

IN THE DISTRICT COURT OF THE UNITED STATES, FOR THE WESTERN
DISTRICT OF MISSOURI.

United States of America, Plaintiff,

vs.

Joe Pasano, alias Joe Pete, Frank B. Mulloy, alias Fritz Mulloy, Ralph Rosenberg, alias Red Rosenberg, William A. Cacy, Leopold Schwarz, alias Leo Schwarz, Lawrence Cipolla, alias Barrel, William G. Michael, Roy Barrett, alias Roy Franklin, Robert Carnahan, Frank Martin, alias Cliff, alias A. R. McDonald, Noxie Barber, alias Noxia LaBarba, Tudia Pasano, alias Joe Jackson, George Galbraith, Lawrence Cardella, Joe Toia, Walter A. Porter, Adolph Sutter, Edward S. Alderson, Joe Kleason, Eugene F. Moore, alias Gene Moore, alias Morgan, Jimmie Hicks, Ott Holmes, Jimmie LaCapra, alias Jimmie Needles, Red Oaks, Walter Skinner, Martin Wiseman, Ray Broom, Max Cohen, James Stiff, Carl A. Wahlin, alias A. Wallin, Grant T. Moffatt, D. L. Pickett, Sam Hogg, June Kathren, Newton Guy Brock, James B. Franklin, Rosemary Lyons, John Lazia, Charles Corrolla, alias Charley the Wop, Charles W. Corbett, William McMurray, alias Billy Mack, John Roth, alias Whitey, Thomas G. Bramlett, Charlie Jenson, Louis Kent Berger, alias Eddie Carroll, James H. Burton, alias Herman, Sam Eddy, and The North Side Finance Company, a corporation, Defendants.

No. 10839

I N D I C T M E N T

The grand jurors of the United States, duly and legally 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 in the Western District of Missouri upon their oaths present and charge that

Joe Pasano, alias Joe Pete, Ralph Rosenberg, alias Red Rosenberg, Leopold Schwarz, alias Leo Schwarz, Roy Barrett, alias Roy Franklin, Noxie Barber, alias Noxia LaBarba, George Galbraith, Joe Toia, Adolph Sutter, Joe Kleason, Jimmie Hicks, Ott Holmes, Red Oaks, Walter Skinner, Ray Broom, James Stiff, Grant T. Moffatt, Sam Hogg, Newton Guy Brock, Rosemary Lyons, Charles Corrolla, alias Charley the Wop, John Roth, alias

Whitey, Thomas G. Bramlett, Louis Kent Berger, alias Eddie Carroll, The North Side Finance Company, a corporation, Frank B. Mulloy, alias Fritz Mulloy, William A. Cacy, Lawrence Cipolla, alias Barret, William G. Michael, Robert Carnahan, Frank Martin, alias Cliff, alias A. R. McDonald, Tudia Pasano, alias Joe Jackson, Lawrence Cardella, Walter A. Porter, Edward S. Alderson, Eugene F. Moore, alias Gene Moore, alias Morgan, Jimmie LaGapra, alias Jimmie Needles, Martin Wiseman, Max Cohen, Carl A. Wahlin, alias Al Wallin, D. L. Pickett, June Kathren, James B. Franklin, John Lazia, Charles W. Corbett, William McMurray, alias Billy Mack, Charlie Jenson, James H. Burton, alias Herman, Sam Eddy,

hereinafter referred to as defendants, and divers other persons, the names of said defendants and divers other persons being to this grand jury unknown, on or about the 1st day of January, 1930, the exact date being to this grand jury unknown, did unlawfully, wilfully and feloniously conspire, confederate and agree among themselves and with each other to commit offenses against the laws of the United States, and more specifically against Sections 3 (27 U.S.C.A., 12), 14 (27 U.S.C.A.,26), 15 (27 U.S.C.A.,27), 16 (27 U.S.C.A.,28), 23 (27 U.S.C.A.,35), and 25 (27 U.S.C.A., 39) of the National Prohibition Act, all of said sections herein cited being laws of the United States in full force and effect, in this, that the said defendants would manufacture, sell, barter, transport, import, deliver, furnish and possess intoxicating liquor fit and intended for use as a beverage, and that they, the said defendants, would induce common carriers, the names of which are to this grand jury unknown, to carry and ship receptacles containing intoxicating liquor, without notifying the carrier of the true nature and character of the shipment, and that the said defendants, as consignees, would accept and receive packages containing intoxicating liquor, towit, alcohol, whisky and wine, upon which packages would appear a statement known to said defendants to be false, and that the said defendants would give to common carriers, and to officers, agents and persons acting and assuming to act for such common carriers, orders requiring the delivery to said defendants of packages containing intoxicating liquor, towit, alcohol, whisky and wine, when the purpose of said order would be to enable said defendants to obtain such packages of intoxicating liquor when they were not the bona fide consignees of same,

