would have been an outrageous action on the part of the agents of an innocent party. It is also fantastic that, at this point, all of the other 15 relatives would have silently slipped away and suddenly vanished.

Doesn't it seem much more probable that if they, in fact, "chipped in" and purchased these beverages for their consumption that they would have so stated at the time of the arrest? Significantly, not a single relative or friend was produced or testified at this hearing in support of claimant's contention. The claimant stated that when the agent said to him, "'You are selling it'. I said, 'All right'. 'Give me your money'. I gave it to him."

I am therefore persuaded that there was, in fact, illegal sales of alcoholic beverages by claimant at the time and place in question. The seized alcoholic beverages are illicit because they were intended for unlawful sale. R.S. 33:1-1(1). Such illicit beer and whiskey, the cash which was clearly commingled with the "marked" bill, the ginger ale and the motor vehicle in which the said beer and whiskey were transported and found constitute unlawful property and are subject to forfeiture. R.S. 33:1-1(y); R.S. 33:1-2; R.S. 33:1-66. Seizure Case No. 10,759, Bulletin 1469, Item 5.

Since the evidence clearly supports the charge that the seized alcoholic beverages are illicit because they were intended for illegal sale, I recommend that the beverages, the cash, the ginger ale, and the motor vehicle in which they were transported and found, constitute unlawful property and should be forfeited. R.S. 33:1-1(x and y); R.S. 33:1-2; R.S. 33:1-50(a); R.S. 33:1-66; Seizure Case No. 11,106, Bulletin 1538, Item 6; Seizure Case No. 10,918, Bulletin 1504, Item 3.

Conclusions and Order

No exceptions to the Hearer's Report were filed within the time limited by Rule 4 of State Regulation No. 28.

After carefully considering the facts and circumstances herein, I concur in the recommended conclusions in the Hearer's Report and adopt them as my conclusions herein.

Accordingly, it is on this 30th day of December, 1965,

DETERMINED and ORDERED that the seized property, including \$9.82 in cash, more fully described in Schedule "A", attached hereto, constitutes unlawful property and the same be and hereby is forfeited in accordance with the provisions of R.S. 33:1-66 and shall be sold at public sale for the use of the State in accordance with State Regulation No. 29 or retained for the use of hospitals, State, county and municipal institutions or destroyed in whole or in part, at the direction of the Director of the Division of Alcoholic Beverage Control.

JOSEPH P. LORDI,
DIRECTOR

SCHEDULE "A"

- 54 - containers of alcoholic beverages
- 1 - bottle of ginger ale
- \$9.82 in cash
- 1 - 1957 Buick station wagon, Serial No. 33717,
 N.J. Registration JPZ-373.

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

In the Matter of Disciplinary Proceedings against
 R.V.R., Inc.,
 t/a Biscayne Bar
 3 S. Michigan Ave. & rear of
 5 & 7 S. Michigan Ave.
 Atlantic City, New Jersey
 Holder of Plenary Retail Consumption License C-176, issued by the Board of Commissioners of the City of Atlantic City.

CONCLUSIONS and ORDER

 Licensee, by Robert M. Ross, President, Pro se
 Morton B. Zemel, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on October 21, 1965, it possessed alcoholic beverages in three 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 twenty days, with remission of five days for the plea entered, leaving a net suspension of fifteen days. Re Homestead Cafe Bound Brook, Inc., Bulletin 1639, Item 9.

Accordingly, it is, on this 4th day of January, 1966,

ORDERED that Plenary Retail Consumption License C-176, issued by the Board of Commissioners of the City of Atlantic City to R.V.R., Inc., t/a Biscayne Bar, for premises 3 S. Michigan Ave. & rear of 5 & 7 S. Michigan Ave., Atlantic City, be and the same is hereby suspended for fifteen (15) days, commencing at 7 a.m. Tuesday, January 11, 1966, and terminating at 7 a.m. Wednesday, January 26, 1966.

JOSEPH P. LORDI,
DIRECTOR

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

In the Matter of Disciplinary Proceedings against
 Harry's Liquor Store, Inc.
 295 Broadway
 Bayonne, N. J.,
 Holder of Plenary Retail Distribution License D-11, issued by the Municipal Council of the City of Bayonne.

CONCLUSIONS and ORDER

Samuel Dreskin, Esq., Attorney for Licensee
 Morton B. Zemel, Esq., Appearing for the Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on September 28, 1965, it sold a 4/5 quart bottle of whisky below filed price, in violation of Rule 5 of State Regulation No. 30.

Licensee has a previous record of suspension of license by the municipal issuing authority for fifteen days effective June 29, 1942, for sale to minors.

The prior record of suspension of license for dissimilar violation occurring more than five years ago disregarded, 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 City Hall Wines & Liquors, Inc., Bulletin 1615, Item 7.

