HEAVY TRUCK USED TO BATTER DOORS OF BREWERY IN NEWARK; DRY AGENTS GET ALLEGED BEER

Trenton Times 10/27/31

NEWARK, N. J., Oct. 27 (AP).—Prohibition agents today forced entry into the old Hensler Brewery here and took possession of the racking plant and three trucks allegedly loaded with beer.

The first group of raiders forced their way into the plant by using a truck as a battering ram. The men were led by Walter Parks, of Philadelphia. Another group of 10 men from the Newark office were led by Commander John D. Pennington, third enforcement district administrator.

The brewery had been operating under a cereal beverage permit protected for the last 18 months by a Federal Court injunction restraining enforcement authorities from interfering with the operations.

The neighborhood was thrown into excitement by the crash of splintered wood and steel as the ten-ton truck crashed through the racking plant door.

A few moments later the Philadelphia agents forces were augmented by the 10 men brought by Pennington.

F... ON BANKRUPTCY FRAUD CHARGES

Trenton Times 10/27/31

Verdict Directed by Judge Bourquin—Admits Transaction Was Suspicious

After hearing little more than an hour of Government testimony, Federal Judge Bourquin today directed a verdict of acquittal for four officers of the Elia Furniture Company, Inc., Paterson, charged with conspiring to violate the bankruptcy laws. The defendants were: Frederick Elia, Antonio Tilli, Benjamin Badagliacca and Edward Delmastro.

In an indictment it was charged the defendants conspired to conceal from the receiver in bankruptcy and from the company's creditors about $27,000 in money and stock valued at about $7,500.

The government charged the defendants planned to divide among themselves a $27,000 loan from a finance company, but the defense maintained the purpose of the loan was to enable the company to buy out Elia's and Tilli's stock. The government also charged the officers of the company withdrew more than $25,000 from the firm's account in the First National Bank of Hawthorne, and deposited it in the City Trust Company, Passaic, in an effort to falsify the company's assets. It was charged stock was withdrawn from the store and placed in a garage for the purpose of lowering the company's assets.

Judge Bourquin, referring to the loss, told the jury "there is nothing to show impropriety in that transaction." Of the stock which was removed and which Elia contended was his own, Judge Bourquin stated, "which of the stock was Elia's and which the company's does not appear."

"I don't hesitate to say there is something suspicious here," the court said, "but I don't see enough evidence to justify sending the case to the jury."

John Grimshaw was government counsel and Frederic M. P. Pearse defense counsel. At a former trial a mistrial was declared after four days' testimony.

TRIAL OF BUCKLEY IS RESUMED HERE

The trial of Allan M. Buckley, of ...hway, who is charged with misapplying bank funds, was continued today in Federal Court before Judge John Boyd Avis. W Holt Ap... is appearing for the defendant, ... Assistant United States Attorney ...ry is representing the government.

Eagle

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...Pass... The ... was s... opera... the a... and a... malia...

(upside down) Washington Bureau) —The Department of Justice an... ...terfere with the sale of seventeen ...st June by prohibition agents and

(upside down) Modernized, Cap... 17 Machines...

PRISONER'S IDENT... AGAIN IS QUEST...

Trenton Times

For the second time in a w... hibition agents were today d... search for a man charged... liquor law violation, while... answering to the defendan... served a jail term.

A man who said he wa... White, alias Charles Doren... boken, was sentenced by... Judge Bourquin to 30 days in... fined $150. Agents testified... not the man they arrested.

Judge Bourquin compa... man's signature with that o... bond posted by White, and... comment as to their ... warned the prisoner he wou... a severe sentence if it we... he was not the real defen...

TW... FOR...

TR... Federal Judge George M. Bou... in here today had ordered for... ...ed the English schooner ...ndyke, seized off Atlant... about three months ag... cargo of liquor valued a... ...0 aboard.

...also declared forfeited a mo... ...at chased into a Weehawken ... and seized about the same ... Coast Guardsmen found ...0 worth of liquor aboard this ...t, they say.

