

1965

# The Bowling Club, A Non-Profit Corporation of the State of Utah v. Lamont F. Toronto, Secretary of State of the State of Utah : Appellant's Brief

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# IN THE SUPREME COURT OF THE STATE OF UTAH

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THE BOWLING CLUB, a non-  
profit corporation of the State of Utah,  
*Petitioner and Appellant,*

vs.

LAMONT F. TORONTO, Secretary  
of State of the State of Utah,

*Respondent.*

Case No.  
10253

**FILED**  
JAN 25 1965

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**APPELLANT'S BRIEF** State Supreme Court, Utah

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Appeal from Judgment of the Third District Court for  
Salt Lake County  
Albert H. Ellett, Judge

UNIVERSITY OF UTAH  
APR 29 1965

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## INDEX

	Page
Statement of the Case .....	5
Disposition in Lower Court .....	6
Relief Sought .....	7
Statement of Facts .....	7

## ARGUMENT:

### Point I:

Respondent's order revoking appellant's corporate charter and Five Thousand Dollar (\$5,000) bond is void for the reason that the entire testimony on which the order was based was by unsworn and unattested oral statements. .... 10-13

### Point II:

16-6-13, et seq. 1953 U.C.A. providing for hearings and revocation by the Secretary of State, enacted by the 1955 Legislature was repealed by implication by the 1959 Legislature when 32-8-7, 1953 U.C.A. was enacted, making sale of liquor an indictable misdemeanor and authorizing courts to revoke charters. .... 13-18

### Point III:

The combination of 32-8-7 providing for a corporate fine of \$2,500 for violation of the Liquor

	Page
Control Act, \$1,000 individual fines and 6 months in jail, coupled with provisions of 16-6-13 and 13.1, 1953 UCA, providing for \$5,000 bond forfeiture and corporate charter revocation, violates Article I, Section 9, Utah State Constitution in that such combination constitutes excessive fines and punishment. ....	18-24
Conclusion .....	24
Appendix (Utah Liquor Dealers) .....	26-33

### CASES CITED

Becker Products Company vs. State Tax Commission, 89 Utah 587, 58 Pac. 2nd 36 .....	16
East Coast Lumber Terminal Company vs. Town of Babylon, 174 Fed. 2nd 106 .....	24
Flick vs. Gately, 328 Ill. App. 81; 65 NE 2nd 137..	12
Hartig vs. City of Seattle, 53 Wash. 432, 102 Pac. 498 .....	18
Kent Club vs. Toronto, January 5, 1957, 6 Utah 2nd 67, 305 Pac. 2nd 870 .....	21-22
Nelden vs. Clark, 20 Utah 382, 59 Pac. 524 .....	16-17
Pacific Intermountain Express Company vs. State Tax Commission, 7 Utah 2nd 15, 316 Pac. 2nd, 549 .....	16
Salt Lake City vs. Salt Lake County, 60 Utah 423, 209 Pac. 207 .....	16
State of Utah vs. Alexander (1935), 49 Pac. 2nd 408 .....	16

	Page
State vs. Burnham, 87 Utah 445, 49 Pac. 2nd 963..	16
State ex. rel. Morck vs. White, 41 Utah 480, 126 Pac. 330 .....	16
State ex. rel. Public Service Commission vs. South- ern Pacific Company, 95 Utah 84, 79 Pac. 2nd 25 .....	16
State of Washington vs. Donald Adams Collins (1960) 348 Pac. 2nd 214 .....	17
Yickwo vs. Hopkins, 118 U.S. 356 .....	24

### STATUTES CITED

30 (c) U.R.C.P. ....	13
16-6-13, et seq., 1953 U.C.A. ....	11-13-14-18-19
16-6-13.1, 1953 U.C.A. ....	6-11-19
Title 32, 1953 U.C.A. ....	8
32-7-1, 1953 U.C.A. ....	8
32-8-7, 1953 U.C.A. ....	13-14-18-21
32-8-34, 1953 U.C.A. ....	24
78-24-16, 1953 U.C.A. ....	11
78-24-17, 1953 U.C.A. ....	11
78-24-18, 1953 U.C.A. ....	11

### CONSTITUTION

Article I, Section 9, Utah Constitution .....	20-21
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Case No.  
10253

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## APPELLANT'S BRIEF

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### STATEMENT OF THE CASE

Appellant is a non-profit corporation organized under the laws of the State of Utah and is qualified to function as a private liquor-locker club.

After the issuance of an order to show cause, respondent held a hearing on September 30, 1964, and then immediately revoked the corporate charter of

appellant and ordered its Five Thousand Dollar (\$5,000.00) bond forfeit to the State of Utah. The posting of a bond is required by 16-6-13.1, 1953 Utah Code Annotated. The power to hold hearings is purportedly contained in 16-6-13, 1953 Utah Code Annotated.

## DISPOSITION OF CASE IN LOWER COURT

On October 2, 1964, appellant filed petition for writ of certiorari, and on the same day an alternate writ was issued. Pending hearing, the Third District Court ordered reinstatement of appellant's corporate charter and bond and appellant continued to function as a liquor-locker club.

