

TRIAL OF HASSAN NEAR COMPLETION

10/19/31
Judge Avis Sustains Motion to Eliminate Part of Charge

Eliminate Part of Charge

Two of six counts charging George Hassan, Rutherford, and Herman C. Rust, Passaic attorney, with attempting to extort \$50,000 from the firm of which the former was secretary, were to go to a jury late today today.

Hassan and Rust were charged in an indictment with "demanding the money on 'threat of informing' the government the J. G. Schmidt Iron Works had not made proper income tax returns, and as a 'consideration for not informing the government.'" Each charge contained three counts.

After both sides completed rebuttals today, Federal Judge John Boyd Avis sustained a motion of Harry H. Weinberger, defense counsel, asking for a directed verdict of acquittal on a count charging Hassan and Rust demanded the money of William Hassan, president of the firm, and Joseph Vandermade, treasurer, at a meeting May 27, 1930.

Defense counsel maintained that inasmuch as William Nassau and Vandermade were not present at the conference there could be no demand. The government contended William Hassan and Vandermade were represented through their attorney, John Evans. Judge Avis ruled the presence of the men was necessary to sustain the wording of the indictment.

A directed verdict of acquittal was granted Thursday on three other counts charging the money was a demand on "threat of informing" the government. Judge Avis ruled the government had not shown proof of threat, defense had maintained that after officers of the company informed the government the income tax returns were not fully prepared, there could no longer be a "threat" because the officers then knew the defendants could tell the government nothing about the matter the government did not already know.

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In the other and the \$5,000 bail of States vs. Fran Richard M. Glassner, both of Newark were given a joint fine of \$50 on the contempt charge by Judge Bourquin. Imposition of the fine was made by the court in a lengthy opinion which he read in the courtroom. Mr. Pearce did not hear the opinion read. He was in the lower courtroom as counsel in another case. When informed of the penalty, he expressed great surprise, but made no statement.

Discusses Ethics for Lawyers

In his opinion Judge Bourquin interjected previous citations, quoted from the Bible, and went into a lengthy discourse as to the proper (Continued on Page Eleven)

procedure and the ethics of lawyers trying cases in courts.

"In these suits to abate the Volstead nuisance," Judge Bourquin stated, "the bills allege the defendants are respectively owners and employees. The answers are in behalf of all defendants and signed by counsel only, Mr. Caruso the first, Mr. Pearce the second. In the former, the answer in respect to the said allegations is 'no knowledge sufficient to form a belief' and in the latter 'they deny.'"

"The evidence is undisputed and abundantly proves that the allegations of the bills are true, the denials of the proof in the answers untrue, and that the nuisances likewise alleged and denied were committed, suffered and maintained.

"These equity suits involving nuisance in more sense than one are so closely related to criminal proceedings that in general the same counsel defend in both, and in both the tactics are much the same. Too often their strategy is obstruction and delay, less to secure a fair and speedy trial than to prevent one, and to that end false answers are interposed and other means adopted no less vile.

Says Such Tactics Defeat Justice "Thus is justice defeated, courts reduced to impotency, if not contempt, the bar subjected to suspicion and reproach, public confidence and esteem in and for them impaired, and criminals and crime fostered and encouraged. Always the law has been an indispensable, great honorable and beneficent profession, embracing in its membership the choicest spirits and leaders of every age.

"But even as a little leaven leaveneth the whole lump, so may the evil practices of some few of the bar visit an undesired odium upon all of it.

"For this grave evil, the bench and bar have the remedy in their control, viz., vigorous discipline which may be fine, suspension or disbarment, the penalties for, amongst other professional conduct, false answers or other documents or papers knowingly presented or maintained in judicial proceedings, penalties unhappily too often incurred and too seldom imposed.

"At the adjourned hearing aforesaid, counsel (Mr. Glassner) asserted the right to present and maintain the false answer by virtue of 'local practice and customs' from time immemorial to thus compel plaintiffs to prove the facts if the plain-

BEER CHARGES HOLD COPS

10/20/31
Charged with criminal conspiracy and interfering with Federal officers, Police Sergeant George Braden and Patrolman Gus Rossi, of the Hoboken police, today are free in \$2,500 bail each for a hearing Nov. 5 by United States Commissioner Edward R. Stanton in Hoboken.

The complaint was made by Albert Steckman, a prohibition agent. He said that he and four other agents, while raiding a beer drop in Hoboken, last Friday, were held at bay with revolvers by the two officers until trucks supposedly loaded with beer were driven away.

