

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: February 17, 1959

FROM : C. F. DeLoach

SUBJECT: ABNER "LONGIE" ZWILLMAN, ET AL.
BRIBERY
PRESS RELEASE

Following approval by Mr. Stephen Bransford in Luther Hutton's Office of the Department last evening, we made the attached press release available to United Press International (UPI) and Associated Press (AP) at 8:07 p. m., 2-16-59. SAC Simon of the Newark Office had previously approved the release which was transmitted to that office at 8:13 p. m. by teletype. At 8:40 p. m. the Newark Office was authorized to make the release in that office and answer inquiries confined to the release.

The story landed on the AP and UPI state and regional wires by 8:20 p. m. and on the Washington Capital News Service local ticker at 9:04 p. m. (attached). SAC Simon advised that the subjects were to be arraigned in Jersey City before a U. S. Commissioner which would afford local papers ample opportunity for photographs.

Aaron Benesch of the Newark Star-Ledger telephoned later in the evening and was told we could not supply the release but he was given a fill-in on the background of some of the subjects for lead purposes which he said he would have his Newark people run out. He expressed appreciation and wanted the Director to know that the Newark Star-Ledger would give the story top billing in Newark today because he believed this to be a fine FBI accomplishment of great interest in the New Jersey area.

ACTION:

ENCLOSURE For record purposes.

Enclosures

- 1 - Mr. Rosen
- 1 - Mr. Jones

[Redacted] b7c

(4)

58 FEB 21 1959

58-4441-55

COMM. FILE

February 10, 1953
FOR IMMEDIATE RELEASE

The Department of Justice announced the arrest today of two additional persons by Special Agents of the FBI at New Jersey on charges involving jury fixing on an otherwise of these persons which took place in connection with the Federal Bureau of Investigation of New Jersey. Evidence that the FBI in the past has been successful in jury fixing in a New Jersey town, New Jersey.

In New Jersey, the FBI in the past has been successful in jury fixing on

Warren Henry Anderson, aged 39, of the Harrison Avenue, Harrison, New Jersey, held as a material witness. Anderson, a machine operator for a metal company in Harrison, was a member of the Sullivan trial jury, and

Charles Louis Anderson, aged 29, who has an apartment at 420 Elder Road, North Arlington, held as a material witness. He is a brother of Warren Henry Anderson and works as a specification analyst at a pump company in Harrison.

ENCLOSURE 58-4441-55

A Federal complaint filed by the FBI in Newark, New Jersey, today charges Katz and Goodspeed with offering and giving a bribe between the date of January 2, 1956, and April 20, 1956, to Warren Harry Andes, a member of the Swillman trial jury, with intent to influence the jury vote. The FBI also filed a complaint today naming Warren Harry Andes, a juror, and his brother, Charles Louis Andes, as material witnesses.

Last Friday the FBI arrested Peter Joseph LaPlaca in New Jersey on bribery charges arising from the same Swillman trial. Also arrested at the same time were two other persons, Louis Joseph LaPlaca, a member of the trial jury, and Anthony Joseph LaPlaca, both of whom reside in Passaic, N.J.

Those arrested will be arraigned as soon as possible. Bond of \$2,000 each has been recommended for Katz and Goodspeed by the United States Attorney in Newark.

58-4-41-55

7-20
GENERAL INVESTIGATIVE
DIVISION OF FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535
ALL MATERIAL WITHIN THIS ENVELOPE IS UNCLASSIFIED
DATE 11-14-2000 BY 60322/UC/STP

6-0-1

ENCLOSURE 58-4441-55

SAC, Newark (58-380)

2-10-59

Director, FBI (58-4111) - 56

AMISH BROTHERS, AKA., ET AL.
BRIEF NO. 001

Re: [illegible]

11-11-58 in [illegible]

[Redacted]

XXXXXX
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FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld *entirely* at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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Information pertained only to a third party with no reference to you or the subject of your request.

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58-4441-56

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TO: SAC, NEWARK (100-1000) Date: 2-9-59
 FROM: SA [REDACTED] Dir: 2/8/59
 SUBJECT: JAMES LOUISE ZARIN et al
 BRITISH CONSUL GENERAL OFFICE

At 8:25 am, 2-8-59, a surveillance in the vicinity of 77 Lincoln Ave., Hahnbrouck Heights, N. J. was instituted by SA [REDACTED] and [REDACTED]

At 9:30 am PETER LA PLACA and his wife were observed to leave their residence in a 1957 Fleetwood Cadillac, black in color, bearing New Jersey License V/I E31. LA PLACA and his wife proceeded to Jefferson Street and Boulevard Ave., Hahnbrouck Heights, N. J. where they stopped for a short period of time in a delicatessen and then proceeded to the Corpus Christi RC Church. LA PLACA left church at 10:40 am; proceeded to the vicinity of 48 Hamilton Ave., Hahnbrouck Heights. SA [REDACTED] observed a 1957 blue Cadillac, New Jersey license R/B 207, together with a 1958 black Thunderbird, New Jersey license B/C 3148, which was observed by SAs [REDACTED] and [REDACTED]. At 11:35 am, LA PLACA proceeded from the vicinity of 48 Hamilton Avenue to his home at 77 Lincoln Avenue.

At 11:57 am, LA PLACA proceeded from his residence via a circuitous route to the Englewood Country Club, located off Route 4 in Englewood, N. J. LA PLACA left the Englewood Country Club at 2:44 pm and returned via a circuitous route to his residence, arriving there at 3:13 pm. At 3:45 pm surveillance was discontinued.

The following is a physical description of LA PLACA as obtained by surveilling agents:

Race	White
Sex	Male
Age	57 years
Height	5'8" - 7"
Weight	170 lbs.
Hair	Gray
Eyes	Blue

[REDACTED]

RE: [illegible]

Charles [illegible]
[illegible]

Rad [illegible]
[illegible]

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

110

Page(s) 110 is/are located at this location in the file. One or more of the following conditions apply to the deletion.

X

is/are an exempt page(s) under FOIA exemption(s) _____

b7C, b7D

(b) (7) - C, D

is/are a page(s) of a letter or other party communication received by the subject of this investigation.

is/are a page(s) of a letter or other party communication received by the subject of this investigation.

is/are a page(s) of a letter or other party communication received by the subject of this investigation. This information was not forwarded to the _____.

Page(s) _____ is/are a consultation to the following government agency (ies): _____ is the information generated with the _____ and is/are a page(s) of a letter or other party communication to the FBI.

Page(s) _____ of the file were redacted.

is/are a computer printout.

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The following number is to be used for reference regarding these pages:

58-4441-30, PAGES 189-298.

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ME 58-380
[REDACTED]

ABNER "LONGIE" ZWILLMAN

ABNER "LONGIE" ZWILLMAN, FBI #346353, was described in a 1951 "Colliers" magazine article as the "undisputed boss of New Jersey's underworld" upon the repeal of Prohibition in the early 1930's. This magazine article states that ZWILLMAN has enhanced his position to the extent that he is now one of the richest and most powerful figures "to come out of the mobs" with unusual influence in labor, politics, and the underworld.

SAMUEL "BIG SUE" KATZ

SAMUEL "BIG SUE" KATZ, [REDACTED]
has been described [REDACTED]

[REDACTED] as one
of ZWILLMAN's lieutenants since the early 1920's.
[REDACTED]

Description and Location Record
of ABNER ZWILLMAN Also Known As

The following description of ABNER ZWILLMAN was obtained from personal observation and interview by SA [redacted] and SAC A. P. MITCHELL on November 9 and 10, 1938, and by examination of various public records by SA [redacted] in December, 1957:

Name:	ABNER ZWILLMAN
Aliases:	Abe Zwillman, Abraham Zwillman, Longy Zwillman, Longie Zwillman, Longey Zwillman, George Long, A. Long, A. Spitsel, Abe Spitsel, Al Williams
Date of Birth:	July 27, 1905
Place of Birth:	Newark, New Jersey
Height:	6' 1 1/2"
Weight:	200 pounds
Build:	Athletic
Hair:	Brown
Eyes:	Gray-Blue
Complexion:	Dark
Teeth:	Good
Scars and Marks:	None
Peculiarities:	Heavy eyebrows; large nose
Visual Identification:	SA [redacted] New Jersey
Summer Residence:	109 Jersey Avenue, Deal, New Jersey
Marital Status:	Married July 7, 1932
Wife:	MILIBRA [redacted] New Jersey MARY DE [redacted] NEW JERSEY SYDNEY [redacted]
Stepson:	JOHN [redacted]
Daughter:	LYN CATHERINE ZWILLMAN, [redacted]
Father-in-law:	EUGENE [redacted]
Father:	Deceased
Mother:	ANNA ZWILLMAN
Sisters:	BESSIE WARCZOWSKY, [redacted] ETHEL MORGENTHAU, [redacted] PROKOP CLINE, [redacted] BARNEY ZWILLMAN, [redacted] HARRY ZWILLMAN, [redacted] IRVING ZWILLMAN, [redacted]
Brothers:	
Race:	White

AS 1-1-1954
21-1-1954
Ev. No. 1

AT 1:00
Greenwood
Public Service Electric Company
Riverside New Jersey
Federal Electric Company,
34-38 Plans Terminal,
Hudson River Jersey
Greater Newark CMC Truck
Sales Company
670 Belmont Avenue,
Newark, New Jersey
FBI #346333

Criminal Record:

The following is the Identification Record of ARNER
ZWILMAN, under FBI #346333:

[REDACTED]

b3
Title 28
Section 542

XXXXXX
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For your information: _____

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58-4441-30, PAGE 302.

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The following investigation was conducted by
SAA [redacted] regarding the sixteen petit jurors
who served during the trial relating to the evasion of
Federal income tax as against ABNER ZWILLMAN in the early
part of 1956;

[redacted]
[redacted]

[redacted]
[redacted]

[redacted]
[redacted]

[redacted]

[redacted]
[redacted]
[redacted]
[redacted]
[redacted]

[redacted]
[redacted]
[redacted]

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

24

Pages within this report are located on the following page(s) of the following report indicated by space in brackets:

X

Deleted in accordance with exemption
b7C, b7D

b7C, b7D

Page(s) of report

For each page deleted, list the name of the party to whom reference is being made in the report.

List the name of the individual party, if a name is listed in the report.

Do you have any correspondence with the following agencies or organizations
_____ was/were forwarded to the _____

Pages deleted in this report are in violation of the following payment of information cost
_____ as the information of general interest. Yes
No. Advise the name of the agency to which the material is being referred to the FBI.

Pages are exempt from the following provisions:

For your information:

X

The following number is to be used for reference regarding these pages
58-4441-30, PAGES 304-326.

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Assistant Attorney General
Malcolm Anderson

1959

Director, FBI

ABUSE OF OFFICE; BRIEBRY;
BRIEBRY; OBSTRUCTION OF JUSTICE

With further reference to my memorandum of February 16, 1959, I thought you would like to know about the following arrests which were made by our Agents in New Jersey on the evening of February 16, 1959.

Samuel Katz, an alleged associate of Anna Kullman, and Edward Goldspon, an acquaintance of Katz, were arrested on charges of bribery, charging them with offering and giving \$100,000 to Harry Anles, a juror in the 1956 income tax evasion trial of William Anles and his brother, Charles Louis Anles, who were both listed as potential witnesses.

All four were arraigned before the U. S. Commissioner at Jersey City, New Jersey. Katz and Goldspon were held under \$100,000 bond each and remanded to the Madison County Jail in Jersey City. The Anles brothers were released on \$25,000 bond each. U. S. Attorney Chester F. Volpe announced that he plans to bring the Anles brothers before the Court at Newark, New Jersey, on February 17, 1959.

1 - Assistant Attorney General
Charles E. Rice

1 - Mr. DeLoach

58-4441-

31

NOTE: Referenced letter advised that the Anles brothers had admitted participation in bribery and investigation continuing to identify individuals involved in same. This will bring Criminal and Tax Division reports and other information developments.