Respondent filed a motion to vacate, and the matter was argued before the Honorable Albert H. Ellett on the 14th day of October, 1964, at which time the writ was vacated. The court accorded to appellant thirty (30) days within which to amend its petition.

On October 20, 1964 appellant filed its amended petition for writ of certiorari, and said petition was heard by Judge Ellett, who thereupon issued an order under date of October 27, 1964, denying appellant's amended petition for writ of certiorari but giving to appellant a stay of revocation of its corporate bond and charter pending appeal to the Utah Supreme Court.

## RELIEF SOUGHT

This appeal is taken from the order dismissing appellant's petition for writ of certiorari and for failure to issue a writ and make it permanent.

Appellant seeks a decision voiding the order of respondent revoking appellant's corporate charter and bond.

## STATEMENT OF FACTS

On or about the 18th day of June, 1964, an affidavit was signed by one, William N. Brady, before the Honorable Albert H. Ellett, Judge, stating that liquor was being sold in contravention of Title 32, 1953 Utah Code Annotated, at the premises of appellant. Based upon that affidavit, Judge Ellett issued a search warrant for "bottles of alcoholic beverages illegally stored upon said premises, and bottles containing alcoholic beverages in glasses, bottles or bar equipment used in the serving of alcoholic beverages."

About 5 p.m. on June 18, 1964, police officers, in possession of the search warrant, entered the premises of appellant and seized approximately seventy-five bottles of alcoholic beverages, 604 glasses, together with two unopened boxes of glasses from said premises and made return of their doing to the Third District Court.

On June 23, 1964, an information was filed in the Third District Court, captioned, "Utah Liquor Control Commission, plaintiff, vs. Seventy-Five Bottles, more



or less, of alcoholic beverages, 604 glasses, and two boxes of glasses, seized from the premises of that certain establishment known as 'The Bowling Club, Defendants.'"

On June 29, 1964, said libel came on for hearing against the personal property, appellant not being party to those proceedings nor having participated therein. As a result of the hearing had on the libel, and on the 29th day of June, 1964, the Court made its order forfeiting the bottles of liquor and the 604 glasses.

On the 7th day of August, 1964, officer N. K. Johnson, Salt Lake City vice squad, appeared before Horace C. Beck, Judge of the City Court of Salt Lake City, and signed an affidavit charging appellant with illegal sale of alcohol in violation of Title 32, Chapter 7, Section 1, 1953 Utah Code Annotated, stating the date of the offense as being on or about the 25th day of May, 1964. Pursuant to that affidavit complaint was issued in the case of the State of Utah vs. The Bowling Club, Criminal No. 42026, charging violation of Title 32, Chapter 7, Section 1, 1953 Utah Code Annotated, sale of alcoholic beverages, which, by the provisions of Title 32, Chapter 8, Section 7, 1953 Utah Code Annotated, is made an indictable misdemeanor. The penalty to be assessed against a corporation for violation is a fine not to exceed Twenty-Five Hundred Dollars (\$2,500.00) and corporate charter revocation, or both. The case is still pending in the court. Preliminary hearing is scheduled for March 5, 1965.

On the 3rd day of September, 1964, respondent issued an order to show cause why appellant's corporate charter and Five Thousand Dollar (\$5,000.00) bond should not be revoked on the grounds that it had been operating in violation of the Liquor Control Act and that appellant had failed to maintain and make available to the Secretary of State a record of its membership. Pursuant to the order to show cause, a hearing was had on the 30th day of September, 1964, before the Secretary of State. Appellant, by and through its attorneys, made a special appearance, only, for the purpose of moving the Secretary of State to quash service of the order to show cause. The motion was overruled and the hearing proceeded. Appellant made no general appearance.

Interrogation of witnesses at the hearing was conducted by the Assistant Attorney General. None of the witnesses produced was administered an oath or affirmation prior to testifying, nor were any of the witnesses reminded of their testimony and asked to take an oath or affirm to the truth thereof after testifying.

Generally, the unsworn statements received at the hearing concerned the activities of one William N. Brady, an employee of the Alcohol-Tobacco Tax Division of the United States Treasury Department, who is an agent in the State of Nevada. Mr. Brady's statement was to the effect that he worked as an under cover agent with the Salt Lake City vice squad during a period of time from April 7, 1964 to June 18, 1964. The un-

sworn narrations were substantially that Mr. Brady first approached an employee of appellant at about 4:45 p.m. on April 7, 1964, at which time he inquired as to the requisites of membership. He told the employee that he came to town maybe once or twice a week. He was given Guest Card No. 6092, issued in his true name. It was by this ruse that Mr. Brady became friendly with club employees and brought back with him upon another occasion the wife of a Salt Lake City vice squad officer, and upon another, an officer of the Salt Lake City vice squad.

The unsworn statements also related to the previously set forth seizures and libel action.

