N Y Herald 7/12/31

# Jury at Newark Frees Last 17 in Rum Ring Trial

## Calhoun's Spectacular Raids of 1929 End in Acquittal; Panel Deliberates 19 Hrs.

## 22 Indictments Quashed

## Defense Stresses Lack of Liquor Seizure Evidence

*Special to the Herald Tribune*

NEWARK, N. J., July 11.—The elaborate and spectacular effort made October 16, 1929, by William J. Calhoun, prohibition administrator for New Jersey, to smash what was described as a wealthy and powerful liquor-running syndicate on the New Jersey coast, ended today at 12:20 p. m. when George H. Ledder, foreman of a jury in United States District Court, handed to the clerk a verdict in the case of the seventeen remaining defendants.

"We find the defendants not guilty," read Judge Glenn from the slip which the clerk handed him.

Philip Forman, United States Attorney, declined to say whether the remaining indictments against a score of persons who were fugitives or for some other reason had not been included among those put on trial sixteen days ago, would be prosecuted. Thirty-nine of the fifty-nine indicted in the alleged conspiracy, were called for trial. In the course of the trial the indictments against all but seventeen of them were dismissed.

**Lost Hope of Verdict**

The case of the remaining seventeen went to the jury at 5:05 o'clock yesterday afternoon and the verdict was returned this noon, after the jury had been sent to a hotel for the night, reassembling at 9 o'clock this morning. At 10:45 o'clock this morning the jurors reported they still disagreed on questions of fact and saw no prospect of a verdict. Judge Glenn pointed out that a disagreement might cause great expense to the government and defendants and urged them to resume their deliberations.

"This court believes," said Judge Glenn when he read the verdict an hour and a half later, "that you have arrived at your verdict because you may have had a reasonable doubt in this case and your logical view was in accordance with the evidence."

There was a general rush forward among the spectators when the verdict was announced, some of those most eager to extend congratulations to the acquitted men being those whose charges had been dismissed during the trial. Judge Glenn speedily restored order, however.

Those acquitted today were Alexander Lillien jr., Andrew Richards, James F. Murphy, Harold Lindauer, John Calandriello, William Lillien, Michael Krock, Walter Gerleit, Louis Caruso, Thomas Ross, Abe Waxman, William Bishop, James Brown, Roy B. Fleming, Morris Cohen, John McLeond and Malcolm MacMasters.

**Seized in Thirty-five Raids**

Some of them had been arrested in the thirty-five raids conducted synchronously, on October 16, 1929, at a dozen or more places between Atlantic City, N. J., and Sag Harbor, L. I., centering at Atlantic Highlands where the syndicate was alleged to have had its operating headquarters in a house of elaborate style of architecture which once had been the summer home of Oscar Hammerstein.

Mr. Forman, United States Attorney in this district; Charles H. Tuttle, United States Attorney in New York, and Howard W. Ameli, United States Attorney in Brooklyn, co-operated with Mr. Calhoun in arranging for the raids. They joined subsequently in praise of the acumen and vigor displayed by Mr. Calhoun in "smashing the wealthiest rum ring on the coast."

The former Hammerstein house, it was said, had been rebuilt as a fortress to protect its inmates against hijackers and other raiders. Machine-gun emplacements had been installed, it was said, and rifles, shotguns and pistols were found there in abundance, while its foundations were honeycombed with secret passages.

Near by, it was said, was an unlicensed radio station, from which orders were given to liquor vessels lying offshore and to a fleet of thirty-eight speed boats operated by the ring, which also had scores of powerful motor trucks, specially constructed with false bottoms and secret compartments for the transportation of liquor.

In the account of the raids given at the time, it was indicated that a great deal of liquor had been seized and that the raiders had captured the radio station so unexpectedly that they were able to send out a message which was luring a steamship with 5,000 cases of liquor aboard into the hands of the Coast Guard.

**Seized Articles to be Returned**

Frederick M. P. Pearse, counsel for the defense, emphasized in his summation at the close of the trial yesterday, however, the point that no evidence had been produced of the seizure of a single bottle of liquor. Mr. Pearse asked the court today for the return of articles seized as evidence in the raid on the house at Atlantic Highlands and Judge Glenn said that the request would be granted.

