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IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DIVISION
OF THE WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA, Plaintiff,

-vs-

No. 11769

PAT NOONAN, JOE SCHOOL,

CHARLES BINAGIO, MILAN

REDIS, GLEN WHITE, EDDIE

MORAN, LINK MORAN, SILAS

COUNTS, FRANK HART,

Defendants.

INDICTMENT

COUNT I

The grand jurors of the United States of America, duly and legally chosen, selected, summoned and drawn from the body of the Western District of Missouri, and duly and legally empanelled, sworn and charged to inquire of and concerning crimes and offenses against the United States of America in the Western District of Missouri, upon their oaths present and charge that Pat Noonan, Joe School, Charles Binagio, Milan Redis, Glen White, Eddie Moran, Link Moran, Silas Counts, and Frank Hart, all of said Above-mentioned persons being hereinafter referred to as the defendants, and whose true names, other than as herein set forth, are to this grand jury unknown, and numerous and divers other persons whose names are to this grand jury unknown, and cannot, therefore, be set forth specifically, at a point near 82nd and Troost Avenue, in Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri, and at divers other places in Kansas City, Jackson County, Missouri, the exact places being to this grand jury unknown, all within the said Western Division of the Western District of Missouri, and all within the jurisdiction of this Court, on or about the 1st day of August, 1932, and within three years immediately next and prior to the day and the date of the filing of this indictment, and continuously at all times thereafter, did

unlawfully, wilfully, knowingly, and feloniously conspire, confederate and agree among them-

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selves and with each other to commit offenses against the laws of the United States of America, and more particularly and more specifically against Section 2 and 3 of Title Two of the National Prohibition Act of October 28, 1919, in this, that they, the said defendants and other persons to the grand jury unknown, would unlawfully, wilfully and feloniously possess, barter, sell, transport and manufacture certain intoxicating liquors, to-wit: whiskey, alcohol, gin, ale and beer, fit for and intended for use as beverages, and would maintain a common nuisance, in that they, the said defendants, would maintain and operate a certain one-story frame building at and near 82nd and Troost Avenue, Kansas City, Jackson County, Missouri, commonly known as the White House Tavern (Kit Kat Nite Club), wherein intoxicating liquors, to-wit: whiskey, alcohol, gin, ale and beer, fit for and intended for use as beverages, would be unlawfully possessed, kept, bartered and sold in violation of the National Prohibition Act, as aforesaid;

And the grand jurors aforesaid, upon their oaths aforesaid, do further present and charge that the said defendants and each of them and other persons whose names are to the grand jury unknown, and for that reason cannot be specifically mentioned, pursuant to said unlawful conspiracy, combination, confederation and agreement, and to effect the object and purpose of the same, did thereafter unlawfully, wilfully, knowingly and feloniously commit certain overt acts, part of which said overt acts are specifically stated as follows:

I.

That on or about the 1st day of August, 1932, in Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri, the exact date and place being to the grand jury unknown, the said Link Moran, Pat Noonan, Charles Binagio and Joe School did make financial and business arrangements for the control, possession and management of a certain one-story frame building at and near 82nd and Troost Avenue, Kansas City, Jackson

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County, Missouri, commonly known as the White House Tavern (Kit Kat Nite Club);

II.

That on or about the 1st day of September, 1932, at Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri, the exact time and place to the grand jurors unknown, the defendants Link Moran, Pat Noonan and Joe School did acquire, purchase and secure control of certain fixtures, furnitures, appliances, utensils, building and equipment located in a certain one-story frame building at and near 82nd and Troost Avenue, Kansas City, Jackson County, Missouri, from Charles Armstrong and Mamie Armstrong, which said one-story frame building and business establishment was and is commonly known as the White House Tavern (Kit Kat Nite Club);

III.