Appellant does not concede that the above necessarily constitutes what in fact happened, but it is set forth merely to show what was said at the hearing.

## ARGUMENT

### Point I.

**THE ORDER REVOKING APPELLANT'S CORPORATE CHARTER AND FIVE THOUSAND DOLLAR (\$5,000.00) BOND IS VOID FOR THE REASON THAT THE ENTIRE TESTIMONY UPON WHICH THE ORDER WAS BASED WAS BY UNSWORN AND UN-ATTESTED ORAL STATEMENTS.**

It is not controverted that the testimony of all

witnesses at the hearing before the Secretary of State was unsworn.

The provisions of 16-6-13 et. seq., 1953, U.C.A. purportedly authorizes the Secretary of State to hold hearings such as the one here in controversy. The Secretary of State is authorized to administer oaths by virtue of the provisions of 78-24-16, which provides:

*“Oaths, Who May Administer.* Every court, every judge, clerk and deputy clerk of any court, every justice, every notary public, and every officer or person authorized to take testimony in any action or proceeding, or to decide upon evidence, has power to administer oaths or affirmations.”

The form of an oath is prescribed by 78-24-17:

*“Form.* An oath or affirmation in an action or procedure may be administered, the person who swears or affirms expressing his assent when addressed, in the following form: You do solemnly swear (or affirm) that the evidence you shall give in this issue (or matter) pending between ..... and ..... shall be the truth, the whole truth, and nothing but the truth, so help you God (or under the pain and penalties of perjury).”

78-24-18 providing for an alternative of affirmation rather than oath provides:

*“Any person may at his option, instead of taking an oath, make his solemn affirmation or declaration, by assenting, when addressed in the following form: You do solemnly affirm (or declare) that, etc., as in the preceding section.”*

Respondent will admit that no oath or affirmation was administered in these proceedings, but rather the assistant attorney general merely stated to the witnesses that the Secretary of State desired to hear the truth. The Secretary of State did not purport in any manner to swear or tell the witnesses that he wanted the truth himself. He sat mute throughout the proceedings, except to overrule the motion to quash. He made an oral finding of revocation during what all witnesses and newspaper reporters thought to be a recess.

A similar fact situation was presented to the Illinois Appellate Court in *Flick vs. Gately*, 328 Ill. App. 81; 65 NE 2nd 137. In that case there was an informal discussion before the Chicago Zoning Board of Appeals concerning a zoning problem. It was conceded that there was no sworn or formal testimony. There was, however, lengthy discussion between the Chairman of the Board with plaintiff's attorney and some of the adjoining property owners, who made statements that plaintiff's plant caused excessive noise and vibrations. As a result of this conference an order was entered by the Zoning Board of Appeals. The court, in setting aside the Board order, stated at page 88-89 of 328 Ill. App., that since there was an Illinois Statute authorizing the Board chairman to administer oaths that that authorization made it mandatory that he do so. The court said that statements cannot be considered as "testimony" required in a hearing unless they are made by a witness

under oath or affirmation, quoting Webster's New International Dictionary, 2nd Edition, in defining the word "testimony."

Appellant concedes that modern legal practice tends to do away with old and formalized forms and proceedings. However, it shouldn't be considered proper that a Secretary of State with such broad summary powers as is purportedly given by 16-6-13, should be entitled to conduct hearings involving valuable property rights without ever once having addressed himself to any witness and without administering oaths or affirmations even as it is required of officers before whom depositions are taken in this state. Rule 30 (c) Utah Rules of Civil Procedure make it mandatory that a person taking a deposition of a witness shall first administer an oath.

Appellant believes that administrative tribunals should be held to this minimum requirement for formality and proper procedure.

## Point II.

**16-6-13 et. seq. 1953 PROVIDING FOR HEARINGS AND REVOCATION BY THE SECRETARY OF STATE OF CORPORATE CHARTERS AND BONDS, ENACTED BY THE 1955 LEGISLATURE, WAS REPEALED BY IMPLICATION BY THE 1959 LEGISLATURE WHEN, 32-8-7 1953 WAS ENACTED, MAKING**

## SALE OF LIQUOR AN INDICTABLE MIS- DEMEANOR AND AUTHORIZING COURTS OF RECORD TO REVOKE CHARTERS.

Appellant claims conflict in this case from the powers accorded to the Secretary of State by the 1955 Legislature in its enactment of House Bill No. 16, now being Title 16, Chapter 6, Section 13, which reads:

“ \* \* \* \* If it is shown after a hearing that any such club or association (1) was actually organized for pecuniary profit (2) was used for gambling or other purposes in violation of any law or ordinance including, but not limited to violations of Liquor Control Act, as amended, (3) has failed to maintain or make available to the Secretary of State a record of its membership, or (4) has failed to procure and file with the Secretary of State, within the time herein prescribed, and maintain in good standing a bond as herein provided, or has failed to file and/or keep on record with the Secretary of State a copy of its constitution, by-laws, and house rules, which must be in conformity with the requirements in this chapter, or has failed to conform to or abide by such constitution and by-laws and house rules, the Secretary of State shall revoke the charter of such corporation.”

