Absence of Agents Annoying to Court

Judge Deaver Seeks in Vain to Question Raiders—Tutt Makes Explanation

Failure of three prohibition agents to be in court today when a liquor case was called ruffled Judge Bascom S. Deaver in Federal Court. The case was that of James Early of 367 Summit avenue, Jersey City, who pleaded guilty to possession of liquor and maintaining a nuisance. He was sentenced to nine months in the Hudson County Jail.

Assistant United States District Attorney Horace C. Jeffers explained that three agents had visited Early's place January 24 and bought liquor and had seized a quantity of whisky and four half barrels of unlabeled beer in a raid.

Judge Deaver stated he would like to question the agents, but they were not in court. Jeffers, in calling the agents, said they had been notified to be in court. They were Agents Donahue, Angelotti and Badaracco.

Tutt Explains.

Lewis J. Tutt, deputy prohibition administrator, said after the case that all agents who had been notified to appear for cases this week had been excused by the district attorney's office until Monday.

Several cases were set down for this week and a large number of agents notified to be at the Court House," he said. "Because of the trial of Samuel Singer the cases were adjourned until Monday and the agents, several of whom were from out of the state, were told to report back to their posts of duty."

Badaracco is stationed at Newark, Donahue at Camden and Angelotti at Philadelphia.

Returned to Penitentiary.

Stephen Deady was sent back to Leavenworth Penitentiary by Judge Deaver for a year and a day for violating five years' probation in a narcotic case imposed by former Federal Judge Bodine in 1928. Arrested subsequently in New York for possessing narcotics Deady wes setn to the penitentiary for two years.

Franklin D. Morrison of Philadelphia was sent to the Hudson County Jail for four months on a charge of possess-

Pennington's Removal Seen Only Dream of Politicians

Woodcock Strong for Dry Chief---Separate Jersey District Unlikely---Davis's Denial of Seeking Scalp 'Taken with Salt' in Pennsylvania

Newark News August 6, 1931

Washington Bureau, NEWARK NEWS.

WASHINGTON—New Jersey politicians may rail at Commander John D. Pennington, prohibition administrator for the Third Judicial Circuit, because of his raiding of prosperous breweries there. But, apparently, they have no chance of getting him transferred or having New Jersey taken from his jurisdiction, which includes that state, Pennsylvania and Delaware.

His statement in Newark yesterday of his intention to close all illegal breweries in New Jersey is based upon a determination that goes right to the top of the prohibition unit. Colonel Amos W. W. Woodcock, director of prohibition, regards Pennington as one of the best men in the enforcement field. He was assigned to the Third Circuit because of the effective work he did in Pittsburgh.

So long as Woodcock has his say Pennington will not be transferred. Woodcock is after illegal breweries in New Jersey. In this conection he has been perplexed by the action of federal judges in granting injunctions that restrained prohibition officials from proceeding with prosecutions. The prohibition unit makes no bones of saying that New Jersey is the only state in the union in which the work of the unit has been hampered by injunctions by Federal District Court judges. The April term grand jury in a resentment scored this practise on the part of judges, who defended themselves in a formal reply.

It is certain Woodcock cannot be persuaded to yield to the desire of the Republican politicians, anxious for brewery money in the Gubernatorial campaign this fall, to take New Jersey away from Pennington and set it up as a separate administration. The only man who can bring that about is Attorney General Mitchell.

The Department of Justice is more or less hog-tied when it comes to a question of taking New Jersey away from the rest of the third circuit. That is because it was Attorney General Mitchell himself who, after consultation with President Hoover, determined that the judicial circuits should constitute the administration areas, which were not fixed by the statute transferring control. A departure from that plan, in the instance of a job under fire from the politicians because its administration is "to efficient," would direct national attention to the episode.

No effort thus far has been made by New Jersey Republicans to reach Colonel Woodcock, who is now on his vacation. Nor has Deputy Director Jones been approached.

Foes in Pennsylvania.

There is no doubt that others than New Jersey politicians are after Pennington's scalp because he is "pesti-

ferous" to their friends in the liquor business. So long as the administration in the Third District concerns itself with shutting one speakeasy only to have another open, the politicans do not grumble, much. But Pennington's activities in going after big sources of supply, notably the breweries, have caused opposition to him in Pennsylvania, also.

The recent denial by Senator James J. Davis of Pennsylvania that he has not been trying to "get" Pennington is taken with a large grain of salt here. Davis wrote to the prohibition unit asking how many of its employees were receiving federal pensions.