58-4441-31

FEB 16 1959

FEB 20 1959

Office Memorandum

UNITED STATES GOVERNMENT

TO : Mr DeLoach

DATE February 14 1959

FROM : M. A. Jones

SUBJECT ABNER "LONGIE" SWILLMAN
BRIBERY

In connection with the captioned case, a comprehensive coverage of all the major radio newscasters and news broadcasts was established between 6:30 p. m. and 9:00 p. m. on February 13, 1959. Additionally, each of the major television networks news programs was monitored from 10:30 p. m. until 11:30 p. m. The following comments were noted.

At 6:30 p. m. Earl Harvey on his radio program on WMAL mentioned the arrests and gave some of the background on the case.

At 8:30 p. m., Ray Henie on his Three-Star Extra news program on WRC Radio developed background of the case and referred to the arrests by the Bureau. He also mentioned the Director and stated that the FBI had spent three years of unrelenting work on the case.

At 7:30 p. m. over WRC Radio Morgan Beatty, director of the course of his World News program mentioned the arrests by the FBI and described the background of the case.

Both Harvey and Beatty gave strict news reports and Ray Henie commented favorably on the good work of the FBI during the course of this investigation.

RECOMMENDATION

None, for information.

REC-15

58-4441-32

FEB 18 1959

1 - Mr. Rosen

[Redacted]

(3)

57 FEB 20 1959

[Redacted]

STAMP

COMMUNICATIONS SECTION
TELETYPE

Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. Ladd	
Mr. Clegg	
Mr. Glavin	
Mr. Harbo	
Mr. Rosen	
Mr. Tracy	
Mr. Egan	
Mr. Gurnea	
Mr. Hendon	
Mr. Pennington	
Mr. Quinn	
Mr. Nease	
Miss Gandy	

URGENT 2-14-59 5-25 PM WPN

TO DIRECTOR, FBI
FROM SAC, NEWARK 2P



ABNER ZWILLMAN, AKA., ET AL. BRIBERY, DJ, RE MYTEL TWO THIRTEEN LAST. 11-7

AS OF THIS AFTERNOON LA PLACA STILL IN HUDSON COUNTY JAIL AND HAS NOT MADE BAIL. DONADIO AND LA ROSA RELEASED IN FIVE THOUSAND DOLLARS BAIL ON THE EVENING OF TWO THIRTEEN LAST. INSTANT ARRESTS HAVE RESULTED IN WIDESPREAD FRONT PAGE HEADLINES AND PUBLICITY IN THIS AREA AND NEWS CLIPPINGS FORWARDED TO BUREAU THIS DATE. LOUIS J. DONADIO AND ANTHONY BENTO LA ROSA AND THEIR FAMILIES WERE FURNISHED WITH THE TELEPHONE NUMBER OF THIS OFFICE AND WERE INSTRUCTED TO IMMEDIATELY REPORT ANY UNUSUAL OR SUSPICIOUS ACTIVITY WHICH MIGHT BE AN OBSTRUCTION TO JUSTICE VIOLATION.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EX-135

REC-13

SAS OF NEWARK OFFICE ARE 58-11494-33

CHECKING WITH MATERIAL WITNESSES ON DAILY BASIS, AND SA W/C CONTACTED

LA ROSA ON MORNING OF TWO FOURTEEN INSTANT REPORTED

23 FEB 16 1959
EVILINT POLICE

ACTIVITY IN VICINITY OF LA ROSA-S SERVICE STATION.

END PAGE ONE FEB 25 1959

Mr. Rosen

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For your information:

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58-4441-33, PAGE 2.

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X NO DUPLICATION FEE X
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Office Memorandum • UNITED STATES GOVERNMENT

TO THE DIRECTOR

DATE February 13, 1959

FROM A. ROSEN

SUBJECT ABNER ZWILLMAN, ET AL.
BRIBERY, OBSTRUCTION OF JUSTICE

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

After alerting SAC William G. Simon, Newark, to the possibility of harm being done to LaRosa and Doradio after LaPlaca's arrest inasmuch as both are key witnesses, various steps which might be taken short of actually affording protection to these witnesses were discussed.

Even though the material witness warrants are in existence and even though it will be public knowledge that these persons are key witnesses and definitely tied into the income tax case which relates to "Longie" Zwillman, this in itself does not give any assurance that no harm will befall these individuals. It is recognized that in the event any attempt should be made to harm these witnesses, it obviously would reflect unfavorably upon Zwillman. Nevertheless, if the witnesses are not able to testify, it would certainly be highly unlikely that LaPlaca could be prosecuted. Every effort is being made to try to get LaPlaca to talk immediately after he is arrested. He may give us information which will put us on a higher plateau and closer to a tie-in with Zwillman but this is a matter which remains to be developed.

It was suggested that immediately after LaPlaca is arrested and when bond is made by the two witnesses (it is anticipated their bond will be set at \$5,000 each), they will be released, Simon should consider the following:

1. He could maintain contact with them by phone. Donald is a carpenter and LaRosa runs a gasoline station. Arrangements could be made for them to keep in touch with their homes after each arrival at his place of employment. They could maintain contact with the home so that when they departed for work they would be sure to advise their families of their destination and also call them upon their arrival at their destination. If there were any unusual delay in maintaining this contact, the FBI would be immediately alerted.

58-4441-34

AR: [redacted] b7c
(2) 43 FEB 25 1959

REC-21
JAN 20 1959
[Handwritten initials]

Memorandum for the Director

2. They should be in a position to report any unusual or suspicious activity at their place of employment or while at home.

3. The family should be given the office telephone number so they will be able to immediately reach the office when necessary.

4. Agents working in the vicinity of the witnesses' places of employment might make periodic checks at these points during the day.

5. Radio contact should be kept by the cars in the vicinity of the witnesses' places of employment and their homes so these cars may be quickly dispatched to cover any unusual situation.

These are some suggestions which were discussed with Simon. He is giving this matter further consideration so he can set up possible coverage short of actual protective control.

Simon also contacted the U. S. Attorney to determine if any plans had been made to get this case tried. The U. S. Attorney has indicated he has not as yet come to this point but that he will try for a trial date with all possible dispatch.

RECOMMENDED ACTION

This matter will be followed with Simon so that possible coverage can be instituted in a discreet manner which coverage will not place the responsibility upon the Bureau for protective custody of the witnesses and their families.

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. ROSEN

DATE 2-13-59

FROM : F. A. PROHSE

SUBJECT: ABNER ZWILLMAN, ET AL.
BRIBERY; OBSTRUCTION OF JUSTICE

The following radio newscasts made mention tonight of the arrests in New Jersey of Peter LaPlaca, Louis Joseph Donadio and Santo La Rosa on charges of jury fixing in the Federal income tax case trial of Abner "Longie" Zwillman. Full credit was given to the FBI by each of the newscasters:

- Paul Harvey
6:40 p.m. WJAL (ABC)
- Ray Henle
6:45 p.m. Sunoco 3-Star News, WRC (NBC)
- Fulton Lewis, Jr.
7:00 p.m. WOL (Mutual)

The most comprehensive account of the three was given by Ray Henle who stated that U.S. District Judge Edgar Hoover this afternoon announced a break in the case of Abner "Longie" Zwillman, reputed boss of the New Jersey underworld. He went on to state that this information was made known to the arrests in New Jersey of LaPlaca and Donadio and La Rosa after intensive investigative effort on the part of FBI Agents.

Paul Harvey's account was more dramatic and flamboyant. After brief mention of the facts of the arrests, Harvey stated this may be the end for the boss mobster, whose house of cards could crumble on his next move.

Fulton Lewis, Jr., gave a straight news account, briefly stated.

ACTION:

58-4441-30

Mr. Wick of Mr. DeLoach's office was advised. This memorandum should be forwarded to Crime Records Division for information.

1 - Mr. DeLoach

[Redacted]

b7c

REC-69
FEB 10 1959

58-4441-35
6/27

FEB 10 1959

52 FEB 25 1959

2-19-59

SIXTE

SAC, MEMPH (58-350)

DIRECTOR, FBI (58-4441)

MEMPH, TENN., ET AL.

FEBRUARY 17-19-59

RE: [Illegible]

FOR THE ALBANY [Illegible]

COMPLETION.

b7c

44-3

SEARCHED
SERIALIZED
INDEXED
FILED

FEB 25 1959

25 1959

MAIL ROOM

Handwritten initials

Office Memorandum • UNITED STATES GOVERNMENT

TO THE DIRECTOR

DATE FEBRUARY 11, 1959

FROM A. ROSEN

SUBJECT APNER ZWILLMAN, ET AL.
BRIEBERY; OBSTRUCTION OF JUSTICE

With reference to the investigation conducted by the Newark Office in this matter which involves an allegation that a juror was influenced in 1956 in the trial in the U. S. District Court, Newark, New Jersey, of Apner Zwillman for evasion of Federal income taxes, this investigation has been completed.

The matter has been presented to the U. S. Attorney at Newark today and he states he has been told by [redacted] in Washington to discuss this matter on February 12, 1959. He is bringing his first assistant with him.

We transmitted to the Department a report of over 200 pages which reflects extensive interviews.

[redacted]
It is recalled this case ended in a hung jury.

The 1950 records by [redacted] of the FBI. This matter has been presented to the U. S. Attorney at Newark. He feels they should proceed with the arrests following the issuance of warrants against all three individuals. However, in view of the fact that he has been in touch with the Department; namely, Malcolm Anderson, and in accordance with Anderson's instructions, he is bringing his first assistant to Washington for a conference on the morning of February 12.

He will let the Newark Office know of his decision in this matter some time February 12 at which time he intends to return to Newark. We have kept the Department fully advised of developments.

AR: (5)

67C

REC-7F

58-4441-37

FEB 20 1959

2 FEB 26 1959

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. DeLoach

FROM : M. A. Jones

SUBJECT: ABNER ZWILLMAN, ET AL
BRIBERY; OBSTRUCTION OF JUSTICE;
PROPOSED PRESS RELEASE

In connection with the proposed arrests of Peter Dominick LaPlaca, Louis J. Donadio and Anthony Santalucia there are attached a proposed press release with background memoranda and a memorandum for Luther Huston in the Department for approval.

Dependent upon the wording of the indictment it may be possible to include additional FBI credit at the time the press release is made.

The Investigative Division has advised that the arrests are to follow a secret Grand Jury indictment, the Grand Jury convening at 2:00 pm tomorrow, February 13, 1959. Of course, this is merely a proposed press release and last minute changes will be made based upon the exact wording of the indictment prior to release.

URGENT

RECOMMENDATIONS:

(1) That the proposed press release be approved.

GK

(2) That the memorandum to Huston be approved and that the Director place his signature on it at this time to expedite transmittal to Huston when the indictment is returned.

(3) Pursuant to the Director's instructions, the attached press release also will be cleared with Mr. Anderson in the Department after its approval in the Bureau.

Enclosures

- 1 - Mr. Rosen
- 1 - Mr. DeLoach

b7c

57 MAR 9 1959

58-4441-38

SIX - CRIMINAL

SEP 27 1958

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**

TO: SAC, NEW YORK
FROM: SAC, NEW YORK
SUBJECT: [REDACTED]

NOTE: See memo to [REDACTED] dated 9/25/58, captioned
"Abner Zwillman, et al.; Obstruction of Justice - Proposed
Press Release," [REDACTED]

[REDACTED]

b7C

GW
38

58-4441-38

CPA

WJ
GJ

ENCLOSURE 58-4441-38

February 13, 1959

FOR IMMEDIATE RELEASE

The Department of Justice announced that FBI Special Agents today arrested three persons in New Jersey on charges involving jury fixing in the Federal income tax evasion trial of Alster "Loogie" Swillman, reported to have been a New Jersey underworld and bootlegging prohibition bootlegging baron. The Swillman trial concluded on March 1, 1956, with a hung jury.

FBI Director J. Edgar Hoover stated that Peter LaFino, aged 36, of 77 Lincoln Avenue, Scotch Plains, New Jersey, was taken into custody by FBI agents on January 13, 1959, at a New Jersey Federal Judge Roscoe J. Workman's court. He is charged with giving a bribe to a juror in the Swillman trial, December 14, 1956, and February 1, 1958, to Louis Joseph Donadio, a member of the Swillman trial jury, with intent to influence the jury vote. He is also charged with giving money as a bribe to Donadio on January 18, 1958, and December 31, 1958. Mr. Hoover said that this case was broken following intensive investigative effort on the part of the FBI.