and that they, the said defendants, with intent to effect the sale of intoxicating liquor, towit, alcohol, whiskies and wines, would solicit, take and accept orders for the sale, shipment and delivery of intoxicating liquors, towit, alcohol, whiskies and wines, and that they, the said defendants would possess intoxicating liquors, towit, alcohol, whiskies and wines for use in violating the National Prohibition Act, and all in violation of said Act. during the continuance of said conspiracy, and pursuant to said unlawful conspiracy, combination, confederation and agreement, and to effect the object and purpose of the same, did commit certain overt acts, which said overt acts are specifically as follows:

1.

On or about the 1st day of January, 1931, and for several months thereafter Frank B. Mulloy, alias Fritz Mulloy, Ray Joe Pasano, alias Joe Pete, Ralph Rosenberg, alias Red Rosenberg, Leopold Schwarz, alias Leo Schwarz, Roy Barrett, alias Roy Franklin, Noxie Barber, alias Noxia LaBarba, George Galbraith, Joe Toia, Adolph Sutter, Joe Kleason, Jimmie Hicks, Ott Holmes, Red Oaks, Walter Skinner, Ray Broom, James Stiff, Grant T. Moffatt, Sam Hogg, Newton Guy Brock, Rosemary Lyons, Charles Corrolla, alias Charley the Wop, John Roth, alias Whitey, Thomas G. Bramlett, Louis Kent Berger, alias Eddie Carroll, The North Side Finance Company, a corporation, Broom, William A. Cacy, Ralph Rosenberg, alias Red Rosenberg, Tudia Pasano, alias Joe Jackson, Leopold Schwarz, alias Leo Schwarz, did rent a room, same being Room No. 404 at the Chimes Apartments on West Eleventh Street, in Kansas City, Missouri, to occupy as an office from which to carry on the business of selling intoxicating liquor, towit, alcohol, whiskies and wines.

2.

For several months immediately prior to the 15th day of June, 1931, Frank B. Mulloy, alias Fritz Mulloy, Tudia Pasano, alias Joe Jackson, Leopold Schwarz, alias Leo Schwarz, Ray Broom, William A. Cacy, Ralph Rosenberg, alias Red Rosenberg, Louis Kent Berger, alias Eddie Carroll, Frank Martin, alias Cliff, alias A. R. McDonald, June Kathren, Lawrence Cipolla, alias Barrel, Roy Barrett, alias Roy Franklin, Robert Carnahan and William G. Michael did rent and occupy an apartment over the Troy Cleaners on the northeast corner of 43rd and Main Streets in Kansas City, Missouri, and used said premises as a place to receive and fill orders for intoxicating liquors, and to

store said liquors for sale in violation of the National Prohibition Act.

3.

For several days immediately prior to the 25th day of June, 1931, Tudia Pasano, alias Joe Jackson, William A. Cacy, Frank B. Mulloy, alias Fritz Mulloy, Leopold Schwart, alias Leo Schwarz, Newton Guy Brock, Lawrence Cipolla, alias Barrel, Robert Carnahan and William G. Michael and Ralph Rosenberg, alias Red Rosenberg, rented and occupied rooms 945 and 947 at the President Hotel on the northeast corner of 14th Street and Baltimore Avenue, in Kansas City, Missouri, as an office to keep for sale intoxicating liquor, and at which to receive and fill orders for said liquors, and to transact other business of the said conspirators in ef-

4.

For several months immediately preceeding the 25th day of June, 1931, James H. Burton, alias Herman, Frank Martin, alias Cliff, alias A. R. McDonald, and Louis Kent Berger, alias Eddie Carroll, did rent, maintain and occupy a room, towit, Room 904 at the LaSalle Hotel on Linwood Boulevard, in Kansas Oity, Missouri, as an office to receive and fill orders for intoxicating liquors, towit, alcohol, whiskies and wines, and to store said intoxicating liquors for sale, and to transact other business of the said conspirators in effecting the object of said conspiracy.

5.

For several months immediately prior to the 25th day of June, 1931, Walter Skinner and Sam Eddy rented, occupied and maintained an office at Room 212, Washington Hotel in Kansas City, Missouri, to receive and fill orders for intoxicating liquors, towit, alcohol, whiskies and wines, and to store said liquors for sale.

6.

