SICK CERTIFICATE AS EXCUSE ASSAILED BY COURT OFFICIALS; FAILS TO SAVE DRY OFFENDER

Trenton Times 2/18/32

Judge John Boyd Avis, in Federal Court today, struck a blow against the practice of defendants who fail to appear to answer charges and who send in last-minute physicians' certificates to explain their absence.

The action was taken when the name of Henry Cortez, Hoboken, was called to answer to dry law violations. Cortez did not appear and his bail was ordered forfeited. A bench warrant was also issued. A doctor's certificate, stating that Cortez was ill, was not accepted.

It is the policy of the court, United States Attorney Phillip Forman declared, that when a defendant is a chronic sufferer, notice should be sent at least four days before the scheduled date of trial in order that an investigation may be made.

"Only in the case of where a defendant is stricken seriously ill on the eve of the trial will a doctor's certificate be accepted," the district attorney explained. "And then it must be accompanied by sworn affidavit."

The business of giving doctors' certificates at the last minute, Mr. Forman continued, has caused unnecessary delays to the Government and has resulted in considerable expense.

"It is about time that more stringent rules were placed into effect," he declared.

TRENTONIAN'S DARING ATTEMPT TO ESCAPE RAIDERS DESCRIBED AS JAIL SENTENCE IS IMPOSED

Trenton Times 2/18/32

How a Trenton man tried to escape Federal agents by running across roof tops and diving through a window was related in Federal Court today when John Arbodi appeared for sentence for liquor law violations.

He was sentenced to serve two months in jail. Dry agents declared that when they raided a place in the rear of 622 South Trenton Avenue, Arbodi was one of three men who fled across adjoining roof tops.

In a desperate effort to get away, the dry agents said, Arbodi went through a window to reach the street. He was seized a few minutes later by other agents who had hovered in the vicinity.

August Fuehren, 63 years old, of Camden, was sentenced to serve 60 days in jail and to pay a fine of $350 for liquor law violations. Charles T. Keiler, Camden, involved in the same case, was given a sentence of 20 days and fined $100.

Patrick Trotto, East Vineland, was sentenced to serve 30 days in jail and to pay a fine of $250 for dry law violations.

Li Pang, Newark Chinese, was sentenced to serve two years in jail and to pay a fine of $300 for violations of the narcotic laws. Pang broke his leg when he leaped from a Green Street house in Newark to escape Federal officers. He was on crutches when he appeared in court today.

Choy King, also of Newark, was placed on probation for two years for narcotic violations.

Joseph Rey, Sea Isle City, was fined $250 for dry law violations.

Alex Symanik, Bridgeton, was fined $250 for possession of liquor and maintaining a nuisance.

Joseph Zielenback, Linden, was sentenced to serve 30 days in jail and to pay a fine of $200 for dry law violations.

WOMAN REBUKED IN LIQUOR CAS[E]

Trenton Times 2/18

Mrs. Berry Reprimanded [in] Court, Then Placed on Probation

A widow, with five children, was sharply reprimanded in Federal Court by Judge Avis today for trying to make a living by selling liquor.

The defendant, Mrs. Elizabeth Berry, of Mount Holly, escaped a jail sentence after Senator Clifford R. Powell had made a plea for mercy in her defense.

The Court then placed her on probation for two years, after declaring that he "didn't want to send any woman to jail unless the circumstances demanded it."

Senator Powell appeared in court out of respect to the memory of the woman's husband, Sergeant James Berry, who had served in the National Guard at Mount Holly under him. Berry died a year ago.

Before his death, Berry owned and operated a hotel in Mount Holly, and it was in this place that the liquor laws were violated by Mrs. Berry, according to evidence.

"This woman, a widow with five daughters," declared Senator Powell, "tried to eke out a living by selling liquor. She knew of no other way to get money to keep her family together."

BANK OFFICIAL PLEADS GUILTY OF EMBEZZLING

Trenton Times 2/18/32

Sentencing of Van Fleet Deferred Until Government Agents Testify

Charged with embezzlement of funds from the First National Bank, Whitehouse Station, Hunterdon County, Russell Van Fleet, cashier in the now defunct institution, appeared before Judge Avis in Federal Court here today and pleaded guilty.