5

ENCLOSURE 58-4441-38

subject: ABNER ZWILLMAN

file number: 58-4441

section number: MICROFILM - PART II

serial(s): 50 THROUGH 77

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Rosen

DATE: 2-15-59

FROM : C. A. Evers

SUBJECT: ALBERT I. HAN, aka
ET AL.
FRIEDMAN, OBSTRUCTION OF JUSTICE

b7c
[Redacted]

Tolson
Boardman
Belmont
Clegg
Glavin
Ladd
Nichols
Rosen
Tracy
Harbo
Mohr
Winterrowd
Tele. Room
Holloman
Gandy

At 2:58 p.m., 2-15-59, SAC William Simon of the Newark Office telephonically contacted SA [Redacted] extra duty supervisor, who furnished the following information:

[Large redacted block]

Newark plans to interview [Redacted] this afternoon, and will submit a teletype containing all pertinent developments as the interview progresses.

58-4441-50

[Redacted]

b7c

REC-76
MCT-01

58-4441-50

FEB 20 1959

52 FEB 27 1959

Assistant Attorney General
Malcolm Anderson

February 16, 1959

REC-76

Director, FBI

58-4441-51

ARTHUR EMIL KAY; ET AL.
BRIBERY; OBSTRUCTION OF JUSTICE

With further reference to my memorandum
dated February 9, 1959, you are advised that

[REDACTED]

b7c

It is noted that you would be interested in the
fact that...

2 - Assistant Attorney General
Charles E. Rice

RECEIVED
FEB 20 1959
COMM-FBI

[Handwritten mark]

See Newark Telephone photos

(9)

b7c

58-4441-51

[Handwritten initials and marks]

Room 6
MAIL ROOM

FEB 15 1959

TELETYPE

Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. Ladd	
Mr. Clegg	
Mr. Glavin	
Mr. Harbo	
Mr. Rosen	
Mr. Tracy	
Mr. Mohr	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

URGENT 2-15-59 10-24 PM EST RPH

TO DIRECTOR, FBI

FROM SAC, NEWARK

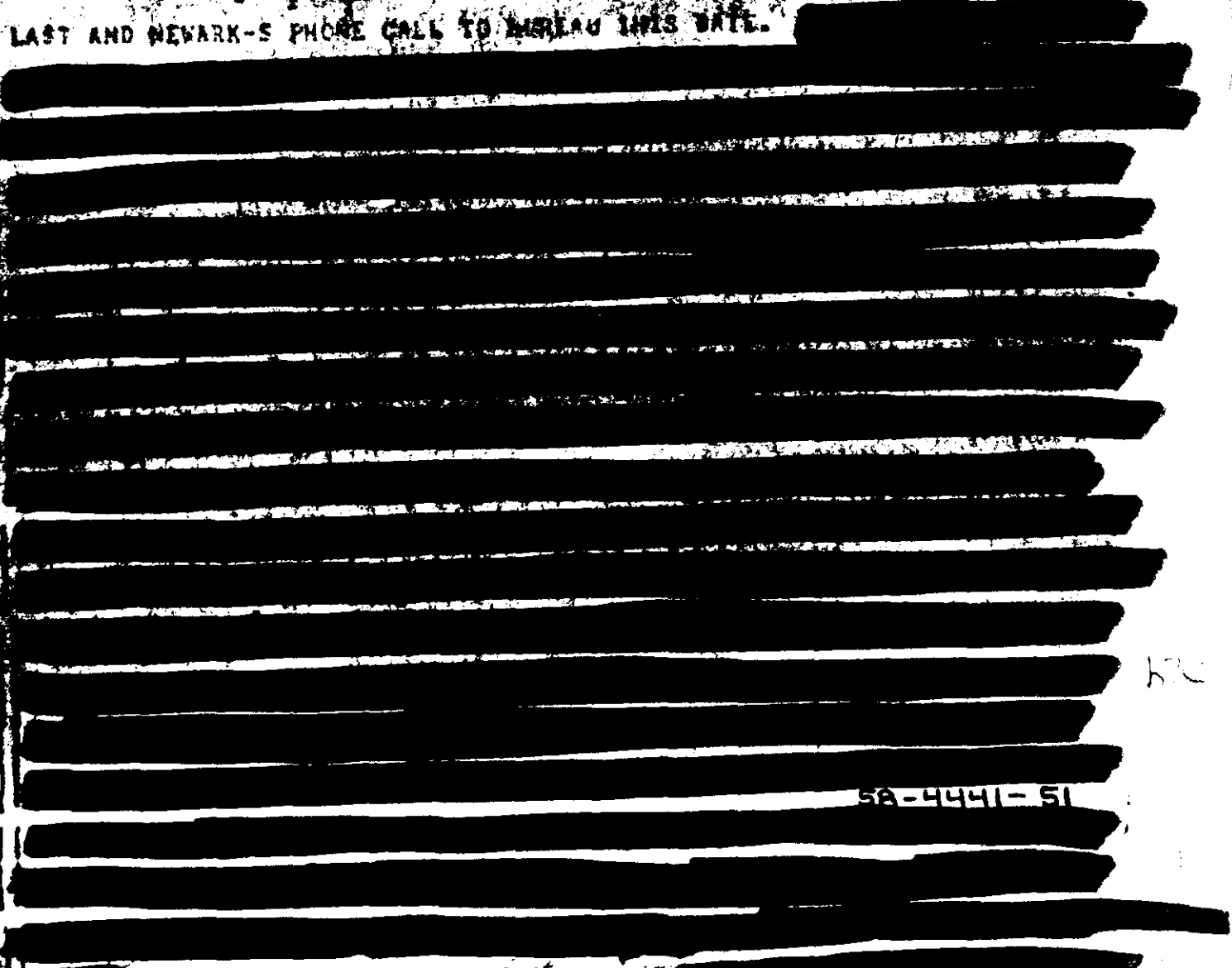
2 P

58-4441-51

51



CHANGED ABNER ZWILLMAN, AKA, WARREN HARRY ANDES, CHARLES LOUIS ANDES,
 EDWARD ROOSEFELD, ET AL, BRIBERY, OJ. TITLE CHANGED TO ADD NAMES OF
 SUBJECTS ROOSEFELD, WARREN AND CHARLES ANDES. REWYTEL FEBRUARY FOURTH
 LAST AND NEWARK-S PHONE CALL TO BUREAU THIS DATE.



58-4441-51

KTC

PAGE TWO

[REDACTED]

INVESTIGATION CONTINUING. BUREAU WILL BE KEPT ADVISED OF DEVELOPMENTS.

58-4141-51

COMM

ACK REC

WA 10-33 PM XXXX OK FBI WA JG

TH 10 10 P

CO-MR. ROSEN

*Preserve sample of this
A. R. 2/12/53
AAG
-11-53
[REDACTED] 67C*

2-18-59

TELETYPE

SAC, NEWARK
FROM DIRECTOR, FBI

ARMER QUOTE LONGIE UNQUOTE SWILLMAN - MURKIN. HERE FOLLOW
PART OF PRESS RELEASE SENT TO WASHINGTON FOLLOWING
ARRIVAL OF SUBJECT IN WASHINGTON. THIS IS A
PRESS UPON BUREAU TELEPHONE AUTHORIZATION ONLY.
RELEAS WITH RELEASE



b7c

58-4441-52

1 - Mr. Rabin

REC-76

58-4441-52

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

FEB 26 1959

FEB 20 1959

66 FEB 27 1959

TELETYPE

MAIL ROOM TELETYPE UNIT

FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

XXXXXX
XXXXXX
XXXXXX

2

Pages are withheld entirely or in part from this file. One or more of the following statements apply and indicate why the deletion:

X

Excluded as exempt from release under the Freedom of Information Act. **b7C, b7D**

Information is withheld because it pertains to a confidential source of the FBI and could identify the source.

Information is withheld because it pertains to a confidential informant of the FBI.

Information is withheld because it is the property of another agency and was/were forwarded to the agency of origin.

Information is withheld because it is the property of another government agency and the information originated with them. No duplication fee is required for this information as it is material to the FBI.

Pages are withheld for the following reasons:

For security information.

X

The following number is to be used for reference regarding these pages:

58-4441-49.

XXXXXX
XXXXXX
XXXXXX

XXXXXXXXXXXXXXXXXXXX
X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXXX

Also arrested by the FBI this afternoon in New Jersey as material witnesses were Anthony Salto LaRosa, aged 47, of 512 Sussex Road, Wood-Ridge, New Jersey, a self-employed service station operator, and Louis Joseph Donadio, a 51-year-old unemployed carpenter, of 645 Newark Avenue, Wood-Ridge.

Swilman was tried for Federal income tax evasion in 1956.

The trial ended when the jury disagreed on a verdict. Swilman received a sentence of 18 months in October, 1956. This matter is still pending.

The penalty for a term of a year is a fine of \$250,000 or imprisonment up to 18 months. U.S. District Court Judge A. We...alisher has recommended a \$100,000 fine and 18 months. He will be arraigned this afternoon at 2:30 p.m.

Swilman was arrested in Newark, New Jersey, on October 1, 1956.

PETER DOMINICK LA PLACA
77 LINCOLN AVENUE
HARBROUCK HEIGHTS, NEW JERSEY

Peter Dominick LaPlaca resides at 77 Lincoln Avenue, Harbrouck Heights, New Jersey. He has no known legitimate employment; however, in 1955 he claimed employment as a bricklayer. Born in Paterson, New Jersey, on April 21, 1902, he has a wife and one son, Dominic.

LaPlaca reportedly has been active in bookmaking operations. He was a very close associate and neighbor of the late Willie Moretti, notorious in the underworld for his organized bookmaking style at Cliffside Park, New Jersey, on October 4, 1951. LaPlaca was married to one of Moretti's associates.

LaPlaca was arrested by the Prosecutor's Office in Paterson, New Jersey, in June, 1934, and charged with "Conspiracy and Disorderly House (number lottery)." Convicted of conspiracy in July, 1934, he was fined \$500 and sentenced to serve from one year to two years in the State Prison at Trenton, New Jersey.

ENCLOSURE

LOUIS JOSEPH DONADIO
655 MOONACHIE AVENUE
WOOD-RIDGE, NEW JERSEY

Louis Joseph Donadio, an unemployed carpenter, was born on April 27, 1907, in Moonachie, New Jersey. He is married and the father of a married daughter.

08-4-1947 20

ENCLOSURE

ANTHONY SANTO LAROSA
512 SUSSEX ROAD
WOOD-RIDGE, NEW JERSEY

Anthony Santo LaRosa was born in New York City on September
1911. He operates a service station at 515 Hackensack Street in Wood-Ridge.
He is married but has no children.

ENCLOSURE

ABNER ZWILLMAN, 53
also known as Abe Zwillman,
Abraham Zwillman, Longy Zwillman,
Longie Zwillman, Longey Zwillman,
George Long, A. Long, A. Spitzel,
Abe Spitzel, Al Williams,
50 Beverly Road
West Orange, New Jersey

Zwillman was born July 27, 1905, at Newark, New Jersey,
the son of Rubin and Anna Slavinsky who were both born in Russia.

On May 26, 1954, Zwillman was indicted by a Federal Grand
Jury at Newark, New Jersey, on two counts charging that he knowingly and
willfully attempted to defeat and evade income tax due and owed to the United
States in violation of Title 26, United States Code, Section 145 (b).

Count one charged that Zwillman and his wife in 1947 had
a joint net income of \$50,833.33 upon which there was owed to the U. S.
Government an income tax of \$24,133.98.

Count two charged that Zwillman and his wife had a joint
net income of \$70,065.72 in 1948 on which they owed the U. S. an income
tax of \$28,493.63.

On May 28, 1954, Zwillman entered a not guilty plea to the
two-count indictment in Federal Court in Newark. The trial began in
January, 1956, and continued until March 1, 1956, at which time the jury
reported that it had failed to reach a decision in the case. In October,
1958, Zwillman renewed a prior motion for acquittal. This motion is still
pending.