That on or about the 8th day of September, 1932, at a one- story frame building located at and near 82nd and Troost Avenue, Kansas City, Jackson County, Missouri, commonly known as the White House Tavern (Kit Kat Nite Club), one Silas Counts did then and there unlawfully, wilfully, feloniously, and in violation of the National Prohibition Act, sell six whiskey highballs, fit for and intended for use for beverage purposes, and containing more than one half of one per cent of alcohol by volume; contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the United States of America;

IV.

That on or about the 10th day of September, 1932, at one- story frame building located at and near 82nd and Troost Avenue, Kansas City, Jackson County, Missouri, one colored waiter in the employ of the said Pat Noonan, Joe School, Link Moran and Charles Binagio, and whose name is, to the grand jurors unknown, did then and there unlawfully, wilfully and feloniously, and in violation of the National Prohibition Act, sell ten ounces of whiskey and two

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pints of beer, fit for and intended for use for beverage purposes, and containing more than one half of one per cent of alcohol by volume; contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the United States of America;

V.

That on or about September 8, 1932, at one-story frame building located at and near 82nd and Troost Avenue, com only known as the White House Tavern (Kit Kat Nite Club), the defendants Pat Noonan, Joe School, Link Moran and Charles Binagio did then and there receive the financial benefits of Two Dollars and Ten Cents (\$2.10), the proceeds of a sale of intoxicating liquors then and there made by Silas Counts, in the employ of said defendants;

VI.

That on or about September 10, 1932, at a one-story frame building at and near 82nd and Troost Avenue, Kansas City, Jackson County, Missouri, which building is commonly known as the White House Tavern (Kit Kat Nite Club), the defendants Pat Noonan, Joe School, Link Moran and Charles Binagio did then and there receive the financial benefits of the sum of Two Dollars and Fifty Cents (\$2.50), received from a sale of intoxicating liquors sold by a colored waiter in the employ of the said defendants, and whose name is to the grand jurors unknown;

VII.

That on or about the 8th day of September, 1932, at a one- story frame building located at and near 82nd and Troost Avenue, Kansas City, Jackson County, Missouri, the defendants Pat Noonan, Joe School, Link Moran and Charles Binagio did own, operate and maintain a certain club, establishment and business, commonly known as the White House Tavern (Kit Kat Nite Club);

VIII.

That on or about the 1st day of September, 1932, and contin-

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uously thereafter, and at all times until the 27th day of September, 1932, the said defendants,

Pat Noonan

Glen White

Joe School

Eddie Moran

Charles Binagio

Link Moran

Milan Redis

Silas Counts

Frank Hart,

did, at a point at and near 82nd and Troost Avenue, Kansas City, Jackson County, Missouri, and within the Western Division of the Western District of Missouri, and within the jurisdiction of this Court, unlawfully, wilfully, knowingly and feloniously, at a certain one-story frame building then and there located, and then and there commonly known as the White House Tavern (Kit Kat Nite Club), maintain and keep a certain common nuisance, as defined by the National Prohibition Act, that is, did so unlawfully keep and maintain said building wherein intoxicating liquors, including whiskey, alcohol, gin and beer, were unlawfully kept, bartered and sold, in violation of the National Prohibition Act;

And the grand jurors aforesaid, upon their oaths aforesaid, do further present and charge that all of the overt acts herein alleged to have been committed were committed in furtherance of said conspiracy entered into by said defendants,

Pat Noonan

Glen White

Joe School

Eddie Moran

Charles Binagio

Link Moran

Milan Redis

Silas Counts

Frank Hart,

and to effect the object and purpose of the same; contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the United States of America.