The 1959 Legislature amended Title 32 of the Utah Code pertaining to sales of intoxicating liquors. The amendment that it is claimed repeals the power of the Secretary of State is Title 32, Chapter 8, Section 7:

“ \* \* \* Every person who violates any of the provisions of Section 32-7-1 (selling or offering

liquor for sale) and 32-7-7 (sale of adulterated liquor), shall be imprisoned for not less than three months nor more than six months, or fined in an amount not to exceed \$1,000.00 or both. Every corporation which violates any of the provisions of 32-7-1 and 32-7-7 shall be fined in an amount not to exceed \$2,500.00 or have *its charter revoked by a court of record*, or both.” (Emphasis supplied).

It is clear that the 1955 act of the Legislature is a general act governing corporations permitted to store alcoholic beverages upon its premises. It accords the Secretary of State the right to revoke the charter and the bond for gambling, violations of the Liquor Control Act, failing to maintain a membership list, failing to maintain a bond, failing to conform to its by-laws or constitution or house rules, or if it was organized for pecuniary profit, or for any other purpose in violation of law or ordinance. Clearly that section is general, not specific.

The new section enacted by the 1959 Legislature, providing for \$2,500.00 fine and revocation of charter by a court of record for violation of the liquor law is express law and mandate as to offense and punishment.

Under rules of statutory interpretation it should be conceded that a specific law supersedes all provisions of a general statute.

Since a court of record under a specific statute is now empowered to revoke charters, the court pre-empts the Secretary of State's power by legislative mandate.



The case of *Pacific Intermountain Express Company vs. State Tax Commission*, 7 Utah 2nd 15, 316 Pac. 2nd, 549, states that in case of conflict a later statute is controlling over an earlier statute, and that express statutory provisions take preference over general statutory provisions. The case cites with approval:

“*Becker Products Company vs. State Tax Commission*, 89 Utah 587, 58 Pac. 2nd 36; *State ex. rel. Public Service Commission vs. Southern Pacific Company*, 95 Utah 84, 79 Pac. 2nd 25; *State vs. Burnham*, 87 Utah 445, 49 Pac. 2nd 963; *Salt Lake City vs. Salt Lake County*, 60 Utah 423, 209 Pac. 207; *State ex. rel. Morck vs. White*, 41 Utah 480, 126 Pac. 330; *Nelden vs. Clark*, 20 Utah 382, 59 Pac. 524.”

The case of *State of Utah vs. Alexander* (1935), 49 Pac. 2nd 408, involved the same proposition, viz, that of an express statute governing a procedure in the face of a general statute covering the same subject. The general statute relied upon by Mrs. Alexander was that “an interested person” could initiate a hearing into the sanity of a person accused of crime. Mr. Alexander was convicted of murder and sentenced to die, and his wife petitioned the court for a new sanity hearing under the general statute, as being an “interested person” in a position to do so. The court ruled against appellant stating that the statute enacted after the general section pertaining to insanity hearings was controlling, and that since the new statute provided

that only sheriffs could institute such proceedings, then the older and more general statute was superseded.

In *Nelden vs. Clark*, 20 Utah 382, 59 Pac. 524, this court in construing a statute granting to the mayor or town council the right to build waterworks as opposed to a later statute granting that power to the city engineer held that the later statute must prevail.

There can be no question that the statutory authorization given to the Secretary of State to conduct hearings and revoke charters applies to violations of the State Liquor Control Act as well as to a myriad of other offenses, while the later and subsequent statute enacted in 1959 as an amendment to the Liquor Control Act, provides express sanctions against corporations violating the Liquor Control Act and that is \$2,500.00 fine and corporate charter revocation by a court of record. The Secretary of State does not conduct a court of record.

Such claimed interpretation of the statutes in question in this case seem to be squarely met in the case of *State of Washington vs. Donald Adams Collins* (1960), 348 Pac. 2nd 214, where defendant, who had killed a pedestrian at a cross walk with his car, was charged under a general manslaughter statute passed in 1854. Defendant demurred upon the basis that he should have been charged under a statute passed in 1937, which was an automobile homicide law. The Supreme Court of Washington agreed with Collins and stated at page 215 of 348 Pac. 2nd:

“The general manslaughter statute antedates the special negligent homicide statute, which is directed to one specific mode of committing a homicide. This invokes the rule that, where a general and subsequent special statute relates to the same subject, the provisions of the latter must prevail. *Hartig vs. City of Seattle*, 53 Wash. 432, 102 Pac. 408.”