Office Memorandum • UNITED STATES GOVERNMENT

TO The Director

DATE February 11 1959

FROM A. Rosen

SUBJECT ABNER "LONGIE" ZWILLMAN et al.
BRIBERY
OBSTRUCTION OF JUSTICE

This is to recommend that current developments in this case be furnished to the Criminal and Tax Divisions of the Department since they were informed of the allegation on 1/26/59 just prior to initiation of investigation.

The Newark Office has advised that U. S. Attorney Chester A. Weidenburner has been informed of the developments in this case. Mr. Weidenburner stated that Federal Judge Reginald J. Wortendyke has not decided on a renewed motion for acquittal of Zwillman in his tax evasion trial which ended in a hung jury 2/4/58.

By way of background, Zwillman, a New Jersey top hoodlum, was tried in Federal Court on income tax evasion charges from 1/18/54 to 3/1/54. The trial ended in a hung jury on the latter date. When the jury was discharged, the defendant renewed his motion for acquittal which motion was previously made and denied when the Government rested its case. Oral arguments on the renewed motion for acquittal were postponed until 11/18/58, but the Federal Judge reserved decision which is currently pending before Judge Wortendyke.

108 REC-91 58-4441-39

The bribery case involves allegations that two jurors in Zwillman's tax trial were bribed causing the hung jury. Investigation thus far has not connected Zwillman with the crime.

Donadio [redacted] still had the \$900 and turned it over to FBI Agents.

Enclosure by [redacted]

67C1 - Mr. DeLoach

39

Memo for the Director
E. J. LONGI and WILLMAN

Newark is continuing vigorous investigation in effort to identify the other juror who was allegedly bribed and identifying all participants involved in the bribery.

RECOMMENDATION:

That the Criminal and Tax Divisions of the Department be informed of the current developments in this case since they were previously informed of the allegation. Reports of course will also be furnished to those divisions reflecting the results of our theories. If you approve, such letter is attached.

Office Memorandum - UNITED STATES GOVERNMENT

TO: THE DIRECTOR

DATE: February 11, 1959

FROM: A. ROSEN

SUBJECT: ABNER ZWILLMAN, ET AL
BROBBEY OBSTRUCTION OF JUSTICE

Assistant Attorney General Malcolm Anderson, U. S. Attorney Chester A. Weidenbaurer, Newark, New Jersey, and his first assistant Frederic C. Rutger, Jr., came by my office today and Evans and I discussed with them the procedure which they recommended be followed in this matter.

Anderson spoke for the group and stated he had had a conversation with the Attorney General and that he and the others had been discussing this matter this morning and had come to the conclusion that the Department was now ready to move in this case. They had planned to call a grand jury, and steps are already under way on this, which grand jury was to be available at 2:00 tomorrow afternoon at Newark. The U. S. Attorney and his assistant are en route back to Newark this afternoon.

They want to proceed by grand jury action which will give them an opportunity to get a sealed indictment. This will prevent premature disclosure of the Government's action in this case. They did not feel they could bottle up the matter properly if warrants of arrest were issued based upon the filing of a complaint by the Commissioner. The procedure, therefore, which will be followed is this:

1. The grand jury will be called into session at 2:00 p. m. tomorrow.
2. The case will be presented to the grand jury.

[redacted] an indictment will be returned. This indictment will be sealed.

58-4441-40

3. A warrant of arrest will be turned over to the FBI on Peter Dominick LaPlaca. Material witness warrants will be obtained for the two key witnesses, Donadio and LaRosa.

58 FEB 17 1959

1 - Mr. DeLoach b7c

FEB 20 1959

CRIMINAL

Memorandum for the Director

4. No comment will be made by anyone until the FBI arrests LaPlaca.

5. Following the arrest of LaPlaca, a press statement will be made from Washington by the FBI through Luther Huston's office.

The Department did not desire to indict the two key witnesses because if they did hold them as codefendants they felt the possibility of them testifying against LaPlaca was rather remote and legally they could not be compelled to testify inasmuch as they were codefendants.

This will not, however, preclude a press release from very clearly stating that LaRosa and Donadio are being held as material witnesses.

SAC Simon has been alerted to this situation so that he can be ready to move based upon the plans which have been set for tomorrow, February 18.

The press release is presently being prepared and will be submitted for approval. The Department does not plan to make any comment at all with reference to this matter prior to the FBI announcement.

*Simon's press release to
also be cleared by Anderson
after we get back.*

Office Memorandum • UNITED STATES GOVERNMENT

TO: The Director

DATE: FEB 12 1959

FROM: A. Rosen

SUBJECT: ABNER ZWILLMAN, ET AL.
BRIBERY, OBSTRUCTION OF JUSTICE

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The investigation in this case arises out of an allegation that a juror or prospective juror in connection with the 1956 trial in the U. S. District Court, Newark, New Jersey, of Abner Zwillman for evasion of Federal income taxes might have been influenced, intimidated or bribed. The tax case resulted in a hung jury.

On January 21, 1958, information was developed from an authorized microphone surveillance. (We have since pulled this surveillance out.) The surveillance was authorized in connection with the Top Hoodlum coverage of a location which was tied in with the activities of Abner "Longie" Zwillman. During the coverage information was picked up that indicated the case involving Zwillman in 1956 which resulted in a hung jury apparently had been influenced in that two jurors had been fixed.

The Department was advised that this matter had been brought to our attention by a confidential source, the identity of which could not be disclosed, and after it was cleared with the Criminal and Tax Divisions and the U. S. Attorney at Newark, an investigation was instituted.

[REDACTED]

Donadio has turned the \$900 over to FBI Agents.

Another phase of this case relates to the motion for acquittal which was filed by Zwillman's attorneys. This matter is presently in the hands of the U. S. District Court, Judge Reynier Wortendyk. When

AR
(5)

58-4441-41

58

EX-102

Memorandum for the Director

the original trial ended on March 1, 1956, the defendant made a motion for acquittal. The motion was renewed and oral arguments were postponed until November 19, 1956. The motion is still pending.

[REDACTED]

Assistant Attorney General Malcolm Anderson of the Criminal Division and Assistant Attorney General Charles K. Rice of the Tax Division have been informed of the pending motion for acquittal and have also been kept informed of developments in the case. On February 8, 1957, a most comprehensive 323 page report in the matter was furnished to Anderson and to Rice.

All other jurors and alternates at the trial have denied receiving bribes or any approaches in that regard.

This is for the Director's information.

Office Memorandum • UNITED STATES GOVERNMENT

TO: MR. TOLSON

DATE: 2-13-58

FROM: MR. DeLOACH

SUBJECT: ABNER "LONGIE" ZWILLMAN
BRIBERY

Assistant Attorney General Malcolm Anderson has approved our press release in captioned matter and has been in consultation with United States Attorney Chester A. Weidenburner in Newark concerning the mechanics including the charges of the indictment in the warrant to be served by us on Peter D. LaPlaca this afternoon.

We have obtained the wording of the warrant from SAC Simon in Newark and have included within the attached revised and final release the same in the warrant. The United States Attorney has made arrangements so that the veil of secrecy on the indictment may be lifted immediately upon arrest of Subject LaPlaca and therefore we are including within the warrant the charges relating to Count One and Count Two in the indictment since this is being done immediately upon arrest of LaPlaca.

We wish to hurry this through so that we can put it on the teletype last the Newark Office's benefit. Newark will act, per your instructions, releasing anything until half hour after the arrest.

To point up again - the only change in the charges, which you saw this morning, is that we elaborate on the charges and include the recommended bond of \$100,000 for LaPlaca and the penalty.

[Redacted]

- (4)
- 1 - Mr. Rosen
- 1 - Mr. Jones

oral 58-4441-

OK

REC 76

58-4441-42

FEB 20 1958

ENCLOSURE

FEB 17 1958

CRIP

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

11:12 a. m. February 13, 1950 ✓

Mr. DeLoach called to advise that he has cleared with Malcolm Anderson in the Department of Justice release concerning the New Jersey bribery case involving Twiliss.

- Mr. Tolson _____
- Mr. Belmont _____
- Mr. DeLoach _____
- Mr. Mohr _____
- Mr. Parsons _____
- Mr. Rosen _____
- Mr. Tamm _____
- Mr. Trotter _____
- Mr. Jones _____
- Mr. W.C. Sullivan _____
- Tele. Room _____
- Mr. Holloman _____
- Miss Gandy _____

[Redacted]

(2) b7c

[Redacted]

b7c

[Redacted]

cab

ENCLOSURE 58-4441-42

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D. C.

February 13, 1959

FOR IMMEDIATE RELEASE

The Department of Justice announced that FBI Special Agents
have arrested three persons in New Jersey on charges involving jury fixing
in the trial of Albert Edward Weisman, reputed
of the New York State Bar Association, admitted prohibition bootlegging
with a bank robbery.

The three persons arrested are: [Name], [Address], [City], [State], [Zip].
[Name], [Address], [City], [State], [Zip].
[Name], [Address], [City], [State], [Zip].

The three persons arrested are charged with jury fixing in the trial of
Donadio, a member of the [Organization], with intent to
jury vote. He is also charged with jury fixing in the trial of [Name],
January 18, 1956, and December 31, 1958. [Name] was
[Name] following intensive investigative efforts as the part of the [Organization].

Also arrested by the FBI this afternoon in New Jersey as material witnesses were Anthony Santo LaRosa, aged 47, of 512 Sussex Road, Wood-Ridge, New Jersey, a self-employed service station operator; and Louis Joseph Zondio, a 51-year-old unemployed carpenter, of 655 Moonachie Avenue, Wood-Ridge.

Kwillman was tried for Federal income tax evasion in 1956. The trial ended when the jury disagreed on a verdict. Kwillman renewed a motion for acquittal in October, 1958. This motion is still pending.

The penalty for bribery of a juror is a fine up to \$20,000 or imprisonment up to 10 years or both. U.S. Attorney Chester A. Wickensburke of Newark has recommended a fine for each of the defendants, who will be arraigned this afternoon as soon as possible.

is attached.

PETER DOMINICK LA PLACA
77 LINCOLN AVENUE
HARBROUCK HEIGHTS, NEW JERSEY

Peter Dominick LaPlaca resides at 77 Lincoln Avenue, Harbroock Heights, New Jersey. He has no known legitimate employment, however, in 1955 he claimed employment as a bricklayer. Born in Passaic, New Jersey, on April 21, 1902, he has a wife and one son, Dominick.

LaPlaca reportedly has been active in bookmaking operations. He was a very close associate and neighbor of the late Willie Moretti, notorious racketeer who was known to be a standard style at Cliffside Park, New Jersey, on October 6, 1951. LaPlaca's son is married to one of Moretti's daughters.

LaPlaca was arrested by the Prosecutor's Office in Paterson, New Jersey, in June, 1934, and charged with "Conspiracy and Disorderly House (number lottery)." Convicted of conspiracy in July, 1934, he was fined \$500 and sentenced to serve from one year to two years in the State Prison at Trenton, New Jersey.

5 2 1 1
ENCLOSURE 4

LOUIS JOSEPH DONADIO
655 MOONACHIE AVENUE
WOOD-RIDGE, NEW JERSEY

Louis Joseph Donadio, an unemployed carpenter, was born on April 27, 1907, in Moonachie, New Jersey. He is married and the father of a married daughter.

58-4441-42

ANTHONY SANTO LAROSA
512 SUSSEX ROAD
WOOD-RIDGE, NEW JERSEY

Anthony Santo LaRosa was born in New York City on September 2
1911. He operates a service station at 315 Hackensack Street in Wood-Ridge.
He is married but has no children.

58-4416

72

INDEXED

58-4416-42

ABNER ZWILLMAN, 53
also known as Abe Zwillman,
Abraham Zwillman Longy Zwillman,
Longie Zwillman, Longey Zwillman,
George Long, A. Long, A. Spitzel,
Abe Spitzel, Al Williams;
50 Beverly Road
West Orange, New Jersey

Zwillman was born July 27, 1905, at Newark, New Jersey,
the son of Rubin and Anna Slavinsky who were both born in Russia

On May 26, 1954, Zwillman was indicted by a Federal Grand
Jury at Newark, New Jersey, on two counts charging that he knowingly and
willfully attempted to defeat and evade income tax due and owed to the United
States in violation of Title 26, United States Code, Section 145 (b).

