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UNITED STATES OF AMERICA,
WESTERN DIVISION,
WESTERN DISTRICT OF
MISSOURI,

SS.

In the District Court of the United States for the Western Division of the Western District of Missouri, April term thereof, A. D. 1924.

The Grand Jurors of the United States of America, duly empanelled, sworn and charged, in and for the District Court of the United States for the Western Division of the Western Judicial District of Missouri, at the April term thereof, 1924, and inquiring in and for the said division of said district, upon their oaths present and charge:

That heretofore, on or about the 15th day of October, 1922, and continuously thereafter and until the 13th day of May, 1924, Elton Apt and Arthur L. Curran were Government prohibition agents working in and out of Kansas City, Missouri, and charged with the duty as such prohibition agents and as employes of the United States Government of searching out, apprehending and arresting and prosecuting violators of the National Prohibition Act;

That heretofore, on or about the 1st day of January, 1923, and continuously thereafter and until the 13th day of May, 1924, the said Elton Apt and Arthur L. Curran, within the Division and District aforesaid, and within the City of Kansas City, Missouri, in said division and District aforesaid, and within the jurisdiction of the Court aforesaid, together with divers other persons whose names are to the Grand Jurors unknown, did unlawfully, knowingly, willfully and feloniously confederate, conspire and agree together, among themselves, to commit an offense against the United States, said conspiracy being more fully set forth as follows, that is to say:

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That the said Elton Apt and Arthur L. Curran did then and there unlawfully, knowingly, willfully and feloniously conspire and agree together, among themselves, and with each other and with divers other persons to the Grand Jurors unknown that they and each of them, should, as prohibition agents, search out and find divers persons who were then and there engaged in the illicit sale and manufacture, and who were then and there in the unlawful possession of intoxicating liquors, as defined by Section 1 of Title Two of the National Prohibition Act; that it was further a part of said conspiracy that the said Elton Apt and Arthur L. Curran should conduct raids of and upon the places of business or the homes of those so engaged in the unlawful sale and manufacture, or who were then and there in the unlawful possession of intoxicating liquors, as defined by Section 1 of Title Two of the National Prohibition Act, to-wit, alcohol, whiskey, gin and other intoxicating liquors, suitable for beverage purposes, and containing one-half of one per centum of alcohol by volume, or more, in violation of Title Two of the National Prohibition Act and more particularly Sections 3 and 6 of said Title and Act; that

it was further a part of said conspiracy that they, the said Elton Apt and Arthur L. Curran, should threaten to arrest and prosecute said persons so found by them to be manufacturing or selling or in the unlawful possession of intoxicating liquors within the meaning of said National Prohibition Act, and in violation thereof, and should then and there demand of and receive from said persons a certain sum or sums of money, the exact amount or amounts being to the Grand Jurors unknown, then and there agreeing in considera-

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tion of the payment of said money that said persons would not be arrested for the violation of said Act, or interfered with in the further manufacture and sale, or possession of intoxicating liquors, but, on the contrary, that they, the said persons, should be afforded protection by the said Elton Apt and Arthur L. Curran from interference, detection and arrest for so unlawfully manufacturing, selling or being in the unlawful possession of intoxicating liquors; that it was further a part of said conspiracy that the said Elton Apt and Arthur L. Curran should then and there further agree with said persons so found by them to be engaged in the unlawful manufacture and sale of intoxicating liquors or in the unlawful possession thereof to permit and encourage such persons to continue the unlawful sale and manufacture of intoxicating liquors, then and there agreeing with such person or persons to protect them from molestation, arrest or prosecution for the unlawful sale, manufacture or possession of said intoxicating liquors, and to further save harmless from seizure by any Federal officer or agent the property of said persons used in the unlawful manufacture and sale or possession of intoxicating liquors aforesaid; that it was further a part of said conspiracy that if arrests of any persons so found to be engaged in the unlawful manufacture and sale of intoxicating liquors or to be unlawfully in possession thereof were made that the said Elton Apt and Arthur L. Curran should withhold testimony concerning said matters or should give false testimony at the hearing or trial of the person, or persons, so arrested, to the end that he or they might be discharged by the United States Commissioner before whom such person or persons were taken.

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The Grand Jurors, aforesaid, upon their oaths aforesaid, do further present and charge that in pursuance of said unlawful conspiracy, confederation and agreement and to effect the object thereof, the said defendants, at the several times and places hereinafter mentioned, did certain acts, among others, to effectuate and carryout such conspiracy, that is to say:

That during the year 1923, the said defendant Elton Apt in and for the purpose of carrying out said conspiracy at divers and sundry times collected various sums of money, the amounts being to the Grand Jurors unknown, from one Ike Levikow and from one Joe Harnes and divers persons to the Grand Jurors unknown who were then and there in Kansas City, Missouri, engaged in the illicit and unlawful manufacture and sale of intoxicating liquors within the meaning of said National Prohibition Act in violation of said Act, the said Elton Apt then and there agreeing in consideration of said sums of money, for and on behalf of himself and the said

Arthur L. Curran, not to arrest such persons and then and there failing, neglecting and refusing to arrest them and then and there agreeing with such persons to give and grant to each of such persons protection from arrest or prosecution for the continued unlawful manufacture and sale of intoxicating liquors; that the said Elton Apt at divers and sundry times to the Grand Jurors unknown, divided said money so collected with the defendant, Arthur L. Curran, with the knowledge and consent upon the part of the said Arthur L. Curran as to the purposes for which said moneys were collected and received by the said defendant, Elton Apt.

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Contrary to the form of the statutes in such cases made and provided, and against the peace and dignity of the United States.

R. R. Brewster
Special Assistant to the Attorney General of the United States.

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No. 6471

UNITED STATES District COURT,
Western District of Missouri
Western Division.

THE UNITED STATES OF AMERICA
vs.
Elton Apt and Arthur L. Curran

INDICTMENT
Sec. 37 Penal Code

A true bill,
H. E. BASKETT
Foreman.

Filed in open Court this 14th day
of May, A. D. 1924

Edwin R. Durham
Clerk
By H. C. Spaulding, DC
Bail, \$