Sentence was deferred until Tuesday, when Department of Justice agents will give additional evidence to the court.

Van Fleet, a dapper figure and about 35 years of age, made no comment when he faced the court. The charge was read to him by Assistant United States Attorney Griggs and he nodded his head briefly and said: "Guilty."

He embezzled approximately $6,000 from the bank, the indictment charges, covering up his shortages with false entries and manipulations. The indictment lists nearly a dozen counts, each representing a sum of money that he took or misapplied.

The shortages covered a period of about two years, according to the indictment. They began as early as November 23, 1929, when he is alleged to have taken $1,000 from a savings account. He took a total of $3,500 on two separate occasions on February 19 last, according to the Government, covering up the shortages in each instance.

On February 24, 1930, he took $200 and on July 16, 1931, an additional $400, the indictment charged. Other sums were pocketed on various occasions, it was added.

Edward A. Ackerman, 25 years old, a former clerk in the Columbus National Bank, Paterson, pleaded guilty to embezzlement of $3,200.

Judge John Boyd Avis, after learning that restitution of $1,000 had been made, placed Ackerman on probation for two years, ordered him to repay all that he owed the bank, and then lectured him severely on the subject of "spending other people's money."

"I hope it has gotten out of the system of young people," said the court, "that they can't spend other people's money."

"It's been a bitter lesson to me," said Ackerman. He was on the verge of tears.

"Cut out the pleasures," continued the court, "until you have atoned in money what you owe the bank. You must remember that other people need that money more than you do."

An impassioned plea for clemency was made by Samuel Raff, Paterson attorney, who represented Ackerman.

Ap... n-R...

consigned to the notoriou[s] running shore line—was u[nearth]ed early today when New [Jersey] State Police captured a truck on the Lakehurs[t] River Road.

The truck was speeding ... ward when Troopers Spiek ... Long overtook it. Fifteen ... lon barrels were aboard. ... Mason, of Roselle, the driver [vol]unteered the information that the liquor was "rye," but he was close-mouthed on its shipping point and destination. It is believed the moonshine was enroute to a shore bottling plant for conversion into "imported" goods, fresh from the 12-mile limit.

Mason, the cargo and the truck, which was owned by Martin Kelly, 729 Van Buren Street, Elizabeth, were turned over to the Federal authorities.

...Y RA... , Feb... from... took... offices ... Carbonic Manufacturing Co... portion of the property formerly used by the ... Shipbuilding Corporation at First and Franklin Streets.

* * *

JUDGE PUTS L... ON "SPEAKEA[SIES]"

Trenton Times 2/...

Calls Them Unlicen[sed Sa]loons, in Sending P[roprie]tors to Jail

Federal Judge Clark cau[sed a] sensation in court here t[oday when] he referred to speakeasie[s as "un]licensed saloons."

When Joseph Gassler, S... field, and Charles Tredway ... appeared for sentence for ... lations, Judge Clark rema[rked:]

"This might be describe[d as an un]licensed saloon. Then h[e sentenced] Gassler, the proprietor, ... days, and Tredway to 10 ... Sentence was deferred ... result of a similar case wh[ich was] tried in a higher court b[y Frederick] M. P. Pearse, counsel.

And when the case of ... Kenna, Clifton, came up, ... again asked: "Is this a[n un]licensed saloon?"

"It's a restaurant," cou[nsel began to] explain.

"Don't call it a resta[urant," snapped] the court briefly, and the[n sentenced] McKenna to serve 40 day[s.]

And in still another liq[uor case] volvng three men from ... the court exclaimed: "T... be an unlicensed saloo[n on a large] scale."

Despite a plea of couns[el, the court] sentenced Harry Marotta, ... to serve five months in jail ... posed terms of one month each on James DeMarco, of Jersey City, and James Marotta, of Hoboken.