### Point III.

THE COMBINATION OF 32-8-7 PROVIDING FOR A CORPORATE FINE OF \$2,500.00 FOR VIOLATION OF THE LIQUOR CONTROL ACT, \$1,000.00 INDIVIDUAL FINES, AND SIX MONTHS IN JAIL FOR INDIVIDUAL OFFENDERS, WHEN COUPLED WITH THE PROVISIONS OF 16-6-13, PROVIDING FOR \$5,000.00 BOND FORFEITURE AND CORPORATE CHARTER REVOCATION, VIOLATES ARTICLE I, SECTION 9, UTAH STATE CONSTITUTION, IN THAT SUCH COMBINATION CONSTITUTES EXCESSIVE FINES AND PUNISHMENT.

32-8-7, 1953 UCA, passed by the 1959 State Legislature, provides:

“Every person who violates any of the provisions of Section 32-7-1 and 32-7-7 shall be imprisoned for not less than three months nor more than six months, or fined in an amount not to exceed \$1,000.00 or both. Every corporation

which violates any of the provisions of Section 32-7-1 and 32-7-7 shall be fined in an amount not to exceed \$2,500.00 or have its charter revoked by a court of record, or both.”

Provisions relating to the Secretary of State’s power to revoke corporate charters, 16-6-13, is set forth on page 14 hereof. 16-6-13.1 sets forth the form of the required corporate bond and states:

“Every social club, recreational or athletic association, or kindred association heretofore incorporated or to be incorporated under the provisions of this chapter, which now maintains or intends to maintain premises upon which liquor is or will be stored or consumed, must procure and file with the Secretary of State, and maintain thereafter, a good and sufficient bond in the amount of \$5,000.00 with corporate surety or two personal sureties, approved by the Secretary of State, which approval shall be given after such club or association has satisfied the Secretary of State that each surety has assets within the State of Utah valued at not less than twice the amount of the said bond, and is otherwise a good and secure surety for the sum of \$5,000.00. Said bond shall be substantially as in the following form, to wit:

**KNOW ALL MEN BY THESE PRESENTS:**

That AB a non-profit corporation of the State of Utah, as principal, and CD, as surety, are held and firmly bound unto the state of Utah in the sum of \$5,000.00, for which payment will well and truly be made, we hereby bind ourselves and our representatives, assigns and suc-

cessors firmly by these presents. Dated this .....  
day of ....., 19.....

The condition of this obligation is such that  
whereas the above bound AB is incorporated  
as a non-profit corporation under the laws of  
the State of Utah.

Now if the said AB and its officers and em-  
ployees shall faithfully comply with the laws  
of the State of Utah in the conduct of said AB's  
affairs and activities then this bond shall be void,  
and if the charter of said AB is finally revoked  
pursuant to the terms of this chapter then this  
bond shall be in force and payable to the treas-  
urer of the State of Utah for deposit in the  
general fund. \* \* \* ”

It may thus be seen that the doing of an act in  
the State of Utah that is sanctioned by each of the  
states surrounding the State of Utah will visit upon  
the offender if it be a corporation the sum of \$7,500.00  
in fines and penalties, together with \$1,000.00 indi-  
vidual fines for each employee concerned and six months  
in jail. Also, because of the wording of 16-6-13 making  
it mandatory for the Secretary of State to revoke the  
charter, there is death knell for a corporate violator.

Article I, Section 9, Utah State Constitution, pro-  
vides:

“Excessive bail shall not be required; *excessive  
fines shall not be imposed*; nor shall cruel and  
unusual punishments be inflicted. Persons ar-  
rested or imprisoned shall not be treated with  
unnecessary rigor.” (Emphasis supplied).

This court passed upon that particular question in the case of *Kent Club vs. Toronto*, by opinion dated January 5, 1957, 6 Utah 2nd 67, 305 Pac. 2nd 870. However, the case was decided prior to the 1959 Legislature's enactment of 32-8-7. Under the law in force at the time of *Kent Club*, the maximum criminal penalty for violation of the Liquor Control Act was \$300.00. Since then the corporate penalty has been raised to \$2,500.00, the individual penalty to \$1,000.00.

Appellant concedes that very largely in the law, as in life, all things are a matter of degree. It is obvious that the Legislature in prescribing fines could reach a level in assessing fines for violation of the Liquor Control Act that this court would strike down as being violative of Article 1, Sec. 9 of our constitution. Appellant urges that this court exercise its judgment to that extent in this case, which it could do and still acknowledge that the sale of liquor in Utah is against public policy, but in this day and age such offense should properly have a punishment more befitting the doing of what is legal in most states in the union.

Counsel for appellant does not condone law-breaking, but does urge for the court's consideration the old concept that bad laws make bad people, as was certainly borne out during the period of time that the Volstead Act was in force, and that the penal sanctions in this state for such type offenses have now exceeded the bounds of fairness, reason or justice.

With reference to appellant's statement that bad laws make bad people, perhaps the court can take judicial notice of what is well known to most residents of the State, and that is that sales of liquor are rampant by non-profit corporations (clubs) and taverns, whether by the drink in the so-called small private clubs, or by the bottle in the large, affluent clubs. Sin, whether a little or a lot, is still sin, and the court can and must judicially know and notice that except for one exception in many years last past, the only prosecutions for violations of the Liquor Law and hearings before the Secretary of State for charter revocations were concerning some of the so-called small private clubs in Salt Lake City, and no place else. This type sin is seldom recognized outside Salt Lake City, and only selectively within.