For several months immediately preceeding the 25th day of June, 1931, Newton Guy Brock and Jimmie Hicks did rent, maintain and occupy Room 415 at the Washington Hotel, in Kansas City, Missouri, as a place for the receipt and the filling of orders for intoxicating liquors, towit, alcohol, whiskies and wines, and to store said intoxicating liquors for sale, for the purpose of carrying out the illegal objects of said conspiracy.

7.

On and prior to the 6th day of March, 1931, said defendants did store and cause to be

stored in an outbuilding on the farm of Adolph Sutter at 83rd Street and James A, Reed Road, in Jackson County, Missouri, thousands of gallons of alcohol and malt whisky for sale, in violation of the National Prohibition Act.

8.

Said defendants did, on and prior to the 6th day of March, 1931, store and cause to be stored on the Edward S. Alderson farm near 83rd Street and Oldham Road, in Jackson County, Missouri, several thousand gallons of alcohol to be used for sale in violation of the National Prohibition Act.

9.

Said defendants, on and immediately prior to May 26th, 1931, did store and cause to be stored at the home of James B. Franklin, 2138 East 83rd Street, in Kansas City, Missouri, thousands of gallons of alcohol, malt whisky, gin, Bourbon whisky, benedictine, Creme de Menthe and other intoxicating liquors, to be sold in violation of the National Prohibition Act and in furtherance of said conspiracy.

10.

Said defendants did store and cause to be stored at the home of Lawrence Cardella, at 8411 Holmes Street, in Kansas City, Missouri, for several days immediately prior to June 25th, 1931, whisky, gin, benedictine, Creme de Menthe, and other intoxicating liquors to be used in violation of the National Prohibition Act and in furtherance of said conspiracy.

11.

Said defendants did store and cause to be stored, on March 20th, 1931, at the home of Noxie Barber, alias Noxia LaBarba, in Kansas City, Missouri, whisky for sale in violation of the National Prohibition Act and in furtherance of said

12.

Said defendants did on March 21st, 1931, and at divers other times, store and cause to be stored at the home of Louis Kent Berger, alias Eddie Oarroll, at 2220 Brooklyn Avenue, in Kansas City, Missouri, alcohol and whisky to be sold in violation of the National Prohibition Act and to effect the object of this conspiracy.

13.

Said defendants. did on March 28th, 1931, and at divers other times, store and cause

to be stored at the home of Frank Martin, alias Cliff, alias A. R. McDonald, at 7115 Sni-a-bar Road, Jackson County, Missouri, alcohol, whisky, champagne, benedictine, Creme de Menthe, and other intoxicating liquors to be used in violation of the National Prohibition Act and to effect the object of this conspiracy.

14.

Said defendants did store and cause to be stored, on April 11th, 1931, and at divers other times, alcohol and whisky, at the home of William A. Cacy, 5308 Lydia Street, in Kansas City, Missouri, to be used in violation of the National Prohibition Act and in furtherance of said conspiracy.

15.

The North Side Finance Company, a corporation, acting through John Lazia and Charles Corrolla, alias Charley the Wop, its officers and agents, made a loan on a Chevrolet Sport Model Deluxe Coupe, Motor No. 2574343, belonging to the defendant Robert Carnahan, under the name of W. E. Watson, said John Lazia and Charles Corrolla, alias Charley the Wop knowing that said automobile was to be used in transporting liquor in violation of the National Prohibition Act and in furtherance of said conspiracy, and that the true name of Robert Carnahan was not W. E. Watson.

16.

The North Side Finance Company, a corporation, acting through its officers and agents, John Lazia and Charles Corrolla, alias Charley the Wop, in May, 1931, did loan money to Frank B. Mulloy, alias Fritz Mulloy, to purchase a Packard automobile to be registered with the Secretary of State, of the State of Missouri under an assumed name, said automobile to be used in transporting liquor in violation of the National Prohibition Act and in furtherance of this conspiracy.

17.

The North Side Finance Company, a corporation, acting through its officers and agents, John Lazia and Charles Corrolla, alias Charley the Wop, did, on or about March 1st, 1931, finance the purchase of one Ford Truck for defendant Frank B. Mulloy, alias Fritz Mulloy, and did cause said truck to be registered with the Secretary of State, of the State of Missouri, under the fictitious name of Roy Williams, knowing that said Ford Truck was to be used in violation of the National Prohibition Act and in furtherance of this

conspiracy.

18.

On or about February 1st, 1931, The North Side Finance Company, a corporation, acting through its officers and agents, John Lazia and Charles Corrolla, alias Charley the Wop, did finance the purchase of a Chevrolet Coupe for defendant William A. Cacy, and did cause said car to be registered with the Secretary of State, of the State of Missouri, under the fictitious name of Enna Lacy, obtaining license No. 83-712 Mo.1931, the said John Lazia and Charles Corrolla, alias Charley the Wop knowing said automobile was to be used in the unlawful transportation of intoxicating liquor in violation of the National Prohibition Act and in furtherance of said conspiracy.