The belief here is that "puddler Jim," while not yet openly seeking to get Pennington ousted, will be found backing legislation at the December term of Congress that, though general in application, would be calculated to relieve Commander Pennington of his duties as a prohibition enforcer.

When the unit was transferred from the Treasury to the Department of Justice, Pennington was in line for a big job in the control of alcohol distribution. Political influence in Pittsburgh is currently attributed here to have blocked his aspirations.

Strong political forces were reported today to be thinking overtime on ways and means of having Commander John D. Pennington, prohibition administrator of the district, "promoted" or in some way shifted from his endeavors in the wet States of New Jersey and Pennsylvania.

In New Jersey, according to rumor, Commander Pennington is not so well liked by the Republican chiefs because, through his intense zeal at enforcement, he has antagonized the brewery and big liquor interests who usually make fat contributions to the campaign chest.

As the gubernatorial campaign picks up in this State Republican leaders are said to be no little annoyed at the yawning emptiness of that part of the war chest usually devoted to wet money. Something must be done about it, the gossip goes, and that something means that Pennington must be removed from the scene before it is too late.

Davis Directing, Rumor

The effort in Pennsylvania against the administrator is said to be directed by Senator James W. Davis despite heartfelt assurances from the senator that he is not out "to get" anyone. Davis today explained his recent researches into the histories of those government employes who also draw government pensions for work in some other branch of the service by saying he wanted to be informed in the event the question over came up in Congress. Pennington is drawing a disability pension from the Navy Department.

The talk in Pennsylvania was that Davis has no deep affection for Pennington, for the latter, failed to

d others outside the district have come here to
toxicat- try cases and where bootleggers have
well the been found guilty have imposed severe
lacking jail sentences. This did not loosen the
are con- pocket books of the liquor boys nor at-
nd ways tract Republican votes.
se who The cure for this, the minds say, is
an administrator who would not be
too insistent on having those arrested
for liquor violations prosecuted vigor-
irrent in ously.
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ich the **Speed Needed.**
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ne. He this month or it will be too late for
favors the Gubernatorial campaign.
hose in There is no doubt that Commander
to con- Pennington has not been friendly with
many politicians in his own state of
ot sud- Pennsylvania. When he was stationed
mander in Pittsburgh prior to taking charge
nty of of the district including New Jersey,
he state Pennsylvania and Delaware, he was
put in disliked because he wouldn't play ball.
s in the Senator Davis of Pennsylvania, yes-
terday denied reports he is trying to
d fairly "get" the commander. Davis said that
ve been he was collecting data about employees
fiscated. of the prohibition department, who
lose the were drawing pensions for military
tigation service in the event the question came
govern- up again in Congress.
ing the Commander Pennington and many
machinery. of his chief assistants have served in
the Navy and are drawing pensions
from the government.

Ah! The Solution.

What is the solution? Very easy, the leaders thought. Get rid of Pennington. Somehow that wasn't very easy to do. But, the report goes, they have thought up a way of doing it and yet not doing it. Getting rid of him so far as New Jersey was concerned and letting him stay in Pennsylvania and Delaware.

Thus the best minds:

"The sovereign state of New Jersey shouldn't in any way be dominated by Pennsylvania. Why must the headquarters for prohibition enforcement in New Jersey be placed in Pennsylvania? This state should have its own administrator.

"New Jersey is entitled to it and New Jersey Republican leaders are entitled to name the administrator. Get an administrator for New Jersey who is friendly and everything will be all right again."

Brewery operators and the higher-ups in the liquor distributing business blame the Hoover administration for Pennington. In withholding campaign funds from David Baird Jr., Republican candidate for Governor, these formerly generous contributors are making a protest against the national administration.

They realize there is no real choice between Baird and A. Harry Moore, Democratic candidate, on prohibition, but they want to do everything possible show they favor election of a wet sident next year, be he Democrat Republican. Politicians are disarbed that the same reasoning may he liquor and brewery interests to r Moore instead of Baird.

g the year several judges from

Reports Current Separate
Desired to Aid Campaign Funds

Reports that political pressure would be brought to obtain a separate Prohibition administrator for New Jersey, because of Commander John D. Pennington's unwillingness to do favors for politicians, last night brought from Commander Pennington a statement that he intended to continue his war against liquor offenders relentlessly.

The action is contemplated, according to information in political circles, because the bootleg elements this year are not making the customary contributions to the Republican war chest, not having received the desired protection from politicians.

The plan, it is said, is to try to have New Jersey a separate enforcement district again, with its own administrator. The State is at present linked up with Pennsylvania and Delaware, with Pennington as administrator.