The court should not retire behind a mask of blind justice as to the liquor conditions in this state, but it should give serious consideration to some of the dissenting language in the *Kent Club* case used by Mr. Justice Worthen. At page 880 of 305 Pac. 2nd, he said:

“Nor do I feel that the regulations and forfeitures provided for can do anything except put out of business social clubs with small memberships and limited finances, while permitting a free rein to affluence and wealth in enjoying the privileges which the act denies to the first mentioned clubs.”

Judicially, the court should recognize and know what most of the citizens of the state know, and that

is that in the large, wealthy clubs, liquor is freely sold by the bottle to members upon request, and this has been going on for years as it has in many other small clubs and taverns. Yet, in a state where it appears that rank does indeed have its privileges, there is provision for high penalties that are only exercised against small non-affluent clubs who do the same thing, but by the drink, and do not have enough "better type" members to cause a winking at known, continuous violations, that have come to be considered a vested right by the wealthier citizenry. Taverns, of course, are subject to lesser fines. A law that cannot be, or is not for any reason, equally enforced should not be sanctioned by this court. Absent of judicial notice of this condition, the court should understand that appellant, along with others similarly circumstanced, would not have the heart not the finances to go forward with the burden of showing violations by other clubs and taverns in the state. It is felt that the concept of being, in effect, a "stool pigeon," should remain mainly the function of the Salt Lake City vice squad, though these conditions are well known by law enforcement officers, and other State, County and City officials, and probably by many judges in a personal capacity.

In this regard, the court should judicially note that there are over one hundred (100) retail alcohol licenses issued by the Alcohol-Tobacco Tax Division of the United States Treasury Department to private clubs and taverns in the State of Utah. (A list is in Appendix.) It should be obvious that retail liquor



licenses would not be purchased from the Federal Government were those places not dispensing liquor at retail. The provisions of 32-8-34 make it just as unlawful in the State to possess a United States Internal Revenue Stamp Tax for the sale of intoxicating liquors, as it does to sell liquor, yet administrative caprice and selective criminal prosecution has not yet wished to step on the privileged by imposing these large penalties and revoking rights to do business of the traditional "first citizens' " clubs. This is condonation of special privilege, which is perhaps more of a social problem than this court would care to solve, though most certainly it could well rule, upon taking judicial notice of the things herein mentioned, that the old concept of lack of equal enforcement constitutes a denial of equal protections as announced in the case of *Yickwo vs. Hopkins*, 118 U.S. 356, affirmed as being a sound rule of law by the Second Circuit Court of Appeals in the case of *East Coast Lumber Terminal Company vs. Town of Babylon*, 174 Fed. 2nd 106.

## CONCLUSION

Appellant feels that administrative looseness in dealing with valuable rights should be struck down. If unsworn statements at the type hearings here under consideration are judicially condoned, what next?

Regardless of one's feelings toward liquor, it is suggested that in view of today's local and national

mores resulting from expanded communication, transportation and economy, that Utah is no longer a detached, staunchly isolated geographical or social unit. The people are sophisticated, and present-day punishment should be made to fit present-day crime. The penalty-forfeiture statutes for liquor violations in Utah are excessive under constitutional mandate, and it should be so held in order that the Legislature in this manner can be kept abreast of changing times by the court.

Further, the court interpreting laws meeting the needs of the people should now take a stand that unequal enforcement of liquor laws will no longer be tolerated, and to "pull appellant to the line" in view of present and past open and condoned violations by taverns and other clubs, big and small, violates the concept of equal protections of the law, which is a basic constitutional guarantee.

In any event, the Secretary of State has been effectively ousted of jurisdiction to hear and determine liquor law violations. His purported authority given by the general statute in 1955 has been expressly revoked by the specific 1959 statute.

Respectfully submitted,

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## APPENDIX

Retail Liquor Dealers for period July 1, 1963 through June 30, 1964. (U. S. Internal Revenue Service).

1. Alta Club—100 East South Temple, Salt Lake City, Utah.
2. Ambassador Club—145 South 5th East, Salt Lake City, Utah.
3. Logan Post 7, American Legion—46 North 5th West, Logan, Utah.
4. American Legion Post 40—Wendover, Utah.
5. American Legion Post 54—Moab, Utah.
6. American Legion Post 112—3615 South 5th East, Salt Lake City, Utah.
7. American Legion Post 132—3465 South 4300 West, Salt Lake City, Utah.
8. American Legion Post 133—112½ West Broadway, Salt Lake City, Utah.
9. American Legion Post 71 — 670 East 33rd South, Salt Lake City, Utah.
10. Aperges, Tony, Tony's Club—216 South Main Street, Helper, Utah.
11. Archabal, Ramon, Silver Club—Eureka, Utah.
12. Bianco, J. J. & Stewart, Bessie, BE-JO Club, 144 South Main, Helper, Utah.