19.

On February 26th, 1931, Louis Kent Barger, alias Eddie Car- roll received from the Chicago, Rock Island & Pacific Railway Company, at their freight depot in Kansas City, Missouri, ten 52-gallon drums of alcohol labeled "Laquer" and consigned to the fictitious consignee "Gaines Auto Top and Body Company, 1724 Wyandotte Street, Kansas City, Missouri."

20.

On February 9th, 1931, Louis Kent Berger, alias Eddie Car- roll received from the Chicago, Rock Island & Pacific Railway Company, at their freight depot in Kansas City, Missouri, ten 52-gallon drums of alcohol labeled "Lacquer" and consigned to the fictitious consignee "Gaines Auto Top and Body Company, 1724 Wyandotte Street, Kansas City, Missouri."

21.

On February 21st, 1931, Louis Kent Berger, alias Eddie Car- roll received from the Chicago, Rock Island & Pacific Railway Company, at their freight depot in Kansas City, Missouri, ten 52-gallon drums of alcohol labeled "Lacquer" and consigned to the fictitious consignee "Gaines Auto Top and Body Company, 1724 Wyandotte Street, Kansas City, Missouri."

22.

On May 11th, 1931, Louis Kent Berger, alias Eddie Carroll received from the Chicago, Rock Island & Pacific Railway Company, at their freight depot in Kansas City,

Missouri, ten 52- gallon drums of alcohol labeled "Oil" and consigned to the fictitious consignee "Nelson Petroleum Company, Kansas City, Missouri."

23.

On May 23rd, 1931, Louis Kent Berger, alias Eddie Carroll received from the Chicago, Rock Island & Pacific Railway Company, at their freight depot in Kansas City, Missouri, ten 52- gallon drums of alcohol labelled "Lubricating Oil" and addressed to the fictitious consignee "Nelson Petroleum Company, Kansas City, Missouri."

24.

On May 28th, 1931, Louis Kent Berger, alias Eddie Carroll received from the Chicago, Rock Island & Pacific Railway Company, at their freight depot in Kansas City, Missouri, ten 52- gallon drums of alcohol labelled "Boiler Compound" and addressed to the fictitious consignee "Southwestern Chemical Company, Kansas City, Missouri."

25.

On May 28th, 1931, Louis Kent Berger, alias Eddie Carroll received from the Chicago, Rock Island & Pacific Railway Company, at their freight depot in Kansas City, Missouri, ten 52- gallon drums of alcohol labelled "Heavy Lubricating Oil" and addressed to the fictitious consignee "Nelson-Moore Petroleum Company, Kansas City, Missouri."

26.

On May 31st, 1931, Louis Kent Berger, alias Eddie Carroll received from the Chicago, Rock Island & Pacific Railway Company, at their freight depot in Kansas City, Missouri, ten 52- gallon drums of alcohol labelled "Soda" and addressed to the fictitious consignee "Southwestern Chemical Company, Kansas City, Missouri" and shipped by Gold Star and Company, Chicago, Illinois.

27.

On May 7th, 1931, Louis Kent Berger, alias Eddie Carroll received from the Chicago, Rock Island & Pacific Railway Company, at their freight depot in Kansas City, Missouri, ten 52- gallon drums of alcohol hilled as "Heavy Lubricating Oil" and addressed to the fictitious consignee "Davis Abbot Oil Company, Kansas City, Missouri."

28.

On May 15th, 1931, Louis Kent Berger, alias Eddie Carroll received from the Chicago, Rock Island & Pacific Railway Company, at their freight depot in Kansas City,

Missouri, ten 52- gallon drums of alcohol billed as "Lubricating Oil" and addressed to the fictitious consignee "Davis Abbot Oil Company, Kansas City, Missouri."

29.

On May 15th, 1931, Louis Kent Berger, alias Eddie Carroll received from the Chicago, Rock Island & Pacific Railway Company, at their freight depot in Kansas City, Missouri, two drums of malt whisky billed as "Two boxes Caustic" and addressed to the fictitious consignee "Ryan Wiley Chemical Company, Kansas City, Missouri."

30.

On May 18th, 1931, Louis Kent Berger, alias Eddie Carroll received from the Chicago, Rock Island & Pacific Railway Company, at their freight depot in Kansas City, Missouri, ten 52- gallon drums of alcohol billed as "Crude Oil" and addressed to the fictitious consignee "Ryan Wiley Chemical Company, Kansas City, Missouri."

31.

