

'Liquor Lobby Framed Me,' Gaston Says

Edward Page Gaston, 74, prohibition leader, declared yesterday that "the liquor lobby has framed me in revenge for my dry activities" after he



received word that his conviction on charges of illegally wearing the uniform of an Army captain was upheld yesterday by the United States Court of Appeals.

"They can't intimidate me," GASTON he said as he announced he was appealing to the United States Supreme Court and also was moving for a congressional investigation.

Gaston was sentenced by Municipal Court last May to serve 90 days and pay \$150 fine after he was arrested for wearing the Army uniform to an evening function of the National Press Club canteen. He has been out on bond.

Associate Justice Thurman Arnold in the appeals opinion wrote that Gaston was given a jail sentence for an act he apparently committed in good faith, and without knowing it was illegal. He stated "the prosecution seems like an extremely technical rather than essentially just enforcement of law."

The statute governing the charge does not require intent, Justice Arnold pointed out, but he expressed the hope that the trial court would have an opportunity to review the severity of the sentence.

He related that Gaston had been a captain in the New York State Guard and "it appears he convicted himself, by reason of notices from the Reserve Officers Association mistakenly addressed to him as captain, and by reason of his membership in the United States Infantry Association that he had a right to wear the uniform on special occasions."