Court one charged that Zwillman and his wife in 1947 had
a joint net income of \$50,033.55 upon which there was owed to the U. S.
Government an income tax of \$34,133.92.

Court two charged that Zwillman and his wife had a joint
net income of \$76,963.73 in 1948 on which they owed the U. S. an income
tax of \$28,493.63.

On May 28, 1954, Zwillman entered a not guilty plea to the
two-count indictment in Federal Court in Newark. The trial began in
January, 1956, and continued until March 1, 1956, at which time the jury
reported that it had failed to reach a decision in the case. In October,
1958, Zwillman renewed a prior motion for acquittal. This motion is still
pending.



WENNER - LON - HILLMAN

FEDERAL BUREAU OF INVESTIGATION

TELETYPE

Mr. Tolson	
Mr. Ladd	
Mr. Nichols	
Mr. Belmont	
Mr. Clegg	
Mr. Glavin	
Mr. Harbo	
Mr. Rosen	
Mr. Tracy	
Mr. Egan	
Mr. Gurnea	
Mr. Hendon	
Mr. Pennington	
Mr. Quinn	
Mr. Nease	
Miss Gandy	

URGENT 2-13-59

9-65 PM EST RPH

TO DIRECTOR, FBI
FROM SAC, NEWARK

188-4441-48

ABNER ZWILLMAN, AKA. - ETAL - BRIBERY DASH OFF. RE NY
TELEPHONE CALLS TO BU THIS DATE.

[REDACTED]

[REDACTED] A YEAR WILL VIS BEHAVIOR CHANGING
 PETER LA PLACA WITH ONE COUNT OF OFFERING BRIBES TO
 EDWIN JOSEPH RONARIO AND ONE COUNT CHARGING LA PLACA WITH
 GIVING MONEY TO RONARIO AS A BRIBER TO PETER LA PLACA
 ARRESTED BY BU AGENTS WITHOUT INCIDENT. LA PLACA HAS
 FOUR THOUSAND FOUR HUNDRED AND FIFTY TWO DOLLARS IN
 POSSESSION AND WAS CHARGED WITH BRIBERY AND HONORIS ARRESTED
 AS MATERIAL WITNESSES. THEY APPEARED BEFORE JUDGE
 J. MONTENDYKE, JR., AND BOUND TO CUSTODY OF JEREMY
 FIVE THOUSAND DOLLARS BAIL. LA PLACA ARRAIGNED BEFORE
 U.S. M. LESTER LYNCH, JERSEY CITY, NJ - COMMITTED TO HUDSON
 COUNTY JAIL IN LIEU OF ONE HUNDRED THOUSAND DOLLARS BAIL.
 INVESTIGATION CONTINUING. BU WILL BE KEPT ADVISED.

SIMON

ACK PLS

WA 9-11 P M OK FBI WA VS

Mr. Rosen

REC TO 58-4441-43

10 FEB 20 1959

6-05

7-50-99-1059

February 12, 1959

TELETYPE

URGENT

SAC, NEWARK

ABNER "LONGIE" ZWILLMAN, ET. AL., BREIBERY. HERE FOLLOWS
BACKGROUND DATA FOR USE WITH PRESS RELEASE CAPTIONED MATTER
WHICH YOU MAY GIVE TO PRESS FOLLOWING BUREAU APPROVAL. MAIN
RELEASE WILL BE SUPPLIED TO YOU LATER.
(COPY TEXT OF BACKGROUND DATA)

HOOVER

b7c

58-4441-44

58-4441-44

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

FEB 20 1959

56 FEB 27 1959

TELETYPE

1158A

-21-

COMMUNICATIONS SECTION

TELETYPE

FEB 2-13-59 11-58 AM NY

SAC ALBANY

FROM DIRECTOR

RE: "LONGIE" WILLIAM, E. AL., BIRTH DATE [REDACTED] [REDACTED]

BACKGROUND DATA FOR USE WITH PRESS RELEASE CAPTIONED MATTER

YOU MAY WISH TO PRESS FOLLOWING SUBJECT APPROVAL MATTER

RASBOUCK

RASBOUCK LIVES AT 12 LINCOLN AVENUE, [REDACTED]

RASBOUCK HAS BEEN EMPLOYED IN [REDACTED]

HOWEVER, IN 1955 HE CLAIMED EMPLOYMENT AS [REDACTED]

PASSAIC, NEW JERSEY, ON APRIL 21, 1902. HE HAS A WIFE AND ONE SON,

DOMINICK.

58-37447-244

LAPLACA REPORTEDLY HAS BEEN ACTIVE IN BOOKMAKING OPERATIONS.

HE WAS A VERY CLOSE ASSOCIATE AND NEIGHBOR OF THE LATE WILLIE MORETTI,

NOTORIOUS RACKETEER WHO WAS MURDERED IN GANGLAND STYLE AT CLIFFSIDE

[REDACTED], NEW JERSEY, ON OCTOBER 4, 1951. LAPLACA'S SON IS MARRIED TO C

OF MORETTI'S DAUGHTERS.

PAGE TWO

LAFIACA WAS ARRESTED BY THE PROSECUTOR'S OFFICE IN
PATERSON, NEW JERSEY, IN JUNE, 1934, AND CHARGED WITH "CONSPIRACY AND
DISORDERLY HOUSE, NUMBER LOTTERY." CONVICTED OF CONSPIRACY IN JULY,
1934, HE WAS FINED \$500 AND SENTENCED TO PRISON FROM ONE YEAR TO TWO
YEARS BY THE STATE PRISON AT TRENTON, NEW JERSEY.

WOOD-RIDGE, NEW JERSEY

EMPLOYED CONCRETE, HAS BEEN

ON APRIL 27,

MARRIED DAUGHTER.

512 BUSSET ROAD

WOOD-RIDGE, NEW JERSEY

ANTHONY S'NTO LAROSA WAS BORN IN NEW YORK CITY ON SEPTEMBER
1911. HE OPERATES A SERVICE STATION AT 315 HACKENSACK STREET IN WOOD-
RIDGE. HE IS MARRIED BUT HAS NO CHILDREN.

58-1-1-1

4-2

BE TYPE

ALNER ZWILLMAN, >3

ALSO KNOWN AS ABE ZWILLMAN,

ABRAHAM ZWILLMAN, LONCY ZWILLMAN,

LONCIE ZWILLMAN, MORRIS ZWILLMAN,

GEORGE LONG, A. LONG, A. SPITZ,

AND OTHERS, BY BILLIAMS

WEST, GEORGE, AND OTHERS

WEST, GEORGE, AND OTHERS

WEST, GEORGE, AND OTHERS

WEST, GEORGE, AND OTHERS

WEST, GEORGE, AND OTHERS

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WEST, GEORGE, AND OTHERS

WEST, GEORGE, AND OTHERS

WEST, GEORGE, AND OTHERS

WEST, GEORGE, AND OTHERS

ON MAY 28, 1947,

ON TWO COUNTS CHARGING

THE UNITED STATES IN VIOLATION OF SECTION 145

COUNT ONE CHARGED THAT ZWILLMAN AND HIS WIFE IN 1947

JOINT NET INCOME OF \$50,033.55 UPON WHICH THERE WAS OWED TO THE

GOVERNMENT AN INCOME TAX OF \$24,133.95.

COUNT TWO CHARGED THAT ZWILLMAN AND HIS WIFE HAD A JOINT

INCOME OF \$70,965.72 IN 1948 ON WHICH THEY OWED THE U. S. INCOME

TAX OF \$28,493.63.

58-1-1-44

ABNER ZWILLMAN

REFERRAL RESPONSE FROM EXECUTIVE OFFICE
FOR UNITED STATES ATTORNEYS

TELETYPE

Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. Ladd	
Mr. Clegg	
Mr. Glavin	
Mr. Harbo	
Mr. Rosen	
Mr. Tracy	
Mr. Egan	
Mr. Gurnea	
Mr. Hendon	
Mr. Pennington	
Mr. Quinn	
Mr. Nease	
Miss Gandy	

URGENT 2-7-58 10-15 AM EST

TO DIRECTOR, FBI
FROM SAC, NEWARK 2 P

REURTEL NEW YORK FEBRUARY SIX LAST AND BUREAU TELEPHONE CALL TO BUREAU ON FEBRUARY SIX LAST. THE SUBJECT IS WILLIAM H. TRIMBLE, ET AL. CONSPIRACY TO DEFEND WILLIAM WALTERS. REURTEL NEW YORK FEBRUARY SIX LAST AND BUREAU TELEPHONE CALL TO BUREAU ON FEBRUARY SIX LAST. THE SUBJECT IS WILLIAM H. TRIMBLE, ET AL. CONSPIRACY TO DEFEND WILLIAM WALTERS. REURTEL NEW YORK FEBRUARY SIX LAST AND BUREAU TELEPHONE CALL TO BUREAU ON FEBRUARY SIX LAST. THE SUBJECT IS WILLIAM H. TRIMBLE, ET AL. CONSPIRACY TO DEFEND WILLIAM WALTERS.

ON FEBRUARY FIFTYEIGHT. AN ACTOR IN SEVENTEEN FIFTYEIGHT. REURTEL NEW YORK FEBRUARY SIX LAST AND BUREAU TELEPHONE CALL TO BUREAU ON FEBRUARY SIX LAST. THE SUBJECT IS WILLIAM H. TRIMBLE, ET AL. CONSPIRACY TO DEFEND WILLIAM WALTERS. REURTEL NEW YORK FEBRUARY SIX LAST AND BUREAU TELEPHONE CALL TO BUREAU ON FEBRUARY SIX LAST. THE SUBJECT IS WILLIAM H. TRIMBLE, ET AL. CONSPIRACY TO DEFEND WILLIAM WALTERS.

EX-131 REC-60 58-4441-23

FEB 10 1958

CORRECTION LINE 7 WORD 2 SHD BE ADVISED 58-4441-23

END PAGE ONE

Mr. Rosen

PAGE TWO

ON DEFENDANT'S MOTION FOR DISMISSAL OF THE INDICTMENT WAS DENIED
ON NOVEMBER NINETEENTH FIFTYEIGHT, AND THAT DECISION WAS REVERSED
ON DEFENDANT'S MOTION FOR A JUDGMENT OF ACQUITTAL. THE COURT
STATED THAT SUCH A JUDGMENT WOULD NOT AFFECT ANY FURTHER PROCEEDINGS
IN THIS CASE.

58-421-23

February 9, 1959

Assistant Attorney General
Melvin Belli
Director, FBI

AFSA: "L... .."
RE:
OBSTRUCTION OF JUSTICE

Reference is made to my memorandum dated January 20, 1959, concerning captioned matter.

In connection with the Guthery investigation, which is currently under way, our Newark Office has informed Charles A. Weidenburger of the current developments in this case. Weidenburger has informed our Newark Office that he had advised Judge E. Wechsberg that he had not ruled on the proposed motion for summary judgment in the case of Wechsberg vs. Weidenburger, which is a long case to be tried in the Newark District Court. Weidenburger did not intend to comment on the information that he had furnished in a letter to Judge Wechsberg in the case of Wechsberg vs. Weidenburger. Weidenburger has advised that he had not intended to comment on the information that he had furnished in a letter to Judge Wechsberg in the case of Wechsberg vs. Weidenburger. Weidenburger has advised that he had not intended to comment on the information that he had furnished in a letter to Judge Wechsberg in the case of Wechsberg vs. Weidenburger. Weidenburger has advised that he had not intended to comment on the information that he had furnished in a letter to Judge Wechsberg in the case of Wechsberg vs. Weidenburger.

b7C [REDACTED]

It is noted that the investigation above has not been completed. Weidenburger with the alleged

The above is being submitted for You will, of course, be furnished copies of results of our inquiries.