13. Bigelow, Loran D., Hunter's Club—Soldier Summit, Utah.
14. Bikakis, Nick, Nick's Club—Dragerton, Utah.
15. Boutsis, George M., AM VETS Post 39—8136 South State, Midvale, Utah.
16. Bills, Elvin & Anna, El Cerrito Inn—Route 1, Helper, Utah.
17. Carbon Country Club, Inc.—Box 260, Helper, Utah.
18. Causer, Rex, El Torro De Oro—1st South, Price, Utah.
19. Cammer, Rex, DAV Club—54 West Main Street, Price, Utah.
20. Christensen, W. K. & Devenport, W. F., Bill's Airway Lounge—3143 West 2100 South, Salt Lake City, Utah.
21. Clingman, Mayne E., Devils Den—Box 101, Stockton, Utah.
22. Club Continental, Inc.—61½ East 2nd South, Salt Lake City, Utah.
23. Colony Club DAV—107 East 2nd South, Salt Lake City, Utah.
24. Disabled American Veterans — 9097 West 2700 South, Magna.
25. Downs, David C., Bunny's Bar—Coalville, Utah.
26. Duchesne Commercial Club, Inc.—Duchesne, Utah.
27. Dunker, Jack V., Sportsman's Retreat—Hiway 40, Heber, Utah.

28. Fraternal Order of Eagles, Aerie No. 67—  
3571 West No. Temple, Salt Lake City, Utah.
29. Fraternal Order of Eagles, Aerie No. 3126—  
Moab, Utah.
30. Fraternal Order of Eagles, Aerie No. 3114—  
124 South Main, Logan, Utah.
31. Fraternal Order of Eagles, Aerie No. 659—  
181 North Main, Midvale, Utah.
32. Fraternal Order of Eagles, Aerie No. 2924—  
501 South State, Provo, Utah.
33. Fraternal Order of Eagles, Aerie No. 2919—  
Brigham City, Utah.
34. Board of Trustees, Eagles Lodge—448 - 24th  
Street, Ogden, Utah.
35. Eaquinta, Carl, LaSalle Club — 302 South  
Main, Helper, Utah.
36. B.P.O.Elks, Brigham City Lodge 2208—20  
East 1st South, Brigham City, Utah.
37. B.P.O.Elks, Dixie Elks Lodge 1743 — St.  
George, Utah.
38. B.P.O.Elks Lodge 1673—Tooele, Utah.
39. B.P.O.Elks Lodge 2021—North Main Street,  
Moab, Utah.
40. B.P.O.Elks Lodge 1453—15 South Main,  
Hotel Town House, Logan, Utah.
41. B.P.O.Elks, Price Lodge 1550—Carbon Ave.  
& 1st North, Price, Utah.
42. B.P.O.Elks Lodge 849—84 South 1st West,  
Provo, Utah.

43. B.P.O.Elks Lodge 85—139 East So. Temple, Salt Lake City, Utah.
44. B.P.O.Elks Cedar City Elks Lodge, Cedar City, Utah.
45. Escandon, Gaby, El Ray—East Main, Wellington, Utah.
46. Escoubat, Dominick, Frenchy's Club—21 East Main St., Wellington, Utah.
47. Feracco, Ross & Gertino, Kelly, Stork Club, 917 South State, Salt Lake City, Utah.
48. Fletcher, Emmett, Pinkey's Pub—70 South Main, Helper, Utah.
49. Floor, Louis, Louis Place—Stockton, Utah.
50. Flory, Emmet S., Frontier Club—Main at 1st North, Moab, Utah.
51. Fort Douglas Club—PO Box 583, Salt Lake City, Utah.
52. Fort Douglas Hidden Valley Country Club—12000 So. 17th East, Draper, Utah.
53. Fort Douglas Officer's Open Mess, Ft. Douglas, Salt Lake City, Utah (military base).
54. Geanetos, Mike, 56 Bar—19 South Carbon Ave., Price, Utah.
55. Glorieso, Ross, Capital Club—5 South Carbon Ave., Price, Utah.
56. Gomez, Mary Lee, M&M Club—2588 Main Street, Helper, Utah.
57. Gordon, L. F., Gordon's Tavern—Box 506, Delta, Utah.