On May 5th, 1931, Louis Kent Berger, alias Eddie Carroll received from the Chicago, Rock Island & Pacific Railway Company, at their freight depot in Kansas City, Missouri, ten 52- gallon drums of alcohol billed as "Boiler Compound" and addressed to the fictitious consignee "Southwestern Chemical Company, Kansas City, Missouri."

32.

On December 9th, 1930, the Kathren Transfer Company, through its agents and servants, received from the Chicago, Rock Island & Pacific Railway Company, at their freight depot in Kansas City, Missouri, one carload of 52-gallon drums of alcohol labelled "Paint and varnish Reducing Compound", alleged to have been consigned by the General Paint Company, 542 West 52nd Street, New York City, and addressed to the fictitious consignee "Johnson Auto Top and Body Company, Kansas City, Missouri."

33.

On January 8th, 1931, the Kathren Transfer Company, through its agents and servants, received from the Chicago, Rock Island & Pacific Railway Company, at their freight depot in Kansas City, Missouri, one carload of 52-gallon drums of alcohol labelled "Paint and Tarnish Reducing Compound", alleged to have been consigned by the General Paint Company, New York City, and addressed to the fictitious consignee "Johnson Auto Top and Body Company, Kansas City, Missouri. "

34.

On February 16th, 1931, the Kathren Transfer Company, through its agents and servants, received from the Chicago, Rock Island & Pacific Railway Company, at their freight depot in Kansas City, Missouri, one carload of 52-gallon drums of alcohol labelled "Lacquer", alleged to have been consigned by the Hartman Paint Company, New York City, and addressed to the fictitious consignee "Myers Auto Top Company, Kansas City, Missouri."

35.

its agents and servants, received from the Chicago, Hock Island & Pacific Railroad Company, at their freight depot in Kansas City, Missouri, one carload of 52-gallon drums of alcohol, labelled "Lacquer", alleged to have been consigned by the Northern Paint Company, of Montrose, New York, and addressed to the fictitious consignee "Myers Auto Top Company, Kansas City, Missouri."

36.

On February 5th, 1931, at Kansas City, Missouri, William A. Cacy sold two cases of whisky to Harry Duffish.

37.

On February 5th, 1931, at Kansas City, Missouri, Tudia Pasano, alias Joe Jackson, sold one-half case of whisky to one Eugene F. Moore, alias Gene Moore, alias Morgan.

38.

On February 6th, 1931, Tudia Pasano sold Eugene F. Moore, alias Gene Moore, alias Morgan, one-half case of whisky, at Kansas City, Missouri.

39.

On February 7th, 1931, said defendants, acting collectively, paid one Nate Parker, of New York City, \$3,900.00, as part payment on fifty 52-gallon drums of alcohol.

40.

On February 7th, 1931, William A. Cacy, at Kansas City, Missouri, sold one keg of malt whisky to Charlie Jenson.

41.

On February 9th, 1931, at Kansas City, Missouri, Ralph Rosenberg, alias Red Rosenberg sold Charlie Jenson 50 gallons of alcohol.

42.

On February 9th, 1931, at Kansas City, Missouri, William A. Cacy sold Charlie Jenson 50 gallons of alcohol and one case of whisky.

43.

On February 9th, 1931, at Kansas City, Missouri, Tudia Pasano, alias Joe Jackson sold Charlie Jenson four cases of whisky.

44.

On April 15th, 1931, at Kansas City, Missouri, James H. Burton, alias Herman, sold and delivered to Carl A. Wahlin, alias A1 Wallin 12 pints of Knickerbocker whisky.

45.

On April 15th, 1931, near 27th Street and Belleview Avenue, in Kansas City, Missouri, Carl A. Wahlin, alias A1 Wallin did transport 12 pints of Knickerbocker whisky in a Ford Coupe, license number 285-299 Mo. 1931, Motor No. A3096396.

46.

On April 15th, 1931, at 2727 Jarboe Street, in Kansas City, Missouri, Carl A. Wahlin, alias Al Wallin did possess 12 pints of Knickerbocker whisky.

47.

On May 8th, 1931, Roy Barrett, alias Roy Franklin and Louis Kent Berger, alias Eddie Carroll did transport 25 gallons of alcohol and one pint of whisky in a Chevrolet Coupe, Motor No. 2399503, in the vicinity of 60th and Wyandotte Streets, Kansas City, Missouri.

48.

On June 5th, 1931, Louis Kent Berger, alias Eddie Carroll and Ralph Rosenberg, alias Red Rosenberg did transport 520 gallons of alcohol in a Ford Truck, Motor No. AA4180016, from 14th and Wyoming Streets, to 412 Oak Street, in Kansas City, Missouri.