1 - Assistant Attorney General
Charles E. Rice

41-26
REC-75 58-4441-26

Mr. Tolson

NOTE:

[REDACTED]

MAILED 5
FEB 10 1959
COMM-FBI

52 FEB 10 1959

FEDERAL BUREAU OF INVESTIGATION

REPORT MADE AT STARK	DATE 2/9/59	PERIOD FOR WHICH MADE 1/27 - 2/9/59
REPORT MADE BY SA [REDACTED]	CHARACTER OF CASE b7c	

CRAPION:
ABRAHAM WILLIAMS, aka
William, Abraham Zwillman,
Longy Williams, George Zwillman,
Longy Williams, George Long,
A. Long, S. Spitzel, Abe
Spitzel, Al Williams
SAMUEL KATZ, aka Sam Katz,
"Doc" Katz, "Big Sue" Katz;
LOUIS JOSEPH DONADIO
ANTHONY SANTO LI ROSA, aka
"Doc" LaRosa,
PETER SMITHICK LA PLACA, aka
Peter LaPlaca, Pete LaPlaca

The title of this case is changed to add other aliases by which
ABRAHAM WILLIAMS has been known as per the following in this
report: These aliases are:

- ABRAHAM WILLIAMS
- ABRAHAM WILLIAMS
- LONGY WILLIAMS
- LONGY WILLIAMS
- GEORGE LONG
- A. LONG
- A. SPITZEL
- ABE SPITZEL
- AL WILLIAMS

58-4441-30

SEARCHED	INDEXED	SERIALIZED	FILED
<i>[initials]</i>	<i>[initials]</i>	<i>[initials]</i>	<i>[initials]</i>
FEB 11 1959			
FBI - STARK			

- 2 - Bureau
- 1 - USA, Newark
- 1 - Newark (350)

FBI FILE
NO. 58-4441-30

58 MAR 1 1959

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ENCLOSURE ③

1 April 1959

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Case No. NY 58-54

Special Agent in Charge [redacted] NYC

NY 58-54

Re: ARNOLD ZWILLMAN, aka.; SAMUEL RAY, aka.; LOUIS JOSEPH DONAHUE; ANTHONY SANTO LA ROSA, aka.; PETER WIDKIBURKER; LA PLACA, aka.

Charge: BRIBERY; OBSTRUCTION OF JUSTICE

Investigation instituted to determine if ARNOLD ZWILLMAN, SAMUEL RAY, or anyone acting in behalf of ZWILLMAN had bribed, intimidated, coerced, or otherwise influenced or attempted to influence any juror or prospective juror in connection with the 1956 trial in USDC, Newark, N.J., of ARNOLD ZWILLMAN for evasion of federal income taxes. SAs CHESTER A. WIDKIBURKER, Newark, N.J., who was advised on 1/18/56 that investigation was being conducted, stated that in his opinion there was no restriction on the scope of the FBI inquiry, particularly in respect to questioning of jurors who served in the ZWILLMAN case. He stated that the ZWILLMAN case, the trial of which in 1956 ended in a "hung" jury, is still pending, and that SAs WALTER S. WORTENDYKE, Jr., has reserved decision on ZWILLMAN's motion for acquittal. The files on the ZWILLMAN case in the

office of the USA reflect ZWILLMAN indicted on 5/24/54 by FGJ, Newark, N.J., on two counts of evasion of federal income taxes for 1947 and 1948. Petit jury of 16 persons, including four alternates, sworn in on 1/18/56. During trial three jurors excused because of illness were replaced by three of the four alternates. Trial ended in disagreement by jurors on 3/1/56. On 11/19/55, Judge WORTENDYKE reserved decision on ZWILLMAN's motion for judgment of acquittal. Sixteen jurors interviewed to date.

Interviews with twelve jurors are deliberated on and result in seven voted for conviction and five for acquittal in final vote.

T A B L E O F C O N T E N T S

	<u>Page</u>
<u>MEDIATION</u>	4
<u>DISCUSSION WITH USA CHESTER A. WEIDENBURGER</u> ...	5
<u>REVIEW OF ABNER ZWILLMAN FILE MAINTAINED BY UNITED STATES ATTORNEY, NEWARK, NEW JERSEY</u>	7
<u>DISCUSSION WITH RAYMOND DEL TUPO, JR., SOLICITOR OF ATTORNEY, NEWARK, NEW JERSEY</u>	21
<u>INFORMATION DEVELOPED THROUGH INTERVIEW AND OTHER INVESTIGATION REGARDING INDIVIDUALS:</u>	
[REDACTED]	20
[REDACTED]	55
[REDACTED]	200
[REDACTED]	207
[REDACTED]	213
[REDACTED]	206
[REDACTED]	243
[REDACTED]	241
[REDACTED]	155

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On January 28, 1959, United States Attorney CHESTER A. WEIDENBURNER, Newark, New Jersey, was informed of this matter and advised that investigation was being instituted.

WEIDENBURNER advised that at the present time Judge RICHARD J. WORTENDYKE, JR. has reserved decision on defendant ARNER ZWILLMAN's motion for acquittal in the pending tax case.

WEIDENBURNER pointed out that there are approximately eight file drawers containing the records of the United States Attorney's Office concerning the ARNER ZWILLMAN tax case. WEIDENBURNER stated that at the present time Mr. BAILEY, Departmental Attorney, Washington, D. C., is handling this case for the Government inasmuch as there is no present employee on the staff of the United States Attorney, Newark, who is acquainted with the facts of the ARNER ZWILLMAN tax case. In this respect WEIDENBURNER pointed out that former United States Attorney RAYMOND DEL TUFO, JR. and Messrs. HOLLANDER and GARVEN, former Assistant United States Attorneys, handled the prosecution of the ZWILLMAN case for the Government.

WEIDENBURNER made available all of the files of the United States Attorney's Office concerning the ZWILLMAN tax case and said he recalled seeing handwritten notes in the files which he believed were made by former United States Attorney DEL TUFO concerning conversations which DEL TUFO had with a member or members of the jury following the return of the "hung" jury.

On January 28, 1959, United States Attorney WEIDENBURNER advised Supervisor [redacted] and SAAs [redacted] that through his first assistant, FRANK C. RITCHEY, JR., and his secretary [redacted] he had learned that it was their recollection that there was an inquiry by the Internal Revenue Service at some point during the course of the trial or after the trial concerning the jurors. WEIDENBURNER said he had no personal knowledge concerning any such inquiry and was merely passing the information along for whatever value it might be in the event such an inquiry had been made.

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FOUSA

As to the scope of questioning of the jurors in the ZWILLMAN case WEIDENBURNER said it is his opinion that

b7c

When an allegation such as has been made in this case has been made subsequent to trial and discharge of the jury, there cannot be any question as to secrecy in the jury room. He said any law enforcement agency cannot be inhibited by any "artificial rule of secrecy." If so, it would be impossible to ascertain whether there had been an obstruction of justice in this matter. WEIDENBURNER said, therefore, that it is his opinion that there is no restriction on the scope of the FBI inquiry, particularly in respect to questioning of the jurors who served in the SWILLEN case.

With respect to the motion now pending before WORTENDYKE, WEIDENBURNER said that he is of the opinion that at this point the present inquiry being conducted can have no bearing on the matter now pending before WORTENDYKE. WEIDENBURNER said he would be inclined to avoid calling WORTENDYKE at this point. He said this inquiry is at such a time that it cannot influence the deliberation of the jury who sat in early 1956 and no need exists to call it to the attention of the court.

As to whether or not the investigation at this time would have any prejudicial effect on the rights of the defendant in the event WORTENDYKE denies the motion, WEIDENBURNER said it might have an effect on the rights of the defendant; but he did not think any court in the land would feel that it was "improperly prejudicial." He said that logically and reasonably the investigation should not be deferred because of the matter presently pending before WORTENDYKE. He said he is satisfied that that must be the opinion of the Department of Justice who ordered the investigation.

On January 30, 1959, Assistant United States Attorney FREDERIC C. BITGER, JR. advised that he had conducted research with respect to whether or not Special Agents have authority to administer oaths to witnesses and other persons interviewed in this particular case. BITGER advised based on the results of this research it was his opinion that in this particular case Special Agents have authority within the provisions of Section 93, Title 5, United States Code, to administer oaths to all persons interviewed.

OFFICE MEMORANDUM - UNITED STATES GOVERNMENT

TO: SAC, NEWARK (62-330)

DATE: 1/30/59
DATE DICTATED 1/30/59

FROM: SA [REDACTED]

b7c

SUBJECT: ARNER MONGIE SWILLMAN ET AL.
BRIBERY OBSTRUCTION OF JUSTICE

The files of the United States Attorney's Office, Newark, New Jersey, as made available by FREDERIC C. RITGER, JR. and as examined by SA [REDACTED] on January 28 and January 29, 1959, reflect the following pertinent proceedings with respect to the case United States of America vs. ARNER SWILLMAN, District of New Jersey, Criminal Docket #222-54: ARNER SWILLMAN, 50 Beverly Road, West Orange, New Jersey, was indicted on two counts by the Federal Grand Jury, Newark, New Jersey, on May 26, 1954. b7c

The two counts charged SWILLMAN with knowingly and willfully attempting to defeat and evade income tax due and owing the United States of America in violation of Title 26, United States Code, Section 145 (b).

Count 1 charged that during the calendar year 1947 SWILLMAN and his wife had joint net income of \$50,033.55 upon which there was owing to the United States of America an income tax of \$25,173.96.

Count 2 charged that during the calendar year 1948 SWILLMAN and his wife had joint net income of \$72,945.72 upon which there was owing to the United States of America an income tax of \$28,493.63.

On May 26, 1954, SWILLMAN entered a not guilty plea to the two-count indictment before Federal Judge THOMAS F. HEANEY, United States District Court, Newark. Bail was set and fixed at the sum of \$5,000.

Between May 26, 1954, and January 18, 1956, there were various and numerous pretrial motions and hearings with respect to this case.

The United States District Court Clerk's minutes reflect that on January 18, 1956, the SWILLMAN case was moved for trial before Federal Judge REYNIER J. WORTENDYKE, JR. RAYMOND DEL TUFO, former United States Attorney, WILFRED W. HOLLANDER, former Assistant United States Attorney, and PIERRE P. GARVEN, former Assistant United States Attorney, appeared for the Government. b7c

JOHN E. TOULAN and MORRIS SHILENSKY appeared for
SWILLMAN.

The jury was drawn as follows:

1. WANDA ANKUTYNSKY
2. BOBIE M. SANC
3. HARRY P. ANSON
4. LOUIS J. DONADIO
5. FLORENCE NICHOLSON
6. WILLIAM E. CAMPBELL
7. MARYLENE ALKINELI
8. WALTER R. ANDER
9. ALEXANDER BALLE
10. JOSEPH G. JORDAN
11. DONALD J. GIBSON
12. ANNA SAVITRY GARDNER

The following alternates were drawn:

13. ALEXANDER LIVINGSTONE
14. FRANK W. WITKIE
15. IRVING BORN
16. WILLIAM J. SIKOLSKI

The Clerk's minutes reflect that there were 11 challenges.

The jury and alternates were sworn, and court adjourned at 4:55 p.m. until Thursday, January 19, 1956, at 10:00 a.m.

Beginning January 18, 1956, the following were the pertinent proceedings of the SWILLMAN trial before Federal Judge REYNIEK J. WORTSNDYKE, JR., Newark, New Jersey:

<u>Date</u>	<u>Proceedings</u>
1/18/56	Case moved for trial.
1/19/56	Trial with jury continued. Juror #3 absent.
1/23/56	Trial with jury continued. Jury and alternates all present except Juror #3, Mr. ANSON. Alternate #1, ALEXANDER LIVINGSTONE, replaced him.
1/24/56	Ordered motion to suppress exhibits denied. Court adjourned to 1/25/56.

<u>Date</u>	<u>Proceedings</u>
1/25/56	Court adjourned to 1/30/56.
1/30/56	Court adjourned to 1/31/56.
1/31/56	Court adjourned to 2/1/56.
2/1/56	Court adjourned to 2/2/56.
2/2/56	Jury and alternates present, except Juror #10, JOSEPE J. JOHDAY. Ordered that Alternate #2, FRANK WINTER, replace him.
2/3/56	Court adjourned to 2/6/56.
2/6/56	Court adjourned to 2/7/56.
2/7/56	Court recessed until 2/8/56.
2/8/56	Court adjourned to 2/9/56.
2/9/56	Court adjourned to 2/14/56.
2/14/56	Jury and alternates present, Juror #11, B. GIBSON. Ordered that Alternate #3, ROSEN, replace him.
2/15/56	Court adjourned to 2/16/56.
2/16/56	Court adjourned to 2/20/56.
2/20/56	Court adjourned to 2/21/56.
2/21/56	Court adjourned to 2/23/56.
2/23/56	Court recessed to 2/24/56.
2/24/56	Hearing on defendant's motions of judgment of acquittal on Counts 1 and 2 of indictment. Decision reserved. Continued to 2/27/56.
2/27/56	Ordered defendant's motions for judgment of acquittal on Counts 1 and 2 denied. Continued 2/28/56.