A bench warrant was issued for Joseph Ottobere, 11 Tyrell Avenue, Trenton, who failed to appear to answer charges of possession and transportation of liquor.

W. Herbert Walter, Camden, was given a 10-day sentence for transportation of beer.

Howey, Central Figure in Assault On 18th Amendment, Faces Court Again in Violation of Liquor Law

Trenton Times 2/24/32

William Howey, the former Sussex clerk, whose liquor violation case caused Federal Judge William Clark to declare the Eighteenth Amendment unconstitutional, was in Federal Court again today—this time to plead to a charge of maintaining a common nuisance.

The case will probably be heard some time today by Federal Judge Avis.

Accused with Howey is Marcus Norman. They are charged with liquor violations in the operation of Gobel's Inn, Sussex. Both are being defended by former assistant United States Attorney Frederick M. P. Pearse, who led the fight to prove the Volstead act unconstitutional in October, 1930.

It is more than likely that United States Attorney Phillip Forman will represent the government in this case, thus bringing face to face the two men who fought out the sensational battle that took place in the Federal Court here.

A great array of legal counsel aided Mr. Pearse in his fight, and the case was finally taken to the Supreme Court of the United States, where Judge Clark was reversed.

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Young's Raids At Atlantic City Startle Resort

New Dry Chief, Calling Sud... ...ine,' Is... ...keasies ... Time

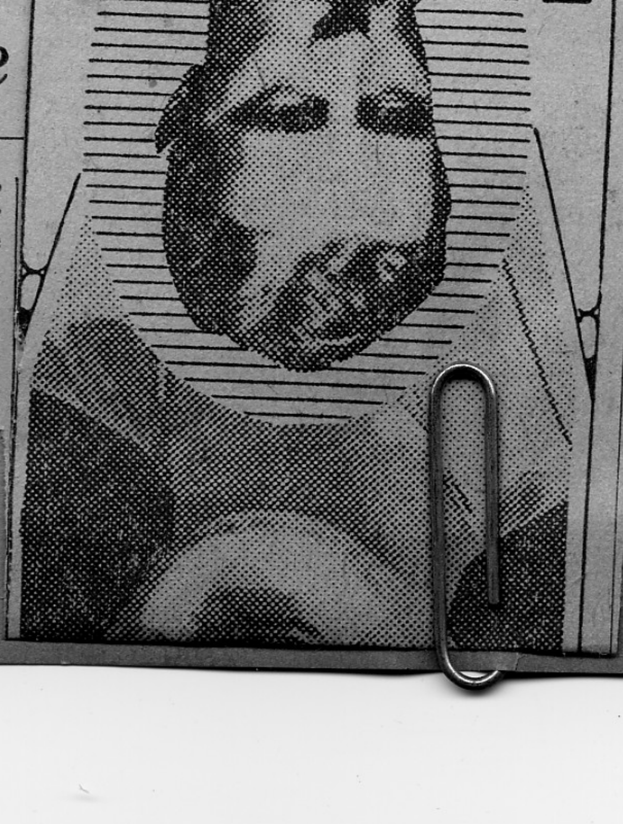
...to whether the government had decided to clamp down on liquor over the Washington Birthday week end. "The raids here are conducted in exactly the same way I have worked during my seven years I have been in the department." He denied that under-cover men were used to make "buys" in the ...

...er an ad... Mr. Young has been at Atlantic City [si]nce October. Previously he was at [P]hiladelphia, Pittsburgh and Newark. [Si]nce he began confiscating furniture [an]d fixtures in the places raided last [w]eek Mr. Young has filled a good-sized [st]orehouse. In the mean time, the [m]ajority of Atlantic City is "just wait[in]g" to see how long it lasts.

TRENTO...

Convicted on Possess[ion] Delay Sentence

After months of legal procedure, during which time the Federal government was authorized to confiscate equipment valued at nearly $100,000, Lewis Stern, of Camden, was convicted yesterday in the United States District Court here on a charge of possession, and then was forced to



Edna Millay Off To Spain Aboard Freight Vessel