

### Cited on Charge He Approached Jurors

TRENTON (AP)—An order for Terrence R. Hughes of Trenton to show cause why he should not be held in contempt of court for approaching two jurors in the trial of Leonard B. Willits, former internal revenue agent, charged with falsifying income tax returns, was signed today by Federal Judge Avis.

The judge declared a mistrial yesterday. Hughes is a former revenue agent.

The order is returnable before Judge Avis Monday. A petition for the rule, presented by Phillip Forman, United States District Attorney, said the jurors approached were I. Harper Clayton of 282 Bellevue avenue and Fred F. Scheich of 30 Adams street, both of this city. Hughes approached them, Forman said, at Montgomery and Hanover streets, here, after adjournment Wednesday and attempted to influence them in favor of the defendant.

The petition cited that Hughes "did state to the two jurymen in substance that there was nothing to said case; that there was no more to said case than to a prior case in which a verdict of acquittal had been rendered; that the figures were large and confusing and that the acts of the defendant were such as an ordinary business man would do."

Forman's petition also said that Hughes "did state the experience of the said Terrence Hughes as a practitioner of internal revenue matters was such as to lead him to say that the acts were not criminal."

Willits was charged with falsifying the 1926 and 1927 returns of Charles B. Myers, part owner of the Breakers Hotel of Atlantic City. Two weeks ago he and Myers were acquitted by a jury of conspiracy to falsify Myers's returns for 1923, 1924 and 1925.

The trial was in its fourth day when Judge Avis terminated it.

was called by the government... who are trying to convince United States Commissioner Friedmann that Weinberger should be ordered to New York for trial.

#### Tells of Bills for Mailing.

Before calling Brimley Assistant District Attorney Palmieri of New York called Joseph W. Roberts, who was assistant treasurer of the former Service Trust Company of Passaic when Weinberger was president of the bank, and Arnold Markel, certified accountant, whose concern had charge of the securities company's books. Roberts testified about the bill the securities company paid the bank for mailing the questioned circulars. Markel's testimony was similar to what he gave in the varied litigation that has marked the company's history, especially as to his refusal to certify at the request of Weinberger and William Harris, Newark lawyer, to a condensed statement the government contends was misleading. Harris aided Weinberger in the promotion of the company.

Weinberger vigorously cross-examined Markel about the testimony familiar to him and with which he apparently was not impressed. His principal question of Roberts was whether Walter Lewis, Justice Department accountant, or William A. Cueman, post-office inspector, had tried to refresh his memory. Roberts said they had not.

Brimley's testimony brought Weinberger and his brother, Joseph J., to their feet and evoked from the defendant numerous objections and charges that Palmieri's methods were "vicious, highly improper, unfair and wicked." The objections usually were overruled, and Palmieri said nothing in answer to Weinberger.

#### Alleges Leading Questions.

### U. S. WILL AUCTION BROOKLAWN HOL

WASHINGTON, Oct. 17 (AP)—United States Shipping Board announced today ten Government-owned properties at Brooklawn near Camden, would be sold.

The Shipping Board is disposing its property in that town several hundred parcels may in private hands and return tax lists. The town was built for the war for shipbuilders in Gloucester.

Other auctions would be Board said, until the C. property has been disposed. Government owns 70 pieces of property and 262 mortgages.

Representative Wolverton urged sale of the property when it was found completed town revenues through opening of the schools.

### BRANDLE TRIAL DATE DEFERRED

vicinage of Trenton, from whom the jury panel for trial of the case will be drawn.

"When men of the prominence and ability and integrity of the Republican candidate for Governor direct a bitter attack against a man, the words cannot fail to take effect upon the public mind," McCarter asserted. "I have the greatest respect for Mr. Baird, for whom I hope to be able to vote, but I cannot help but conclude that his attack on Mr. Brandle is regarded by the managers of his campaign as good campaign stuff. There is no question in my mind that it will reflect on Mr. Brandle at a trial at this time."

#### Forman Opposed Delay

Forman, opposing McCarter's motion, asserted that any newspaper articles attacking Brandle's activities in labor or political circles, were ex-

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### OIL FIRM FINED AFTER POLLUTION

Standard Company Is Assessed \$5,000 in Federal Court Here

The Standard Oil Company of New Jersey was fined \$5,000 yesterday in Federal Court by Judge Bourquin on two charges of discharging oil into the harbor of New York.

The court took the opportunity of administering a mild rebuke to counsel for the corporation, declaring that although the penalty calls for a jail sentence and fine, he would let them off lightly with a fine of \$2,500 on each count.

"Civilized man is responsible for two great crimes today," Judge Bourquin said in an impromptu lecture.