Date

Events

- 2/28 '58 TOULIN summoned by the defendant GARDNER for Government Court re-opening on 2-28-58
- 2/29 '58 Ordered Alternate #4 excused. Hotel and breakfast expenses provided at expense of Government
- 3/1 '58 Jury returned to jury room for further delib. with lunch provided by U. S. Verdict: Disagreement. Ordered defendant continued on bail. Defendant renewed motions for judgment of acquittal on Counts 1 and 2 of indictment. Date for hearing to be fixed. Briefs to be submitted. Court adjourned.

The files of the United States Attorney reflect that immediately upon the discharge of the jury on March 1, 1958, the defendant renewed the motion for acquittal which he had made and which was denied when the Government rested its case. No evidence was adduced in behalf of the defense. The renewed motion was not argued, but counsel requested a postponement of the argument for 30 days.

Subsequent to the postponement of argument on the motion for acquittal, there were no developments in the case until the filing of the Government's brief in opposition to the motion on June 5, 1958. On October 17, 1958, defendant filed a motion for dismissal of the indictment because ZWILLER was not afforded a speedy trial, together with the brief encompassing both this motion and the motion for acquittal made at the close of the trial.

On November 19, 1958, Judge WORTENDYKE heard the oral argument on the motions for judgment of acquittal and on dismissing the indictment in the case.

The court proceedings record reflects that the hearing on defendant's motion for dismissal of the indictment was held on November 19, 1958, and that decision was rendered on defendant's motion for a judgment of acquittal. The court proceedings record does not reflect any further proceedings subsequent to November 19, 1958.

The United States Attorney's file contains the November 19, 1958, Edition of the "Newark Star Ledger," a Newark New Jersey daily morning newspaper. An article was

NY 66-34

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the by-lie [redacted] file beginning on page 2
the following pertinent information concerning the ZWILLMAN
"jury split":

"None of the jurors would say what the main
stumbling block was in failing to agree during
nearly two full days of deliberations nor exactly
how they stood at the end.

"However, reports ranged from 10 to 2 for
acquittal to a 6-6 tie. Juror No. 6, LOUIS J.
SCHRADIC, a carpenter, of [redacted] said he
wasn't sure how the jury stood finally because
they had taken a vote every 15 minutes and it
varied.

"Both he and the jury foreman, [redacted] WALTER
MINDZIEJEWSKI, a factory worker, of [redacted]
said the 12 jurors had agreed not to discuss their
deliberations.

"Juror No. 8, Mrs. ROSE LANG, a housewife of
[redacted] refused to come to
the verdict [redacted] house.

"Juror No. 9, ALEXANDER WIKER, vice president
of a bank, of [redacted] said "it went
50-50 for a while but the final vote was 7 to 5,
and I won't say on which side."

"However, WILLIAM E. CAMPBELL of [redacted]
[redacted] said the final vote was 7 to
5 in favor of conviction.

"CAMPBELL stated the conflicting opinions were
not based on any specific point but on a general
attitude derived from the entire proceedings. He
wouldn't relate his stand but did say, "I wouldn't
change my opinion merely to come to a decision."

"A note from the jury to Judge WORTENDYKE
at 5:45 p.m. created some confusion as to whether
the jury had agreed on a verdict.

"Were the jury have arrived at a decision
the note read:

EX 44-380

"When the jury was seated, the judge asked the jury if its note meant a verdict had been reached.

"Mrs. NIEDZIELJEWSKI, reading from a piece of paper, replied:

"No. We the jury have reached a conclusion that we cannot reach a decision on either count in the indictment."

"When the jurors were finally discharged they brushed off reporters anxious to learn what their final vote was and which points in the case they were unable to agree on, and hurriedly left the Federal Building.

"A prominent man told this reporter later one of the jurors had told him the final vote was 10 to 2 for acquittal."

31

TO: SAC, NEWARK (58-360)

DATE: 2/2/59
DATE DICTATED: 1-30-59

FROM: SA [REDACTED]

b7c

SUBJECT: RE: "LONGIE" ZWILLMAN, ET AL
CRIMINAL OBSTRUCTION OF JUSTICE

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The files of the United States Attorney, Newark, New Jersey, as made available by United States Attorney CHESTER A. WEIDENMAYER on January 25, 1959, and as examined by SA [REDACTED] reflected the following:

b7c
1. An anonymous letter dated February 8, 1954, addressed to Mr. W. HOLLANDER, Assistant United States Attorney, Newark, New Jersey:

"According to the papers you and the government are not doing so well on the A.K. case. Perhaps you can get some help from the following tips.

"Didn't Diamond make a lot of money after selling the city over \$600,000 worth of trucks.

"Confiscate the bills from [REDACTED] Solicitesses.

"Ask [REDACTED] if he gave any of Mr. Z's bills. [REDACTED] owns Supreme Beverage Co. of which [REDACTED] owns a piece.

[REDACTED] is the funnel for [REDACTED] bribes in this country.

"And nothing but RUMBLE illegal goes on in this country without Mr. Z's O.K.

"Finally I would put wires on the Jury. The list was passed out twice for recognition.

"This is America?"

2. A memorandum of FREDERICK B. LACEY (former Assistant United States Attorney) to the file dated August 17, 1954, reflecting the following:

"On August 15, 1954, at about 3:00 p.m., I received a telephone call from [REDACTED] who asked to see me at home. He later came to my home and talked with

[REDACTED] b7c

b6
b7C per EOUSA

NY 66-380

me for about 1/2 hour. He stated that he had been called by Abner Swillman and had discussed with him the possibility of doing some investigational work relating to the pending tax case. He asked my advice about whether he should undertake such an assignment.

"I told him that obviously I was not the person to see in such a connection. I told him further that the defendant was, no doubt, desperate in this case and might be expected to go to great lengths to be successful in his defense. I cited two examples of impropriety on the part of the defendant in attempting to exert influence to have the case quashed (Whitehouse and Hollander). On the other hand, I stated there was nothing to stop [redacted] from asking Swillman the nature of the questions to be investigated, leaving him free to accept or reject employment, depending upon the work to be done.

"I closed out our interview by emphasizing that I was in no way advising him to accept or reject the tendered employment, but had merely wanted to bring to his attention certain things that he should know in order for him to make an intelligent decision.

"On August 17, 1954, I discussed the above with Raymond Del Tufo, Jr., United States Attorney."

OFFICE MEMORANDUM - UNITED STATES GOVERNMENT

TO: SA NEWARK (56-380)

DATE: 1/30/59
DATE DICTATED: 1/29/59

FROM: SA [REDACTED] b7C

SUBJECT: ARTHUR "LONGIE" SWILLMAN ET AL
BRIBERY, OBSTRUCTION OF JUSTICE

On January 28, 1958, the records of the Office of the United States Attorney, Newark, New Jersey, relating to the Division of Federal Income Tax case against ARTHUR SWILLMAN were examined by SA [REDACTED] for the purpose of determining the identities and background of the individuals who served on the petit jury during the trial in the early part of 1956. The official transcript of the trial of the case reflected that twelve jurors and four alternates were selected. However, during the course of the trial, three of the jurors were excused because of illness, and three of the alternates took their places. b7C

Background information from the jury panel list and from the transcript of the trial concerning the jurors who actually took part in the deliberations at the trial is set forth below:

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EOUSA

1. Mrs. WANDA NIKSIS-ERKI, Forelady
[REDACTED]

2. Mrs. EMILIE H. [REDACTED]
[REDACTED]

3. ALEXANDER LIVINGSTONE
[REDACTED]

(Note: LIVINGSTONE was Alternate Juror #13 but replaced HARRY F. ANTON as Juror #3 on January 23, 1956.)

NY 88-388

b6
b7C per
FOUSA

4. J. DONADIO

[REDACTED]

5. FLORENCE NICOLSON

[REDACTED]

6. WILLIAM P. CAMPBELL

[REDACTED]

7. MRS. MATILDA ALBERTI

[REDACTED]

8. [REDACTED]

[REDACTED]

ALEXANDER BAKER

[REDACTED]

FRANK W. WINTER

[REDACTED]

NY 88-388
WINTER was Alternate on February 2, 1956. Price on this date WINTER was Alternate (Page 214)

11. Mrs. IRENE ROSEN

b6, b7C
per FOUSA

[REDACTED]

(Note: ROSEN was Juror #15 and replaced DONALD J. GIBSON as Juror #11 on February 14, 1956)

12. Mrs. ANNA SAVITSKY GOLINE

[REDACTED]

The above jurors are listed in the order in which they appeared in the jury box. All of the jurors were questioned by attorneys for the Government and for the defense. They were asked if they knew SWILLMAN or anyone in the courtroom or having any communication with the companies in which SWILLMAN allegedly was interested.

The background of the jurors who were replaced during the trial of the case is set forth below:

1. HARRY D. ANSON

[REDACTED]

2. JOSEPH J. JORDAN

[REDACTED]

3. DONALD J. GIBSON

[REDACTED]

OFFICE

UNITED STATES GOVERNMENT

TO

S. [REDACTED]

DATE: 1/29/59
BY: [REDACTED]

2-25

FROM

S. [REDACTED]

b7c

SUBJECT: ABNER "LONGIE" ZWILLMAN, ET AL.
BRIBERY, OBSTRUCTION OF JUSTICE

On January 29, 1959, the records of the Office of the United States Attorney, Newark, New Jersey, pertaining to the case entitled United States of America vs. ABNER ZWILLMAN, Docket #222-54 were examined by SA [REDACTED] for the purpose of determining the activities and movements of the jurors who served on the petit jury during the trial of this case in the early part of 1956. In the files was a mimeographed copy of a document entitled Petit Jury Panel Drawn November 2, 1955, To Be Used When, As and If So Directed. This list contained names, addresses, and occupations of 1,700 individuals. There was no information in the files concerning the number of members of the panel who were present when the petit jury in the ZWILLMAN case was chosen. The petit jury was chosen on January 18, 1956, but the trial did not commence until January 23, 1956.

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According to the official transcript of the trial of this case, the case was given to the jury for its deliberation at 12:50 p.m. on February 29, 1956. At 8:30 p.m. on February 29, 1956, Judge WORTENDYKE called counsel for the Government and for the defendant into his chambers and advised them that he had received a written note from the jury at approximately 5:15 p.m. This note, which, according to the Judge, was in three different handwritings, contained the following three requests:

1. "We would like a blackboard and some pads, 3 x 5, and chalk."
2. "Please give us the court's testimony."
3. "The jury would like to have the Judge's charge to the jury."

Judge WORTENDYKE, after discussion with the attorneys for the Government and for the defendant, ordered the jury brought back into the courtroom. When he was granting their request for a blackboard, pads of paper, and chalk. In regard to the second request, the Judge asked

[REDACTED]

b7c

the jury for an explanation of the request. Juror #1, Mrs. IRENE ROSIN, stated that she had written the request and that there were a few questions that were asked regarding testimony which was given and that this was the only description which she could think of to put down on paper. She said that there were still a few questions regarding testimony of the various witnesses that the jury would like clarified. The Judge denied the second request and advised the jury that they would have to rely on their best recollection with respect to any testimony in the case.