More than 200 exhibits were introduced in evidence at the trial by the prosecution. The prosecution called 105 witnesses and the court stenographers transcribed more than 700,000 words of testimony.

It was said at the time the arrests were made that the directors of the syndicate, who were named, divided $2,000,000 in profits for the first six months that they were in business; that memoranda had been found indicating huge payments for protection to police and Coast Guard. No evidence of this came out until the summation yesterday, when a few excerpts were read from a black memorandum book found in the house at Atlantic Highlands. They ran about as follows: "C. G., 300; P. D., 150; Shake, 1,000." It was intimated that such memoranda indicated payments to the Coast Guard or to the police or some other "shakedown," but no specific proof was offered beyond what appeared in the memorandum book.

It was said at the time of the raid that the administrative office was in New York, where a raid was made on an office at 25 West Forty-third Street, and that the alleged smuggling syndicate had relations with seven banks. The "smashing" of the ring, it was intimated, was going to lay bare the entire business operations of the group and make it difficult for any similar group ever to proceed so confidently.

---

set his game was steady throughout the match. He played brilliantly from the base line and Wood was seldom able to get past him at the net.

After his somewhat shaky start, Austin often made ...

---

HOBOKEN, July 22 (AP.)—Following a relapse, former Mayor H. Otto Wittpenn was reported this afternoon to be in a dying condition at his home. It was said his death is momentarily expected. All members of the family were summoned to his bedside.

* * *

### KAUFMAN CONFERS WITH PRESIDENT

WASHINGTON, July 22 (UP.)—David E. Kaufman, of Philadelphia, American Minister to Siam, conferred with President Hoover at the White House today. It is understood Kaufman is under consideration for appointment to the post of the late Ralph H. Booth, who was American Minister to Denmark.

* * *

### DUFFY HELD AS BEER OVERLORD

PHILADELPHIA, July 22 (UP.)—Mickey Duffy, alleged beer overlord of South Jersey, surrendered to United States Commissioner Patterson this afternoon. Bail was immediately set at $10,000 for his appearance before the Federal Court at Trenton, in September, to answer charges of conspiracy to violate the prohibition act.

* * *

---

...re released in ...rris Kaplus was ...nd.

...k men charged ... divert lacquer ...olvents to stills ...ants were re... ...nd Louis Vice ...nical Company, ...e Agricultural ... and William ... of the American Company.

...'Ring"

...ical Company, ...ee spray, was ... Grafton avenue ...al Chemical ...ny and the ...ply Company ...

...s were named ...ned in the ...alleged con... ...uary 1, 1927. ...ped corpora... ...lcohol. The ...at the firms ...owing they ... illegal purposes.

---

# Federal Jury

States and swore that his only conviction in this country consisted of a motor vehicle violation.

It is charged that Nelson, under the name of Albert N. Nelson, was arrested in 1929 when prohibition agents raided 19 St. David's place, Atlantic City, charged with possessing liquor and maintaining a nuisance. It is alleged further that Nelson pleaded guilty in Federal Court to possession and was fined $500.

Howard Albert Wicks was indicted for passing five $10 counterfeit Federal Reserve notes in Morris County last month. The bills are alleged to have been passed on Dorothy O'Neill, George Parcell, Bessie Peer, William B. Teets and Tilford Columbo. Wicks is alleged to have circulated the bills in Denville and Rockaway.


...et a brand new Eureka ...0 50 and a famous

Junior ...ryer

...NER

...KA

SPECIAL 10 DAY PRICE $2.50 Complete

Just plug in at the nearest electric outlet and presto—you have instantaneous, continuous running hot water from your cold water faucet. Eliminated boiler, tank, and runs until you shut off electricity. No fuss or bother—attach to any faucet in a minute. Order today. It's guaranteed. Shipped complete, ready for use. Nothing else to buy. Works on either A. C. or D. C. current. Rush order at once.

*Special Offer $2.50 Complete*

FREE Call for Free demonstration. Or send order with remittance ...