49.

On February 11th, 1931, Noxie Barber, alias Noxia LaBarba sold four cases of whisky, at Kansas City, Missouri.

50.

On February 11th, 1931, Noxie Barber, alias Noxia LaBarba sold Tudia Pasano, alias Joe Jackson 25 gallons of alcohol, at Kansas City, Missouri.

51.

On February 13th, 1931, at Kansas City, Missouri, Tudia Pasano, alias Joe Jackson sold Eugene F. Moore, alias Gene Moore, alias Morgan one case of whisky.

52.

On February 13th, 1931, at Kansas City, Missouri, Noxie Barber, alias Noxia LaBarba sold Eugene F. Moore, alias Gene Moore, alias Morgan one-half case of whisky.

53.

On February 16th, 1931, William A. Cacy sold 25 gallons of alcohol at Kansas City, Missouri.

54.

On February 16th, 1931, at Kansas City, Missouri, William A. Cacy sold Joe Miller 25 gallons of alcohol.

55.

On February 17th, 1931, Noxie Barber, alias Noxia LaBarba sold and delivered 6 pints of whisky at the Westgate Hotel, in Kansas City, Missouri.

56.

On February 17th, 1931, Sam Hogg sold 50 gallons of alcohol at Kansas City, Missouri.

57.

On February 17th, 1931, Tudia Pasano, alias Joe Jackson sold D. L. Pickett one automobile load of alcohol, containing approximately 90 gallons, at Kansas City, Missouri.

58.

delivered five cases of whisky to Tudia Pasano, alias Joe Jackson, in Kansas City, Missouri.

59.

On February 18th, 1931, in Kansas City, Missouri, Tudia Pasano, alias Joe Jackson bought from one Nate Parker, in New York City, fifty 52-gallon drums of alcohol.

60.

On February 20th, 1931, at Kansas City, Missouri, William A. Cacy sold Joe Miller 50 gallons of alcohol.

61.

On February 21st, 1931, at Kansas City, Missouri, William A. Cacy and Noxie Barber, alias Noxia LaBarba sold and delivered 110 gallons of alcohol.

62.

On February 21st, 1931, Noxie Barber, alias Noxia LaBarba delivered 75 gallons of alcohol to Newton Guy Brock, in Kansas City, Missouri.

63.

On February 21st, 1931, Nate Parker, of New York City, mailed Ray Broom, at Kansas City, Missouri, instructions for the return shipment to Nate Parker, of New York City, thirty- five 52-gallon drums of alcohol.

64.

On February 23rd, 1931, William A. Cacy, at Kansas City, Missouri, sold Charlie Jenson one case of whisky.

65.

On February 24th, 1931, Thomas G. Bramlett placed an order with William A. Cacy for one case of Blue Grass whisky, at Kansas City, Missouri.

66.

alias Fritz Mulloy, Ralph Rosenberg, alias Red Rosenberg, Ray Broom, and Newton Guy Brock mailed a check to Chicago, Illinois in payment for 630 gallons of alcohol, and at the same time ordered twelve 52-gallon drums of alcohol, at Kansas City, Missouri.

67.

On February 24th, 1931, at Kansas City, Missouri, William A. Cacy paid Charles W. Corbett \$200.00.

68.

On February 24th, 1931, Leopold Schwarz, alias Leo Schwarz and Frank Martin, alias Cliff, alias A. R. McDonald delivered one case of whisky to Room 636, Savoy Hotel, Kansas City, Missouri, and transported same in a Model A Ford Coupe, Motor No. A4046182.

69.

On February 27th, 1931, Tudia Pasano, alias Joe Jackson, Frank B. Mulloy, alias Fritz Mulloy, Newton Guy Brock, Ralph Rosenberg, alias Red

Rosenberg, Ray Broom and Leopold Schwarz, alias Leo Schwarz paid \$37.00 on a Chevrolet Coupe purchased by Tudia Pasano, alias Joe Jackson through the North Side Finance Company, a corporation.

70.

On February 28th, 1931, at Kansas City, Missouri, William A. Cacy sold Walter A. Porter 25 gallons of alcohol.

71.

On February 28th, 1931, at Kansas City, Missouri, Noxie Barber, alias Noxia LaBarba sold William G. Michael 50 gallons of alcohol.

72.

On March 2nd, 1931, at 314 West Tenth Street, Kansas City, Missouri, Thomas G. Bramlett sold one case of whisky.

On March 4th, 1931, in Kansas City, Missouri, said defendants received one carload of 52-gallon drums of alcohol from Nate Parker and Oharley Cramer of New York City.

74.

On February 4th, 1931, at Kansas City, Missouri, Newton Guy Brock sold 50 gallons of alcohol.