"The first is the wasteful destruction of the forests, and the second is the pollution of the beauty of our waters. In this case the waters have been marred by pollution."

"The agent in the case said there was a willful knowledge of the crime. There was a statute passed way back in 1888 which fixed a penalty for this violation. Of course we have a corporation here and we can't imprison a corporation. You'll get off light with a fine of \$2,500 for the first violation, and a like fine of \$2,500 for the second violation."

The discharge of oil occurred from the Bayonne plant, it was stated, and the fluid is supposed to have entered into the water at Constable Hook, near the Port of Newark.

The inspector, who conducted the investigation, said that an average of 60 barrels a day were discharged into the waters, and that the violations had occurred for two months, beginning March 9, last.

Counsel for the corporation, in pleading guilty to the charge, said that the nuisance had been abated by the installation of equipment designed to prevent any leakage.

Nebraska News 10/19/31

### DECISION RESERVED IN U. S. TRUCK RIFT

Decision on whether the Government must turn over to purchasers 14 trucks sold at a public auction for \$2,252.50 when their estimated value was \$9,600 has been reserved by Federal Judge John Boyd Avis. The trucks were seized by Federal prohibition agents.

After the sale, the trucks were held by James J. Donnelly, of Newark, Deputy United States Marshal, pending investigation of the bidding. Government agents testified persons in the crowd cried out falsely that parts of the machines were defective. Agents also asserted some bidders displayed a menacing attitude and discouraged others.

The hearing yesterday before Judge Avis followed an order obtained by counsel for James Wolfe, of Brooklyn, for the Government to show cause why the marshal should not be compelled to turn the trucks over to the purchasers. Wolfe purchased five. All the trucks were seized in Hoboken.

disposed of and the 627 cases that were left on the docket were carried over into September.

Seizure of beer and liquor fell off sharply, the former from 89,956 to 76,357 gallons, and the latter from 39,469 to 15,888 gallons.

During the month of September arrests were made in 108 instances and 56 persons were held for trial following preliminary hearings before United States commissioners. Of the 110 prosecuted, 101 pleaded guilty, the remaining nine electing jury trials. Twelve were freed on prosecutors' nolle.

The prosecuting authorities were active in the civil courts also, having had padlock proceedings instituted in 48 cases.

Seizures included 70 automobiles found to be in use in the transportation of liquor.

The report for the nation shows that over a six-year period from a special account of unreported sales, according to testimony in Federal Court today by Sidney Dodge, internal revenue agent.

The special account represented sales which had been kept separately for the purpose of reducing income tax payable, according to testimony.

Hassan and Herman C. Rust, Passaic attorney, are now on trial for attempted extortion of \$50,000 from officials of the plant on threat to inform the Government of income tax defalcations.

Dodge told about checks which had been drawn on the special account and produced the paper to support his contention. When he began to answer questions put to him by Assistant United States Attorney John Grimshaw, Jr., defense counsel strenuously objected. Judge Avis ruled that the figures could be given.

Prior to the testimony of Dodge, three special internal revenue agents, who had overheard the conversation regarding the alleged attempt of extortion, gave their versions of the affair.

The agents are Edwin Baldwin, Joseph Harvey and Leo Keyes. Hassan, Rust and William P. Greenway, of Clifton, were arrested at that time. Greenway will be tried under a separate indictment.

Earlier in the trial, brother testified against brother. Slowly, patiently and without emotion, Kenneth Hassan, now president of the iron works,

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I were in this mess, I'd pay anything to get out of it."

A few minutes later, as Kenneth accompanied Rust to the elevator, Rust is alleged to have said: "I guess you don't realize how serious this matter is of defrauding the Government."

Earlier in the trial today, John F. Evans, attorney for the iron works, was subjected to a cross-examination by Harry H. Weinberger, defense counsel.

It was at his office that Rust and Hassan were arrested by Federal agents after they had been paid an initial sum of \$5,000 of the demanded \$50,000.

Yesterday, John Van Wyk, bookkeeper for the firm, testified that the secret book had been kept with the express purpose of reducing the income tax payable.

### SHOCKED VETERAN FINED FOR LIQUOR

Admits Bootlegging While U. S. Paid Him—Trenton Men Are Accused

Joseph Bell, of 326 Jinton Avenue, New York, a World War veteran who was shell-shocked and wounded during several major battles, appeared in the United States District Court today on a charge of sale and possession of liquor.

Judge Bourquin questioned the defendant regarding his previous record and learned of the injuries he had sustained while a soldier. Then, too, he learned that Bell frequently went to government hospitals for treatment.

"How much does the government pay you when you are in a hospital?" the court asked.

"Eighty dollars a month," replied Bell.

"And how much does it pay you when you are out of the hospital?"