In regard to the third request, the Judge asked if there was any particular question they would like clarified. Juror #2, Mrs. ROXIE M. LANG, stated that it was not a matter that the charge was not clear but that she thought it was that the jury wanted to have it so that they could adhere to it. The Judge stated that if the jury would send him a further notice with particular problems which they would like clarified he would either do it by reiteration from his charge or by supplementing his charge. At this point Juror #3, WILLIAM CAMPBELL, stated that "The jury back here" had a question and that this question was also in the jury's mind about the sources, possible source, or likely source income. He stated that this was a discussion "wangled upstairs." The Judge then asked if he desired a reiteration of the discussion of likely source, and Juror #3 answered yes. At this point Juror #11, Mrs. ROSIN, stated that there was a question and that was how much the jury was confused by the evidence and whether or not they were to base their verdict strictly on the evidence as presented. The Judge pointed out that the jury had to decide the case on the evidence, some of which is circumstantial evidence and some of which they had the right to draw inferences and he then described what he meant by drawing inferences. Juror #11 then stated that there were quite a few questions that arose on that particular point. The Judge then stated that if the jury would give him further specific notes and ask him by writing further specific questions he would submit them to the court, and would endeavor to answer them specifically. After a discussion between counsel for the Government and for the defendant and the Judge, the Judge read to the jury the portion of his charge relating to likely source. The jury then retired to deliberate further on the case.

The Government has the burden of proof in this case. The Government has the burden of proof in this case.

chambers that he had received a note from the jury requesting permission to go out in a group to eat. The Judge granted permission provided they eat their meal in a separate room at a restaurant attended by four Deputy Marshals.

At 12:40 a.m. on March 1, 1956, Judge WOFFENBURY advised counsel that he had just received a note from the jury in which they stated they were unable to reach a unanimous decision tonight. At 12:45 a.m., March 1, 1956, the Judge called the jury back into the courtroom and told them that he had provided for their accommodation at the Hotel Douglas, Newark, New Jersey, in charge of the Deputy Marshals and that they would not be required to resume their deliberations until 10:00 a.m. The Judge admonished them not to read any sources of information about the case or any views expressed with respect to what transpired in the case. The court was then recessed until 10:00 a.m., March 1, 1956.

At 4:20 p.m. on March 1, 1956, at the request of the Judge, the jury returned to the courtroom. The Judge told the jury that it had occurred to him that when he gave the jury his main charge that he left them with an alternative to the general effect that they had two alternatives, and each one of them had to be unanimous--namely, that they were called upon to unanimously return a verdict of guilty or not guilty. He further stated that he wondered whether or not he had made himself entirely clear on that point. He then pointed out that in addition to what he said to them respecting their deliberations as jurors, if the time should come when they were all convinced that they could not agree, that in effect would be the third alternative to the two which he had given them. The jury then retired for further deliberations.

At 6:05 p.m. on March 1, 1956, the Judge advised counsel that he had received the following note from the jury: "We, the jury, have arrived at a decision." The jury was brought back into the courtroom, and the Forelady, Mrs. WANDA NIEDZIEJEWSKI, stated, "We, the jury, have reached the conclusion that we cannot come to a unanimous decision on either Counts 1 or 2 of the indictment." The Judge then thanked the jury and dismissed them.

TO SAC, NEWARK 64-390

DATE: 2/2/66
DATE DICTATED: 1/30/66

FROM SA [REDACTED] b7C

SUBJECT ALVIN KARPIS WILLIAMS ET AL
BRIEF OBSTRUCTION OF JUSTICE

bb, b7C
per EOUSA

On January 30, 1959, RAYMOND DEL TUPO, JR., [REDACTED] N.J., New Jersey, was interviewed by [REDACTED] Mr. DEL TUPO is now a Ph.D. in Law at Rutgers University, Newark, New Jersey, and is the former United States Attorney, Newark, New Jersey. Mr. DEL TUPO was the United States Attorney during the trial of the WILLIAMS case. b7C

The following memoranda and letter, or portions thereof, were exhibited to Mr. DEL TUPO to refresh his recollection concerning this case. The memoranda and letter were prepared by Mr. DEL TUPO at the time when he was the United States Attorney:

OFFICE MEMORANDUM UNITED STATES GOVERNMENT
TO: The File
FROM: Mr. DEL TUPO
SUBJECT: United States v. ALVIN WILLIAMS
10,205
Cr. 228-64

On January 30, 1959, [REDACTED] WILLIAMS, DEL TUPO, advised the WILLIAMS into his chambers before the commencement of trial at 10 a.m. He exhibited an anonymous letter which he had received which berated the Court for allowing [REDACTED] to sit. The allegation was that [REDACTED] was a worker for [REDACTED]. The newspaper clipping was sent on to say that [REDACTED] was a friend of WILLIAMS's. Newspaper clippings were collected with the anonymous letter. These newspaper clippings were merely reports of the trial in this case. There was absolutely no allegation which could directly or indirectly be construed as any imugning of the honesty of juror No. 1. The Court was of the opinion that the matter should be ignored and were counsel for the Government and the defense.

[REDACTED] b7C

"This occurred at a place at Judge WORTENDYKE's
11th St. There was a recess in Court, I asked
Mr. TOOLAN and Mr. SHILKIN to approach the bench
with me and in the presence of the Judge I asked
both counsel whether or not they wanted the incident
on the record and the whole incident repeated before
them in the presence of the defendant. Both Mr.
TOOLAN and Mr. SHILKIN rejected this, saying it was
unnecessary and the matter was a closed incident as
far as they were concerned."

"OFFICE MEMORANDUM

UNITED STATES GOVERNMENT

"TO: The File

DATE: February 1, 1956

"FROM: Mr. EARL WYFO

"SUBJECT: United States v. JAMES SHILKIN
10,305
Cr. 222-54

"Judge WORTENDYKE called Mr. CARVER and Messrs.
SHILKIN and TOOLAN in his chambers on Tuesday,
January 31, 1956, and told them that he had received
another anonymous letter, stating that
The letter contained no inference whatsoever of any
impropriety on the part of juror No. 1. It
reiterated in effect what the earlier letter said,
namely, that juror No. 1 was a friend of a very
good friend of [redacted] there may be
nothing that can be done at this time because there
has been no improper conduct charged, directly or
indirectly...."

FEB 5 1956

b6, b7C
per FOUSA

"Department of Justice
Washington 25 D. C.

"Approved: Tax Division
Criminal Section

50

"SIR:

RE: **WILLIAM S. BROWN V. ARNOLD ZWILLMAN**
WILLIAM S. BROWN V. ARNOLD ZWILLMAN
3 25 29.2

"Late this afternoon one of the jurors who sat on the trial of the above-captioned matter came into my office and proffered certain information relative to what the jury had considered during its deliberations.

"First of all, we are advised that the final vote of the jury was seven for conviction and five for acquittal. The juror stated that in the beginning it was six-to-six and after several hours went to seven-to-five, which it remained throughout the remainder of the jury's deliberations. As stated in my previous letter to you dated March 2, 1956, the jury was out 20 hours.

"The juror who came in to see me, although he along with six others voted for conviction, nevertheless stated that all 12 were quite seriously concerned with the fact that the Government's investigation in no wise negated prior cash accumulations. In short, all of them had somewhat of a doubt as to whether or not the net worth statements in fact contained all the assets of the defendant and his wife. They were disturbed because the special Agent testified that he undertook an examination or investigation to determine whether or not the net worth statements were accurate in the sense that no investigation of prior years was undertaken to determine whether or not the defendant and his wife had funds available in addition to those set forth in the net worth statements. In other words the jurors felt that the net worth statements might not have included all assets and consequently the doubt they had could not be resolved because the Government failed to adduce any evidence as to financial circumstances in prior years.

"In all fairness to the special agent it should expressly be pointed out that this case was investigated by Internal Security and presented to the Grand

Jury by Mr. TOMPLINS on the theory that the case would stand or fall on the net worth statements alone. This theory was adopted for obvious reasons: The defendant here was never in pecuniary circumstances and always had cash funds available in the prior years, which cash funds the Government could not prove were exhausted prior to the prosecution years. Therefore, the theory was to cut off this avenue by sole and complete reliance on the net worth statements.

"Additionally, based upon a jeopardy assessment covering the years 1943 to 1946, inclusive, the defendant could have had funds available over and above those shown on his net worth statement in the amount in excess of one-quarter million dollars. Again I hasten to point out that the theory of the Internal Revenue Service and of Mr. TOMPLINS in presenting this case was that the case had to stand or fall on the net worth statements.

"The juror further went on to state that some of the jurors were not convinced as to proof of a possible source. Additionally, the juror stated that the expert testimony at the end of the trial, namely, the computation of tax, was not given such weight by those jurors voting for an acquittal because they felt that the computation was not a substitute for source proof which, in their opinion, was lacking. As you will see from the transcript, and as you probably know from the investigation, no source other than disclosed sources was able to be ascertained. The Government had to rely upon the theory that the disclosed sources were capable of producing the excess income by way of expenditures although it had no evidence whatsoever to show any falsification of the books and records of the disclosed companies in which the defendant or his wife had an interest. To buttress this argument, the Government also persuaded the Court to adopt the theory of the ADONIS case in this Circuit which held that concealment might be a substitute for source. The concealment argument advanced was that the defendant had used nominees and trustees in many of his business operations. Looking at this phase of the case impartially, the degree of concealment through the use of nominees, etc., might well be termed 'slightly thin' in the light of the JOHNSON and HAROLD ADONIS cases."

b6
b7c per FOUSA

After reviewing the above recited, M. DEL TUFO stated that between the period November 2, 1955, when the petit jury panel list was prepared, to January 18, 1956, the date of the commencement of trial in the ZWILLMAN case, he had no recollection of an impropriety in respect to any potential juror in the ZWILLMAN case. Prior to commencement of the trial, the agents of the Internal Revenue Service did make administrative checks of the potential jurors by checking the tax returns or other information in the files of the Internal Revenue Service concerning the potential jurors.

DEL TUFO said that the only possible improprieties that came to his attention in respect to the jury occurred on January 24, 1956, and January 31, 1956, when anonymous letters were received by Judge WORTKOVYK alleging that Juror #1 was a worker for [redacted]. Judge WORTKOVYK called both the attorneys for the defense and the attorneys for the Government into his chambers concerning these anonymous letters. Judge WORTKOVYK came to the conclusion after these conferences with the attorneys that there was no charge of any impropriety, so therefore, no further action was taken concerning these two anonymous letters.

With regard to the trial proceedings, DEL TUFO said that the Government went into the case based upon the net worth statements supplied by the defendant and his wife to the Government in October, 1957, which net worth statements listed the respective net worth of the defendant and his wife as of December 31, 1955. DEL TUFO stated that the Supreme Court requires corroboration of net worth statements by independent evidence, and in this case the Government did not have any independent corroboration to speak of. The Government's theory was that corroboration was only needed if a statement was given subsequent to the commission of the crime - that is, the filing of the fraudulent returns. DEL TUFO said that in the ZWILLMAN case the agents did not corroborate the items appearing on the net worth statement.

DEL TUFO said that a question and answer statement of [redacted] was introduced in evidence for the purpose of not having a jury consider the truth or falsity of the statement but merely to show that these statements were made. DEL TUFO said that the effect of the introduction of this statement by the defense tended to show that ZWILLMAN had acquired a substantial amount of cash through [redacted]

prior to the onset of the alleged crime and, therefore, could have been considered as a possible source of expenditures in 1947 and 1948.

DEL TUFO said that the jury was not impressed with the net worth statement and "source proof," meaning a likely source of income other than the defendant's livelihood. In SWILLMAN's case there was no proof of any source for this money which SWILLMAN was charged with evading other than his business. The Government tried to show through records of the Public Service Tobacco Company, Millside, New Jersey (SWILLMAN's business) that there were dealings in cash and coin receipts from which the jury could infer that maybe all of these cash receipts were not entered on the books of the company. The Government attempted to show that from the way the business was managed and the way the books were kept the jury could infer that the money could have come from that source. DEL TUFO said the proof was very bad, because the company kept pretty good books and the Government just had "some slight evidence that sometimes bags of coin were not counted the day the bags were received in the company, etc."

DEL TUFO said that during the course of the trial the only incident that arose concerning any juror was the receipt of the two anonymous letters by Judge WURTENDYKE as previously referred to.

DEL TUFO recalls that U. S. Marshal [redacted] told him one day that he had heard that a lady juror, name not recalled, from Paterson, New Jersey, was "yelling for acquittal." According to DEL TUFO, [redacted] had no further information to relate concerning this lady.

A sheet of yellow ruled paper containing various handwritten notes thereon was exhibited to DEL TUFO. This sheet of paper contains the following handwritten notations:

b6
b7C
per FOUSA