COUNT II

And the grand jurors aforesaid, upon their oaths aforesaid, do further present and charge that on the 8th day of September, 1932, at a one story frame building, commonly known as the White House Tavern (Kit-Kat Night Club) at and near 82nd & Troost Avenue, Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri, one Pat Noonan, Joe School, Charles Binagio, Milan Redis, Glen White, Eddie Moran, Link Moran, Silas Counts and Frank Hart whose true names other than as herein set forth are to these grand jurors unknown, then and there being, did then and there unlawfully, wilfully, knowingly and feloniously, and in violation of the National Prohibition Act, sell a certain quantity of intoxicating liquor, intended and fit for beverage purposes, towit:

six whisky highballs

containing more than one-half of one per cent of alcohol by volume:

Contrary to the form of the statute in such case made and provided, and against the peace and dignity of the United States of America.

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COUNT III

And the grand jurors aforesaid, upon their oaths aforesaid, do further present and charge that on the 10th day of September, 1932, at a one story frame building, commonly known as the White House Tavern, (Kit-Kat Night Club) at and near 82nd & Troost Avenue, Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri, one Pat Noonan, Joe School, Charles Binagio, Milan Redis, Glen White, Eddie Moran, Link Moran, Silas Counts, and Frank Hart, whose true name sother than as herein set forth are to these grand jurors unknown, then and there being, did then and there unlawfully, wilfully, knowingly and feloniously, and in violation of the National Prohibition Act, sell a certain quantity of intoxicating liquor, intended and fit for beverage purposes, towit:

ten ounces of whisky and two pints of beer

containing more than one-half of one per cent of alcohol by volume;
Contrary to the form of the statute in such case made and provided, and against the
peace and dignity of the United States of America.

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COUNT IV

And the grand jurors aforesaid upon their oaths aforesaid do further present and charge that on the 10th day of September 1932, at a one story frame building, commonly known as the White House Tavern, (Kit-Kat Night Club) at and near 82nd & Troost Avenue, Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri, one Pat Noonan, Joe School, Charles Binagio, Nilan Redis, Glen White, Eddie Moran, Link Moran, Silas Counts, and Frank Hart, did then and there wilfully, unlawfully and feloniously carry on the business of a retail dealer in spirituous and distilled intoxicating liquor without having paid the special tax therefor was required by law: Contrary to the form of the statute in such case made and provided and against the peace and dignity of the. United States of America

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COUNT V

And the grand jurors aforesaid upon their oaths aforesaid, do further present and charge that on the 1st day of September 1932, thence hitherto, in the Western Division of the Western District of Missouri, one Pat Noonan, Joe School, Charles Binago, Milan Redis, Glen White, Eddie Moran, Link Moran, Silas Counts and Frank Hart, whose names other than as herein set forth are to the grand jury unknown, unlawfully, wilfully, knowingly and feloniously did maintain a common nuisance at, in and upon the room, house, building and place, more particularly described and designated as follows: a one story frame building, commonly known as the White House Tavern, (Kit-Kat Night Club) at and near 82nd & Troost Avenue, Kansas City, Jackson County, Missouri, where intoxicating liquor, intended and fit for beverage purposes, towit, whisky, alcohol and

beer, gin and ale containing more than one-half of one per cent of alcohol by volume, was sold, possessed, kept and bartered in violation of Title II of the National Prohibition Act: Contrary to the form of the statute in such case made and provided and against the peace and dignity of the United States of America.

Geo. H. Hubbell

ASSISTANT UNITED STATES ATTORNEY

A TRUE BILL:

Ralph D. Weeks

FOREMAN OF THE GRAND JURY

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Form No. 195

No. 11769

UNITED STATES District COURT

Western District of Missouri

Western Division

THE UNITED STATES OF AMERICA

vs.

PAT NOONAN, JOE SCHOOL, CHARLES BINAGIO, MILAN REDIS, GLEN WHITE,
EDDIE MORAN, LINK MORAN, SILAS COUNTS, FRANK HART

INDICTMENT

In Violation of National Prohibition Act

A true bill,

Foreman.

Filed in open Court this day

of September A. D. 1932.

Clerk.
Bail, \$

FILED
OCT 4 1932
EDWIN R. DURHAM, CLERK
BY Maisie R. Schauer
DEPUTY.