Accordingly, it is, on this 3rd day of January 1966,

ORDERED that Plenary Retail Distribution License D-11, issued by the Municipal Council of the City of Bayonne to Harry's Liquor Store, Inc., for premises 295 Broadway, Bayonne, be and the same is hereby suspended for five (5) days, commencing at 9 a.m. Monday, January 10, 1966, and terminating at 9 a.m. Saturday, January 15, 1966.

JOSEPH P. LORDI,
 DIRECTOR

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

In the Matter of Disciplinary Proceedings against)

C & D Liquor & Wine, Inc.)
152 Bloomfield Avenue)
Newark, New Jersey,)

CONCLUSIONS
and
ORDER

Holder of Plenary Retail Distribution License D-85, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark.)

Licensee, by Joseph R. Immerso, President, Pro se
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control.

BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on November 23, 1965, it sold six 4/5 quart bottles of whisky and six 4/5 quart bottles of whiskey below filed price, in violation of Rule 5 of State Regulation No. 30.

Absent prior record, the license will be suspended for ten days, with remission of five days for the plea entered, leaving a net suspension of five days. Re City Hall Wines & Liquors, Inc., Bulletin 1615, Item 7.

Accordingly, it is, on this 3rd day of January 1966,

ORDERED that Plenary Retail Distribution License D-85, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to C & D Liquor & Wine, Inc., for premises 152 Bloomfield Avenue, Newark, be and the same is hereby suspended for five (5) days, commencing at 9 a.m. Monday, January 10, 1966, and terminating at 9 a.m. Saturday, January 15, 1966.

JOSEPH P. LORDI,
DIRECTOR

DISCIPLINARY PROCEEDINGS - SALE IN VIOLATION OF STATE REGULATION NO. 38 - SALE TO INTOXICATED PERSONS - FOUL LANGUAGE - LICENSE SUSPENDED FOR 45 DAYS, LESS 5 FOR PLEA.

In the Matter of Disciplinary Proceedings against)

James Lekas and Stephen Paroby t/a Central Avenue Tavern 86-88 Central Avenue Newark, N. J.)

CONCLUSIONS and ORDER

Holder of Plenary Retail Consumption License C-602, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark.)

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Licensees, Pro se.

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

BY THE DIRECTOR:

Licensees plead non vult to charges alleging that on December 3, 1965, they (1) sold a pint bottle of whiskey for off-premises consumption during prohibited hours, in violation of Rule 1 of State Regulation No. 38, (2) sold drinks of alcoholic beverages to intoxicated persons, in violation of Rule 1 of State Regulation No. 20, and (3) permitted foul 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 fifteen days (Re Cavaluzzi, Bulletin 1650, Item 8), on the second charge for twenty days (Re Valenti, Bulletin 1652, Item 8) and on the third charge for ten days (Re Ed's Tavern, Bulletin 1627, Item 9), or a total of forty-five days, with remission of five days for the plea entered, leaving a net suspension of forty days.

Accordingly, it is, on this 12th day of January, 1966,

ORDERED that Plenary Retail Consumption License C-602, issued by the Municipal Board of Alcoholic Beverage Control of the City of Newark to James Lekas and Stephen Paroby, t/a Central Avenue Tavern, for premises 86-88 Central Avenue, Newark, be and the same is hereby suspended for forty (40) days, commencing at 2:00 a.m. Wednesday, January 19, 1966, and terminating at 2:00 a.m. Monday, February 28, 1966.

JOSEPH P. LORDI,
DIRECTOR

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

In the Matter of Disciplinary Proceedings against)

Salvatore G. Abazia)
t/a Ray's Diner of Passaic)
148 River Drive)
Passaic, N. J.)

CONCLUSIONS
and
ORDER

Holder of Plenary Retail Consumption License C-103, issued by the Board of Commissioners of the City of Passaic)
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Licensee, Pro se.
Edward F. Ambrose, Esq., Appearing for Division of Alcoholic Beverage Control.

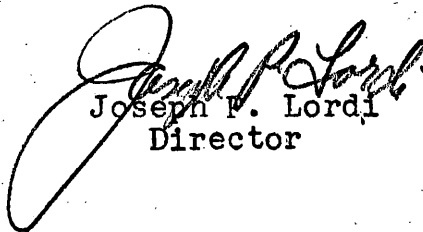
BY THE DIRECTOR:

Licensee pleads non vult to a charge alleging that on December 21, 1965, he sold six quart bottles of whiskey below filed price, in violation of Rule 5 of State Regulation No.30.

Absent prior record, the license will be suspended for ten days, with remission of five days for the plea entered, leaving a net suspension of five days. Re City Hall Wines & Liquors, Inc., Bulletin 1615, Item 7.

Accordingly, it is, on this 10th day of January, 1966,

ORDERED that Plenary Retail Consumption License C-103, issued by the Board of Commissioners of the City of Passaic to Salvatore G. Abazia, t/a Ray's Diner of Passaic, for premises 148 River Drive, Passaic, be and the same is hereby suspended for five (5) days, commencing at 3:00 a.m. Monday, January 17, 1966, and terminating at 3:00 a.m. Saturday, January 22, 1966.


Joseph P. Lordi
Director