"One hundred dollars a month," the defendant replied.

"Were you bootlegging while you were getting compensation?" the court continued.

"Yes, your honor," replied Bell.

"Most generous government," commented the court. Then he fined Bell \$100.

Two Trenton men, charged with unlawful operation of a still, were fined a joint sum of \$1,000. The defendants, represented by B. J. Kessler, are Petro Carabello, of 520 Roebing Avenue, and Vittorio Russi, of 518 Roebing Avenue.

Bench warrants were issued for the appearance of two other Trenton men. They are John Arboldi, of 23 Middle Rose Street, and Italo Lucidi, of 1538 Chambers Street. The same procedure was ordered against John Smith, of East Vineland, and Adolph Markowitz and Jack Moritz, of Philadelphia. All are charged with liquor law violations.

Tony Gulliano, of Lodi, was fined \$100 for possession of liquor, and a \$500 fine was imposed upon Lawrence Temple, of Elizabeth, for similar violations.

Murray Rose, of Asbury Park, was fined \$50 for possession of liquor. He was represented by Albert B. Kahn, of Trenton.

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### THIS IS THE END!

The final murmur, the last lingering echo of the famed Sprague and Howe case, in which Judge William Clark ruled that the 18th Amendment was illegal, was heard in Federal Court today by Judge Bourquin. The automobile, in which the beer was transported by William H. Sprague and William J. Howe, was ordered forfeited to the government. "An ignominious end," murmured Frederick M. P. Pearce, counsel for the two men, as he walked away.

### Cases Are Disposed of Bourquin in 4 Minutes

hundred and twenty-five dollars fine and imprisonment until paid. And let a bench warrant issue for the man higher up."

James A. Miller, of Jersey City, who operated a bar in a restaurant, got in a brief plea through his attorney.

"He is out of the business, your honor," said the lawyer.

"R-m-m-ph," snorted the judge. "Stayed in until caught, then quit. Might as well have committed his first burglary."

Another reformation. The custody of the at- 150 fine." Judge

the word

### 500 FOR OPERATION

atara, of Trenton, who ore than two years ago Farm. Trenton Juncge with unlawful op- till, was fined \$500 by n in Federal Court to-

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id that he had been em- man from Trenton" to n the property. He had g there two days when explained.

ants were issued for An- and Steven Innocenzi, of o failed to appear to an- of liquor law violations and

00:00 Store Hours: 8:30 to 6:00

### SEIZURE OF BEER BLOCKED

Agents Declared Cowed by Officials As Booze Is Removed

### FEDERAL ACTION CONTEMPLATED

NEWARK, N. J., Oct. 16 (AP)—Lewis J. Tutt, Deputy Prohibition Administrator, said today the Enforcement Department's legal staff was considering possible action against certain Hoboken policemen, whom Federal agents charge with releasing eight alleged beer-running trucks after the agents had seized the loaded vehicles in a Hoboken garage today.

Tutt said five dry agents from Commander John D. Pennington's administration office in Philadelphia had entered the suspected garage on Willow Street, Hoboken. Tutt quoted Albert Steckman, leader of the raiding squad, to the effect that a man, the only occupant of the garage, fled to the street on the agents' entry.

Steckman's report said eight trucks, believed loaded with approximately 1,500 barrels of beer, were found in the garage. The report said that while arrangements for removing the supply were being made, including a telephone call to Tutt's office in Newark, a uniformed patrolman entered the garage and informed the dry agents they were under arrest.

Tutt quoted one of the agents, whose name was not revealed, as saying he tried to move one of the trucks into the front of the garage in an effort to block the door, but that he could not start the truck.

The report declared the patrolman opened the front door and a group of about 20 men, believed the owners of the trucks, entered and drove away in the trucks. After the trucks had been driven away, the statement continues, the policeman also left the garage, after

### X SENTENCED IN THEFT CASES

(Continued from Page One)

dge Bourquin looked up and said rsely: "Have that disorder removed. Call e bailiff."

The woman, a relative of one of the pfendants, was led from the room by purt attaches.

An eloquent plea by defense counel for the five former bank employes ailed to swerve the court from ad-

In the other, William Slagada, of 43 Hiram Street, New Brunswick, was cleared of a possession and nuisance charge after being defended by C. R. Lyons, also of New Brunswick.

Judge Bourquin's rebukes to both panels were of the same tenor. He seemed to be more severe with the Slagada jury, to whom he said: "I'm going to say this—that the United States is going to get a fair trial as well as the defendants or there will be a change in the jury panel."

The members of both panels took the rebuke in silence, except to answer questions that were put to them by the court.

When the Slagada jury had made known its decision, Judge Bourquin said: "Here is a man that is fined for selling beer for three and a half