75.

On February 4th, 1931, at Kansas City, Missouri, Newton Guy Brock sold 5 gallons of alcohol.

76.

On March 5th, 1931, Frank B. Mulloy, alias Fritz Mulloy, Ray Broom, Ralph Rosenberg, alias Red Rosenberg, Newton Guy Brook, Tudia Pasano, alias Joe Jackson and Noxie Barber, alias Noxia LaBarba held a meeting at Room 404, Chimes Apartments, in Kansas City, Missouri.

77.

On March 5th, 1931, Noxie Barber, alias Noxia LaBarba sold Jimmie Hicks 50 gallons of alcohol, in Kansas City, Missouri.

78.

On March 5th, 1931, Ray Broom sold Tudia Pasano, alias Joe Jackson 50 gallons of alcohol, in Kansas City, Missouri.

79.

On March 2nd, 1931, Martin Wiseman delivered a quantity of alcohol and whisky to Ott Holmes in Kansas City, Missouri, said liquor being transported in a Chevrolet Coupe, Motor No. 2504724, and collected \$100.00 from said Ott Holmes.

80.

On March 3rd, 1931, Frank Martin, alias Cliff, alias A. R. McDonald transported 50 gallons of whisky from near Macon, Missouri to Kansas City, Missouri, and delivered the same to William A. Cacy, said whisky being transported in a Ford Coupe, Motor No. A4046182.

81.

(On March 3rd, 1931, at Kansas City, Missouri, Ralph Rosenberg, alias Red Rosenberg and William A. Cacy sold 5 cases of whisky to Jack Stringley of Denver, Colorado.

82.

On March 3rd, 1931, at Kansas City, Missouri, Jack Copleman paid Ralph Rosenberg, alias Red Rosenberg for 5 cases of whisky shipped to Jack Stringley at Denver, Colorado.

83.

On March 5th, 1931, Frank Martin, alias Cliff, alias A. R. McDonald, and Louis Kent Berger, alias Eddie Carroll, at the Adolph Sutter farm at 83rd Street and James A. Reed Road, Jackson County, Missouri, and at the Edward S. Alderson farm at 83rd Street and Oldham Road, Jackson County, Missouri, transferred 300 gallons of alcohol from drums to one-gallon cans.

84.

On March 5th, 1931, Ralph Rosenberg, alias Red Rosenberg chemically tested the alcohol stored at the Adolph Sutter farm at 83rd Street and James A. Reed Road, and at the Edward S. Alderson farm at 83rd Street and Oldham Road, all in Jackson County, Missouri.

85.

On March 5th, 1931, Frank B. Mulloy, alias Fritz Mulloy purchased twelve 52-gallon drums of alcohol from William Dunham, at Chicago, Illinois.

86.

sold Eugene F. Moore, alias Gene Moore, alias Morgan 5 gallons of alcohol.

87.

On March 5th, 1931, Leopold Schwarz, alias Leo Schwarz sold and delivered, in Kansas City, Missouri, £50 gallons of alcohol.

88.

On March 5th, 1931, in Kansas City, Missouri, Frank Martin, alias Cliff, alias A. R. McDonald delivered one case of whisky, and transported said whisky in a Ford Coupe, Motor No. A4046183.

89.

On March 9th, 1931, Jimmie Hicks bought 50 gallons of alcohol from Frank B. Mulloy, alias Fritz Mulloy, Ray Broom, Ralph Rosenberg, alias Red Rosenberg, Newton Guy Brock, Tudia Pasano, alias Joe Jackson, and Noxie Barber, alias Noxia LaBarba, at 4231 Main Street, Kansas City, Missouri.

90.

On March 9th, 1931, William A. Cacy sold and caused to be delivered to John Roth, alias Whitey, at 13th Street and Troost Avenue, in Kansas City, Missouri, 35 gallons of alcohol, and collected from said John Roth, alias Whitey \$350.00.

91.

On March 9th, 1931, Frank Martin, alias Cliff, alias A. R. McDonald, and Louis Kent Berger, alias Eddie Carroll transported a quantity of intoxicating liquor to Walter A. Porter, in Kansas City, Missouri.

93.

On March 10th, 1931, Noxie Barber, alias Noxia LaBarba delivered 4 bottles of whisky to 4735 Troost Avenue, Kansas City, Missouri.

93.

On March 12th, 1931, William A. Cacy sold and delivered 70 gallons of alcohol, in Kansas City, Missouri.

94.

On March 11th, 1931, Walter A. Porter stored, at the Wyandotte Street Garage, in Kansas City, Missouri, 16 gallons of whisky.

95.