...ANT ...T PLEA

...10/28/31

...28.—Colonel ... supervisor ...is district, ...ckinson in ...strict Court yesterday and ordered to restore the permit of the Burlington Industrial Alcohol Company, of Burlington, N. J., which was revoked last July. Under the permit the company has the right to use 2,100,000 gallons of alcohol yearly for denaturing purposes.

In a long series of hearings preceding the revocation, during which thousands of pages of testimony were taken, prohibition authorities sought to prove that the company permitted the diversion of approximately 300,000 gallons of alcohol to bootleggers in 1929 and 1930. Judge Dickinson held that the testimony was conflicting and that no person hearing it could have "any satisfied conviction of what the truth is."

...OCTOBER 27, 1...

...n Arms ...Sunday

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...— America will ...week to a League ...

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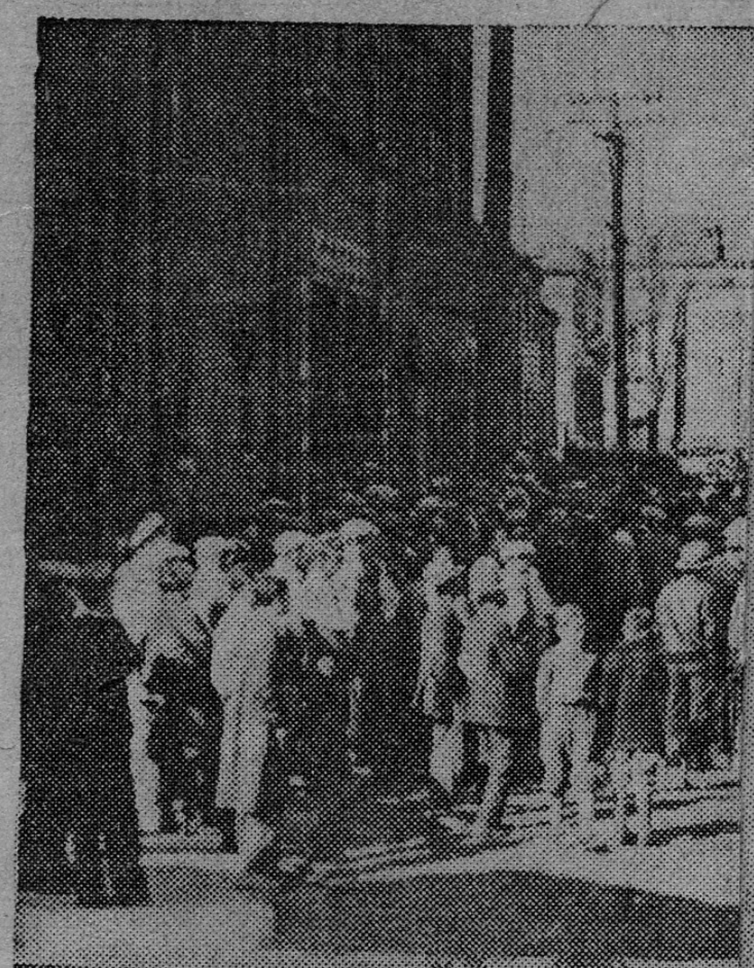