The police said they believed the agents were silk robbers and that the trucks were loaded with silk.

George Hassan, formerly secretary of the J. G. Schmidt Iron Works, Passaic, and Herman C. Rust, Passaic attorney, today were found not guilty by a Federal jury of attempting to extort \$50,000 from the iron firm officials on threat to report alleged income tax defalcations.

The verdict was received with great emotion by the two men. Each sat poised and expectant as the sealed verdict was opened by Judge John Boyd Avis, and read by deputy Court Clerk Samuel Bretell.

As the clerk announced that both men were not guilty of the charges, Hassan and Rust stood up and quickly shook hands with their counsel.

Other friends surged to their feet and congratulated them. In his twelve farm magazines and in his preliminary to the Congressional hearing, the man, says the proposed sales tax will put the government in a great many occupied a high position and had lost his

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FLORMAN ON TRIAL FOR BANK CHARGES

10/21/31
Michael I. Florman, of 320 Central Avenue, Jersey City, today went on trial in Federal Court before Judge Bourquin, on charges of misapplication of bank funds, and false certification of checks.

It was charged by Assistant United States Attorney Griggs that Florman caused ten checks to be certified in the Hudson County National Bank, Jersey City, amounting to thousands of dollars, and then started a series of transactions which Griggs referred to as "kiting of checks."

JURY IN PAIR

10/20/31
Not Guilty

George to Get

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SHORE MAN FOUND GUILTY BY JURORS

10/21/31
A Federal court jury this afternoon convicted Samuel A. Reeves, Asbury Park hotel operator and real estate dealer, of income tax evasion in 1925. The jury returned its verdict at 2:40 o'clock, after deliberating 1 hour and 45 minutes.

Frederic M. P. Pearce, defense counsel, asked Federal Judge John Boyd Avis to defer sentence. The court said it would pronounce sentence Friday. Reeves' appeal was continued.

Reeves was found guilty yesterday in Federal Court of misapplication of bank funds and false certification of checks. He was sentenced by Judge Bourquin to serve two and a half years in the Federal Penitentiary, and to pay a fine of \$2,000. The verdict was returned by the jury after deliberating 12 minutes.

It was charged by Assistant United States Attorney Griggs that Florman, in connivance with the paying teller of the Hudson County National Bank, operated a series of transactions referred to as "the kiting of checks." This resulted in Florman having credits from spurious deposits made in four banks, amounting to more than \$1,000,000.

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Who's Who in the Day's News

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IN JAIL UNTIL NOV

10/21/31
It's Apparently the Wrong Man—Checkup to Be Made

Judge Bourquin also has his troubles.

In the United States District Court today, a prisoner who responded to the name of Andrew Duroy, of 295 Palisade Avenue, Union City, stepped forward and retracted a plea of not guilty to liquor law violations.

"You plead guilty?" asked the Court.

"I do," said the prisoner.

"Thirty days and \$125 fine," replied the court.

The prisoner was led away by deputy marshals and taken to the cells on the fourth floor of the Federal Building to await transfer to a county jail.

To all intents and purposes this was just another liquor case.

Meanwhile court continued with full speed ahead. Cases came up and were disposed of in fast order. Then the trials started. A jury was called, attorneys began to warm up, the Court got himself in position to hear a long and technical case.

Then up spoke Assistant United States Attorney Walter B. Petry, of Trenton.

"Your honor," he said breathlessly, "I have just learned that the first case on the calendar, Andrew Duroy, is not really Duroy. He is not the man that the agents arrested."

"What's that?" asked Judge Bourquin.

The government official repeated his explanation.

"Bring that man forward," ordered the court.

A search was made.

"He's upstairs in a cell," volunteered a deputy marshal. "We took him up there."

"H-m-m," said the court. Then he looked to where the jury was resting easily. "Oh, well," said the judge. "We'll bring him up later. Recall him after this trial and bring him forward. Proceed with the case."

The alleged Duroy is still waiting to find out what they are going to do with him.

TRENTON

IS JAILED FOR CHARGE

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DENIAL SUPPORT

Substantiates testimony—Direct Refused

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EXHIBIT

Hasan's stock was worth \$50,000, firm said. John F. Evans, firm's attorney, said: "Don't you think that's a lot of money for 12 shares of stock?" Hassan replied that he did not think so.

At a meeting on June 4, Hassan brought the photostatic copy of the secret book, cancelled checks from the unreported account, and his 12 shares of stock. Then he claimed was an initial payment, was given him and the meeting was adjourned. As he walked for face with Rust they were arrested by special agents.

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