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SON FOR 25 YEARS

for a formal review

33RD

PAYROLL GIVE

(Continued

used in the ho
the District Atto
"Yes," said Bo
Mr. Forman st
one of the pistols
barrel.
"Here let me
it," broke in Bor
Guns

The two worke
a few moments w
shals inched more
did not like the
clearly.
Then Saccatelli
"What's that," s
"The guns were
Saccatelli.
"What, you say
ed?" asked Judge
"No, they weren'
Saccatelli.
"Well this is a
Judge Avis. "You
to an indictment th
using force by arm
robbery on an Unite
rier. I think we oug
situation a bit befo
tence."
Borelli was asked
loaded.
"I don't know,"
"Saccatelli gave me t
I got on the job."
Saccatelli was quiz
denied that his gun w

Victim Was

"More witnesses," d
Avis.
A quiet, peaceful-loo
about 50 years advan
judge's dais. He was
Quick, Jr., rural mail
whom the three bandit
$3,600 payroll that was
the Atlantic Terra Cott
Rocky Hill.
His version of the hol
dramatic but quite brief
"Tell us about it," sai
The three bandits tu
eyes on the man they hac
"I was going from
Rocky Hill to deliver
route," he said calmly.
yards from the terra co
the road is quite bad. I s
Then I noticed two men hi
the honeysuckles.
"Both had guns. One hit
jaw with the point of his
stunned me a little. Then
'Where's the money, hand
said that I didn't carry an
this trip. They said: 'You
we know you got it. Hand
handed it over to them. T
them put a bag over my
the other started to tie
cross-wise to the steering w
he was fumbling with m
happened to blow the horn.
sake don't blow that horn,
"After they tied me the
heard them open the hoo
e wires. Then I heard the
the road. I unfastened
k the bag off my head, ar
a grip and got my gu
out of the car and cha
, firing several shots.
"

ROBBERY ADMITTED BY THREE

Federal Justice Moves Swiftly in Rocky Hill Holdup

BANDITS FOREGO RIGHT TO TRIAL

Three bandits who held up and robbed a rural mail carrier of a $3,600 payroll, Friday, at Rocky Hill, were each sentenced to serve 25 years in the Federal Penitentiary at Atlanta, by Judge Avis in the United States District Court here today.

The men, Dominick Borelli, 21 years old, of 618 South Clinton Avenue, Trenton; James Saccatelli, 21 years old, of 421 Alexander Street, Princeton, and Nicholas Boccansuso, of Linden Lane, Princeton, received their fate without comment.

Saccatelli was on the verge of tears as he followed his two colleagues from the courtroom, but when he was about to be taken to the Mercer County Jail, he changed his demeanor. He laughed and joked with Borelli and the latter exchanged light remarks. Boccansuso, alone, appeared solemn and depressed.

Indicted Earlier

Justice moved with astounding rapidity. At 10 o'clock this morning the case was given to the Federal Grand Jury which is now in session. An hour later they returned an indictment on all counts. The men were immediately prepared to face Judge Avis.

Shortly after 12 o'clock when a previous case had been disposed of, the three bandits were marched into the courtroom, handcuffed to deputy marshals.

Four guards stood in back of them as they looked quietly up to Judge Avis.

United States Attorney Forman carefully read the indictments to them. Then he asked each in turn how they pleaded.

"Guilty," they replied.

"Do you realize fully what you are saying?" asked Mr. Forman.

They all nodded their heads.

"You have no counsel?"

They shook their heads.

"You don't want any lawyers?" asked Mr. Forman.

"No," they said slowly.

The District Attorney then produced a torn canvas bag and two pistols.

"This is the bag that was used to blind the carrier, wasnt it" he asked.

years on each of some 30 counts in the indictment, the sentences to run con

Dec 4 1933
Herald Feb 4

18th Amendment's Validity in Jersey To Be Determined

Sussex County Nullification Attracts Nation-Wide Interest in Finding

DRY ACT IN JEOPARDY

However, No Matter What the Ruling, Appeal Will Be Taken To U. S. Supreme Court.

By PAUL E. HUSSERL

Whether the 18th Amendment is binding in this state will be decided by Federal Judge William Clark this week, when he hands down his decision in the now nationally famous Sprague case.

Ostensibly, Judge Clark's decision will affect only one person, William H. Sprague, an obscure clerk of Wantage Township, Sussex County, who was arrested by dry agents last summer while transporting beer, in the heart of New Jersey's applejack belt.

The ultimate fate of Sprague, however, is of minor interest, compared to the widespread effect Judge Clark's decision in the case will have, because Sprague will be judged not alone on the merits of his case, but on the legal merits of the 18th Amendment in the light of the New Jersey Federal Court.

BASIS OF APPEAL

When the case was tried before Judge Clark in Trenton recently, the defense readily admitted the

JUDGE CLARK

clerk's alleged offense, and based its appeal for an acquittal solely on the contention that the 18th Amendment was ratified illegally, since it was not ratified by all the States.

In case Judge Clark upholds the contention that the Sprague indictment is invalid, all Federal officials within the state will be required to abide by his decision, pending further litigation, and there will be no basis for further enforcement of the Volstead Act.

Either way he rules, the case will be taken to the U. S. Supreme Court on certiori proceedings, and until that body passes on the decision, its jurisdiction in New Jersey will be final and binding.

HOBART ACT OPERATIVE

However, the Hobart Act, a State enforcement statute, sponsored by George S. Hobart of Newark, still would be in effect, and violators of its specifications could be prosecuted in the State courts.

Commander John D. Pennington, prohibition administrator for this district, would seek enforcement in this State under the old internal revenue act, should Judge Clark decide against validity of the 18th Amendment. This act requires payment of taxes on liquor and registration of stills.

Defense counsel in the Sprague case are former Assistant U. S. District Attorney Frederic M. P. Pearse, of Newark, and Daniel F. Cohalan, Julius H. Comen, Selden Bacon and Leslie J. Tompkins, of New York.