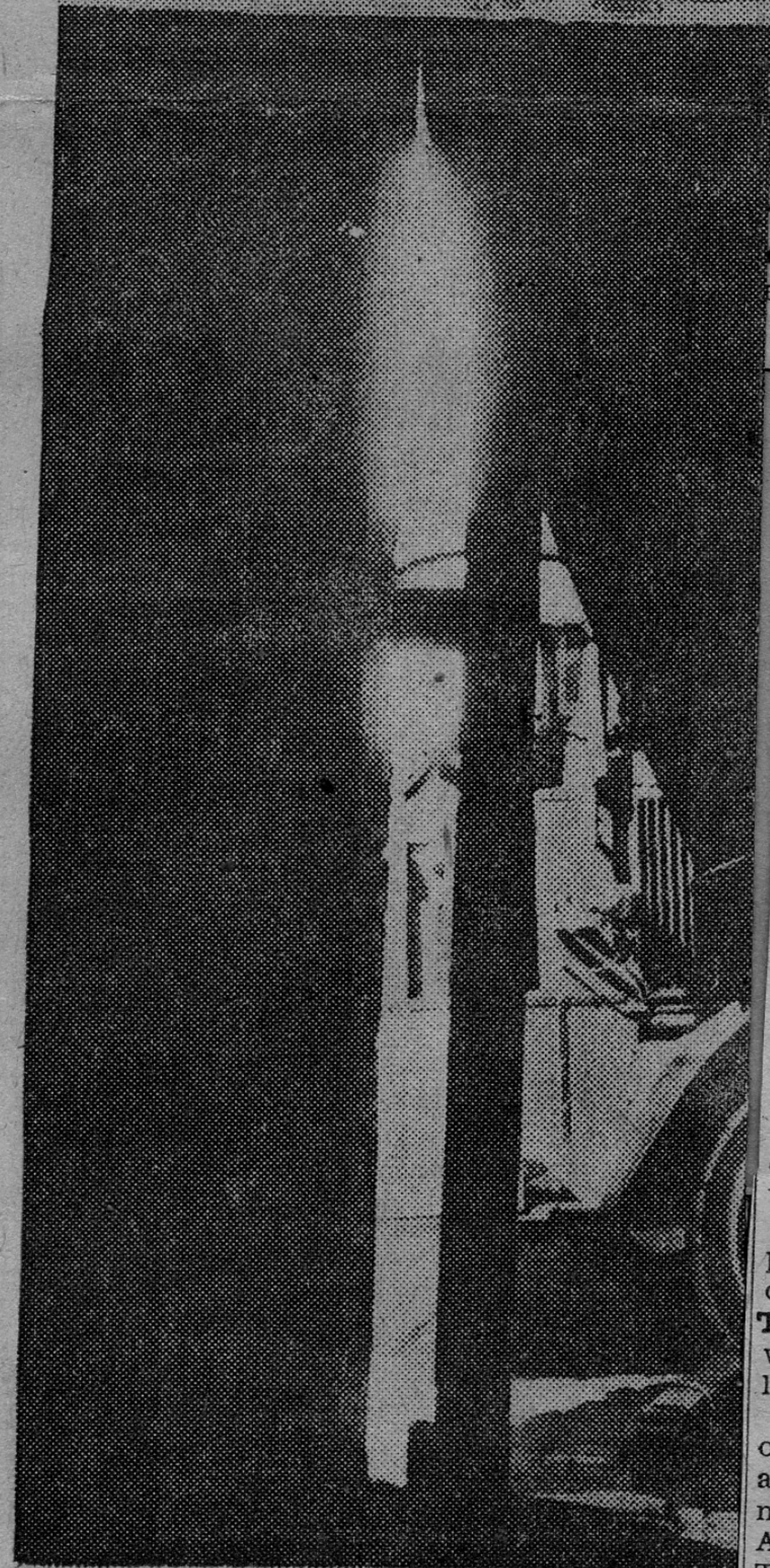

...ea street ...e inside

Beer Drop Ne... Brewery Seiz...

Link to Old Hensler P... Sought—Pennington in Charge

An alleged beer drop at 69 A... street, across the street from the ... of the old Hensler brewery, was se... by Philadelphia prohibition age... shortly before 11 A. M. today. ... seizure came after three six-ton truc... declared loaded with beer had left th... property. No beer was found in the building.

The brewery itself, long a thorn in the side of prohibition authorities, was entered by Commander John D. Pennington, prohibition administrator, who took personal charge soon after the beer drop seizure. He expressed the belief the "drop" was connected with the brewery by pipe lines. Agents began a search for them.

The brewery and the Alyea street property were seized by Albany agents March 20, 1930, when forty arrests were made and approximately 7,000 barrels of beer were confiscated. Involved court action is still pending. Entrance to the drop was made today in spite of an injunction issued eighteen months ago by Federal Judge Fake and still in force.