---

July 23, 1931

# Dry Agents Late Again, Pique Court

## None Can Explain Why Time in Subpenas Was Hour After Trial's Call

Failure to have prohibition agents present as witnesses when trial opened annoyed Federal Court again today. The case in point was that of Walter C. Artley, former dry agent, charged with possession of liquor and maintenance of a nuisance.

Judge Bascom S. Deaver was on the bench, as is his custom at 9:30 A. M. Last week, Assistant United States Attorney Jeffers wanted to open a government case, but delayed because three agents had not appeared. Today, another assistant, John Griggs, was forced to as kthe court for a delay because his agent-witnesses had not arrived.

It was 10:30 before the government was ready. As Judge Deaver took the bench a second time, he said, "May I inquire publicly why the agents were not here?"

Agents Gay, Carter, Fletcher, Alliger and Cannon were lined up before the bench. The subpenas of all but Alliger specified 10:30. Alliger said his subpena said 9:30 and that he was in court then.

"Well, it's no fault of yours, as it turns out," said the court. Griggs could not explain the situation.

Subpenas are issued in the United States District Attorney's office in Trenton and sent to the marshal's office here for distribution by deputies.

Artley's trial required but an hour and twenty-six minutes. The case was still in the hands of the jury early this afternoon. Meantime, another jury had started hearing evidence against him on a second indictment charging transportation and possession.

**Waiter Government Witness.**

He operated the Biltmore Manor in Pleasant Valley way, West Orange. Two agents testified they visited the place August 8 and were served liquor for which they paid the waiter, George Kogl. Kogl has pleaded guilty to an indictment and was a government witness against Artley.

On evidence obtained during that visit, a search warrant was obtained and several agents raided the place August 15. Wine, applejack, rye and beer were seized. Artley admitted today the wine and applejack were his, saying he kept them for home use, since he lived there.

He said he knew nothing of the other liquor. He had rented the place, he testified, with the expectation of running a restaurant but was denied a permit by West Orange authorities. He admitted he was suspended from the prohibition staff but was not permitted to say why.

---

## *Long Time to Learn Jury Duty Exemption*

**Bread cast upon the waters returns and so sometimes do claims filed for exemption from jury service. One man who is certain of the accuracy of at least the last half of that statement is Municipal Superintendent John D. Castles of Kearny, who filed such a claim eighteen years ago, only to have it returned to him yesterday.**

**In 1913 Castles, an exempt fireman, made out a claim for exemption from jury service and turned it over to his friend, the late William Wilkie of Harrison, deputy Hudson County clerk. Castles got word yesterday his claim for exemption had been found in a desk.**

---

# Try Second Appeal On Post-office Land

Trial of the second condemnation appeal case involving acquisition of property for the new post-office and federal building began today in the Lefcourt building before Judge Fake and a struck jury. The appeal is that taken by Mrs. Tessie Zanfini Martin, owner of property at 39 Franklin street, from the award of the condemnation commission two months ago.

Harry H. Weinberger represents the owner and Assistant United States District Attorney, Douglas V. Aitken, the government.

July 23, 1931

---

## *BAN ON ATTORNEY REFUSED BY JUDGE*

Judge Avis today dismissed a petition of Phillip Forman, United States District Attorney, to prohibit Joseph Scala, of Bayonne, from practicing in Federal Court.

Forman charged Scala offered a false affidavit of a client's illness on October 31, 1929, when seeking a postponement of trial.

The attorney said he had received the affidavit of illness in good faith and had not seen his client before receiving it. Judge Avis found the charges were not supported by the evidence.

Trenton Times 7/24/31

---

## *THREE PENALIZED IN FEDERAL COURT*

Three men from this section were penalized for liquor law violations when they faced Judge John Boyd Avis in the United States District Court today.

Amerigo Benedetti, of Quinby Avenue, White Horse, was sentenced to serve 30 days in jail for dry violations, and Archille and David Marchetti, of Chippan Avenue, Hamilton Township, each were fined $50.

Michael Ditalia, of Camden, was fined $300 and sentenced to serve 60 days in jail for violations of the dry act.

Trenton Times 7/24/31