"As far as I am concerned,"

A group of property owners an
the Morton Street Talmud Tora
or religious school, at a specia
meeting at 62 Morton street las
night, unanimously voted "to pro
ceed with all previous plans, protes
or no protest."

semites," the board of directors c

$96,471 COLLECTED DURING PAST YEAR, HIS REPORT SHOWS

551 of 822 Pending Criminal Cases Are for Dry Law Violations

ILLNESS DELAYS WORK

Courier-Post Trenton Bureau

Trenton, Aug. 1.—Reduction in the total amount of fines collected in the U. S. District Court for New Jersey during the fiscal year ending June 30 is attributed in some measure to the imposition of more jail sentences, in the annual report of U. S. District Attorney Phillip Forman just sent to Attorney General Mitchell at Washington.

As against the sum of $169,899.61 in fines during the preceding fiscal year, only $96,471.00 was collected in the twelve months covered by the latest annual report.

At the end of the last fiscal year there were 822 criminal cases pending, of which 551 were for violations of the National Prohibition Law. The balance involved infractions of laws concerning customs, internal revenue, post offices, inter-state commerce, banking, narcotics, white slavery, income tax frauds and numerous other federal regulations.

Of the 1120 civil cases remaining unsettled on June 30 last, 562 were also predicted upon violations of the prohibition and internal laws, the majority being suits to padlock liquor selling establishments.

During the last fiscal year 1,197 criminal prosections were terminated and 1,124 were commenced.

District Attorney Forman points out that the illness of one Federal Judge held back actual trial work from April to June. This, however, was offset by the fact that judges from other parts of the country came into New Jersey during June and July in an effort to relieve the congested calendar, but the figures on these cases will not show until next year's annual report is prepared. Judge William N. Runyon, of Plainfield, has been ill part of the past year.

Collection of the sum of $1,018,225.50 in a judgement resulting from a suit brought upon behalf of the Alien Property Custodian swelled the total judgements for the year to $1,171,512.28, Mr. Forman reported. Also his office realized $41,801.97 from the collection of judgements and $8,997.25 without starting suits.

$41,801.97 was realized from the collection of old judgments, and the district likewise succeeded in collecting $8,997.25 without actually instituting suits therefor.

The bulk of the 822 cases pending on June 30, last, were for violation of the National Prohibition Act. They were 551 in number. Other cases involve infractions of the laws concerning customs, internal revenue, post offices, interstate commerce, banking, narcotics, white slavery, income tax frauds and numerous Federal regulations.

Following are statistics on civil and criminal cases compiled by District Attorney Forman covering the last four years.

Number of civil cases pending at the close of June 30—1928, 1,344; 1929, 1,445; 1930, 1,142; 1931, 1,120.

Number of civil cases commenced during the fiscal year ending June 30—1928, 751; 1929, 1,155; 1930, 1,182; 1931, 1,556.

Number of civil cases terminated—1928, 651; 1929, 1,054; 1930, 1,485; 1931, 1,578.

Aggregate amount of judgments obtained in favor of the United States—1928, $42,761.91; 1929, $149,797.71; 1930, $181,268.30; 1931, $1,171,512.28.

Amounts realized on old judgments—1928, $19,612.09; 1929, $15,353.56; 1930, $35,971.19; 1931, $41,801.97.

Amounts collected by the United States Attorney on demand where no civil suit was instituted—1928,

Bruins lead on first place to a game and a half.

Manager Al Mamaux selected Donnan for mound duty and Charlie Hargreaves was his battery mate. Billy Southworth, visiting pilot, countered with Buck Forrest, a right-hander, and sent Paul Florence behind the plate.

A change in the Newark lineup saw Hugh Willingham at third base

public autoists can use a series of roads that join the same towns, but they form a roundabout route.

The new bridge west of Pennington is the scene of a recent fatal accident, where a man standing atop a freight car was hurled to the ground because of the lowness of the span. In addition, two cars can pass upon the bridge only with difficulty, while the approaches on both sides make it impossible to observe traffic coming in the opposite direction.

Trustees Oppose Art School Cl

who opposes the public school system absorbing the Art School. His opposition is largely grounded upon the fact that the School of Industrial Arts and the public schools provide widely differing types of industrial education. He, too, disapproves of the suggested change because the handsome home of the Art School was a gift to the city and was intended as a permanent memorial.

Mr. Mueller's position is upheld by most of the other trustees, who see

(Continued on Page 2, Part 1)

County to Ask