Pennington, on reaching the scene, said he chanced to be in the Newark prohibition offices when he learned of the raid.

The agents made the raid immediately after the three beer trucks and a fourth, loaded with a racking machine, left the Alyea street premises. The drivers of the four trucks fled.

Truck Crashes Doors.

Attempting to gain entrance to the brick building, which has the outward appearance of a garage, the agents found the doors barred with two steel girders. Taking one of the seized trucks marked "Howard Trucking Company," the agents drove against the doors and forced an entrance.

According to the agents, there is a large open yard in the rear of the building, which Pennington later described as the brewery yard of the old Hensler plant. Along three sides of the yard were wagon sheds and other buildings.

In a building on the east side of the yard, the agents declared they found what they described as the "racking plant." There were pipe lines in this building, and through some of these beer was brought from the brewery plant, the agents said they believed. There were several hundred empty beer barrels in this building.

Pennington said he believed the beer line to the brewery passed through the cellar of a nearby house, and lack of a search warrant would prevent search of the house to prove this.

Commander Pennington said that while he had sent men into the brewery, he would not seize it, as it is protected by an injunction. He would retain possession of the drop, he said, adding that he intended to go ahead and unearth the pipe lines there.

"Then you believe there is more than one pipe line running across the street from the brewery?" he was asked.

"Yes," he replied.

To the rear of the yard was found a boiler room, the agents said, and several boilers were still in operation. A motor for air compression was still warm, they added, and the room con-

(Continued on 2d page, 5th column)

...the ... when ... a peren... Agents ... straine... them ... "You ... said th... owners... He ... they ... would ... not giv... which ... The ... person... there ... from ... soon a... Whe... met w... an aut... and th... of the ... out. ... citeme... to get... Two ... preven... crowd... They ... vantag... policema... A fe... of fed... a shin... mouth... Alyea ... Third ... men, ... steppe... the gr... and d... Aft... mand... Manu... again... terfe... tion ... son ... to va... the ... 29, ... the brewery ...

...2 a temporary restraint against the Superior Manufacturing Company was issued by Federal Judges Fakes and Avis.

Thomas B. Plunkett was named as owner of the property at 69-87 Alyea street when Simandl filed an equity suit asked suppression of evidence in Plunkett's behalf. January 22, last, Judge Fake ruled the search and seizure at the garage had been in violation of Plunkett's constitutional rights.

...For Transportatio...

Three Trenton men were s... to a single fine of $500 b... Bourquin in Federal Court h... on charges of transporting ... barrels of beer. The men, ... McGovern, 415 Genesee Str... liam Blackwell, 319 South... Street, and James Fallon, 12... Broad Street, retracted no... pleas and threw themselves u... mercy of the court.

The judge made no stipul... to how much each of the t... fendants must share in the j... fine.

Joseph Winklestein, convi... possessing liquor and mainta... nuisance, was sentenced ... months in jail and $500 fine. ... Levin, who also stood jury tr... found guilty and sentenced to ... in jail and $200 fine for tra... tion.

Michael Jaccodine, Fred Br... Walter Scheuble, all of Jers... were sentenced to 30 days eac... joint $400 fine for possessi... nuisance. Daniel Hanrah... Newark, was sentenced to 30 days and $125 fine, and Frank White, of Hoboken, and Adolph G. Kadlec, of Long Branch, were each sentenced to 30 days and $150 fine for dry law violations. Fines of $500 each were imposed on Joseph Schubert and Frank Smith, both of West New York, and Joseph Russo, of Union.

...caught fire today. ...arsenal is equipped for manu... ...re of all modern war material.

...had a full day ashore today for the first time in weeks.

Willy Rody, youthful owner of the wrecked plane, and Christian Johanssen, the chief pilot, were guests of Dr. Paul Schwarz, German consul in New York. Tomorrow they will attend ... church service of thangsgiving, arranged for them at the German Lutheran Zion Church.

...l $2.00
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SUNDAY
...ctober 25