58. Grake, Louis, VFW Servicemen's Club—5 So. Carbon Ave., Price, Utah.

59. The Granite Club, Inc.—3820 Highland Drive, Salt Lake City, Utah.

60. Hamilton, Charles & Margret, HiWay Rendezvous—RFD 1, Helper, Utah.

61. Hennin es, William P. & Johnson, Elmer E.—Moonlight Gardens, Lead Mine, Bingham Canyon, Utah.

62. Hill Air Force Officer's Mess—Hill Air Force Base (military base).

63. Johnson, Carlas, Car's Lounge—7988 Hartford, Salt Lake City, Utah.

64. Kalatzes, Geo., Club 16—DAV — 54 West Main, Price, Utah.

65. Keyes, M. E., U-24 Cafe—Hanksville, Utah.

66. Klapakis, Steve, & Kakatsidas, Geo.—Bank Club—81 West Main, Price, Utah.

67. Knotts, Lucille, Lucille's Cafe & Lounge—Main Street, Eureka, Utah.

68. Kolovos, Geo., & Lepore, Roger, American Legion Post 60—5128 South State, Murray, Utah.

69. Kouris, George, Victor Cafe—744 Post Office, Price, Utah.

70. Larsen, Charles H., American Legion—103 West Main, Price, Utah.

71. Madrigal, Betty, El Torro De Oro — 1st South, Price, Utah.

72. Malkogiannis, James N., Copper King—500 Main St., Bingham Canyon, Utah.

73. Marakis, Harriet, Columbia Confectionery—  
Columbia, Utah.

74. Martinez, Jesus, Bank Club—194 South Main,  
Helper, Utah.

75. Menserret, Tommy, Orbit Cafe & Lounge—  
7215 West 2400 South, Magna, Utah.

76. Loyal Order of Moose, Lodge 2031—57 Vine  
St., Tooele, Utah.

77. Loyal Order of Moose—607 East 2nd South,  
Salt Lake City, Utah.

78. Loyal Order of Moose, Lodge 843—137 West  
1st North, Provo, Utah.

79. Loyal Order of Moose, Lodge 1364 — 1876  
Washington Blvd., Ogden, Utah.

80. Loyal Order of Moose, Inc., Vernal Lodge  
1812—Vernal Ave. & 1st South, Vernal, Utah.

81. Loyal Order of Moose, George Club — 58  
Carbon Ave., Price, Utah.

82. Murray Aerie 1760 F.O.E.—4942 So. State,  
Murray, Utah.

83. N C O Open Mess, Dugway Proving Grounds  
—Dugway, Utah (military base).

84. N C O Open Mess, U. S. Army—Utah Gen-  
eral Depot, Ogden, U tah (military base).

85. Non Commissioned Officers' Open Mess —  
Fort Douglas (military base).

86. Non Commissioned Officers' Mess—Hill Air  
Force Base, (military base).

87. Officers' Open Mess, Camp Williams—Lehi,  
Utah (military base).



88. Officers' Open Mess, Tooele Ordnance Depot—Tooele, Utah (military base).
89. Officers' Open Mess — Dugway Proving Grounds, Dugway, Utah (military base).
90. Officers' Open Mess—Utah General Depot, Ogden, Utah (military base).
91. Oliver, Earl L., L Rae Club—83 East Center St., Moab, Utah.
92. Olympic Club, Inc.—1193 Wilmington Avenue, Salt Lake City, Utah.
93. Paletta, James Friendly Tavern—330 South Main St., Helper, Utah.
94. Pantelakis, John, Miner's Club—Dragerton, Utah.
95. Parsons, Kelly & Rose, Trocadero Club—70 South Main St., Helper, Utah.
96. Peck, Stanley & Ruth, Town & Country Club—Moab, Utah.
97. Perelle, Dominick, Sunset Inn—3230 West 7800 South, West Jordan, Utah.
98. Peterson, J. O., Elite Club—Dragerton, Utah.
99. Platis, John, Century Cafe, Annex—63 West Main, Price, Utah.
100. Platis, Nick, Nicky's Lounge—Price, Utah.
101. Regis, Fred, Regis's Club—Helper, Utah.
102. Riverside Country Club—2701 North 150 East, Provo, Utah.
103. Santi, Victor, El Rancho Lounge—Price, Utah.

104. Sierra Corp. Sabre Club—3737 South State, Salt Lake City, Utah.

105. Star, Matt, Helper Club—116 South Main, Helper, Utah.

106. Stump, Gleason, Gig's Cafe—Eureka, Utah.

107. Tallerico, Edward, Club Oasis—4 South Carbon Ave, Price, Utah.

108. Tsitsizides, Steve, White Star Cafe—48 East 1st South, Price, Utah.

109. Twitchell, Louis, James, Alibi Club—Moab, Utah.

110. University Club—136 East South Temple, Salt Lake City, Utah.

111. Utah Liquor Control Commission, Store No. 1—377 West 2nd South, Salt Lake City, Utah.

112. VFW Atomic Post Club—175 South State St., Salt Lake City, Utah.

113. V.F.W. Sugarhouse Post 3586—2920 Highland Drive (rear), Salt Lake City, Utah.

114. Veterans of Foreign Wars, Post 9323—291 East Center St., Moab, Utah.

115. Veterans of Foreign Wars, Cottoam Hafen Post 2628—303 East 100 South, St. George, Utah.

116. Weber Club, Inc.—Ogden, Utah.

117. Willow Creek Country Club—8300 South 2700 East, Sandy, Utah.

118. Xanthos, Tony, Big Four Club—501 Main Street, Bingham Canyon, Utah.

119. Zakis, Nick P., N Z Inn—Dragerton, Inn.