On March 11th, 1931, Louis Kent Berger, alias Eddie Carroll transported 16 gallons of whisky from the Wyandotte Street Garage to Tudia Pasano, alias Joe Jackson's place of business at Independence Avenue and Holmes Street, Kansas City, Missouri.

96.

On March 13th, 1931, Frank B. Mulloy, alias Fritz Mulloy caused to be transported and delivered to Rosemary Lyons in Kansas City, Missouri, a quantity of intoxicating liquor, towit, whisky.

97.

On March 13th, 1931, James H. Burton, alias Herman sold Jimmie Hicks one case of intoxicating liquor, towit, whisky, in Kansas City, Missouri.

98.

On March 13th, 1931, Noxie Barber, alias Noxia LaBarba, at Kansas City, Missouri, transported and delivered to Sam Eddy 50 gallons of alcohol.

99.

On March 13th, 1931, Noxie Barber, alias Noxia LaBarba, sold and caused to be delivered to Tudia Pasano, alias Joe Jackson, in Kansas City, Missouri, 50 gallons of whisky.

100.

On March 16th, 1931, Ray Broom purchased 4 barrels of intoxicating liquor from Jake Brownstein of Chicago, Illinois, and instructed the same to be shipped to the fictitious name "J. C. Maddox & Company, Kansas City, Missouri."

101.

On March 16th, 1931, in Kansas City, Missouri, Noxie Barber, alias Noxia LaBarba sold Jimmie Hicks 50 gallons of alcohol.

102.

On March 31st, 1931, Leopold Schwarz, alias Leo Schwarz transported and delivered to Rosemary Lyons, at Kansas City, Missouri, a certain quantity of intoxicating liquor, towit, whisky.

103.

On April 1st, 1931, at Kansas City, Missouri, William A. Cacy sold Sam Hogg 30

gallons of alcohol.

104.

On April 2nd, 1931, at Kansas City, Missouri, Leopold Schwarz, alias Leo Schwarz transported and delivered to Rosemary Lyons a certain quantity of intoxicating liquor, towit, whisky.

105.

On April 4th, 1931, at Kansas City, Missouri, Leopold Schwarz, alias Leo Schwarz transported and delivered to Rosemary Lyons a certain quantity of intoxicating liquor, towit, whisky.

106.

On April 10th, 1931, at Kansas City, Missouri, Leopold Schwarz, alias Leo Schwarz transported and delivered to Rosemary Lyons a certain quantity of intoxicating liquor, towit, whisky, and charged said delivery to the account of the defendant June Kathren.

107;

livered a certain quantity of intoxicating liquor, towit, whisky, to Rosemary Lyons, at the Tax Collector's Office, in Kansas City, Missouri, and transported said liquor in a Chevrolet Coupe, Motor No. 2504724.

108.

On April 10th, 1931, James H. Burton, alias Herman, transported and delivered to Rosemary Lyons in Kansas City, Missouri, a certain quantity of intoxicating liquor, towit, whisky.

109.

On April 17th, 1931, in Kansas City, Missouri, James H. Burton, alias Herman, transported and delivered to Rosemary Lyons a quantity of intoxicating liquor, towit, whisky.

110.

On April 7th, 1931, Tudia Pasano, alias Joe Jackson sold and caused to be delivered to MIKE Shannon, at 1017 Broadway, Kansas City, Missouri, 50 gallons of alcohol.

111.

On April 7th, 1931, Louis Kent Berger, alias Eddie Carroll delivered to Mike Shannon,

at 1017 Broadway, Kansas City, Missouri, 50 gallons of alcohol.

112.

On April 7th, 1931, at Kansas City, Missouri, Leopold Schwarz, alias Leo Schwarz sold to George Lurwick 50 gallons of alcohol and one case of whisky.

113.

On April 14th, 1931, Leopold Schwarz, alias Leo Schwarz sold Mike Shannon 50 gallons of alcohol at Kansas City, Missouri.

114.

On April 15th, 1931, Leopold Schwarz, alias Leo Schwarz sold George Lurwick 50 gallons of alcohol at Kansas City, Missouri.

115.

On April 17th, 1931, Ralph Rosenberg, alias Red Rosenberg sold Lawrence Cipolla, alias Barrel 75 gallons of intoxicating liquor, towit, alcohol at Kansas City, Missouri.

116.

On April 17th, 1931, Ralph Rosenberg, alias Red Rosenberg sold to Mike Shannon at 1017 Broadway, Kansas City, Missouri, 50 gallons of intoxicating liquor, towit, alcohol.

117.

On April 18th, 1931, Tudia Pasano, alias Joe Jackson sold and caused to be delivered to Harry Levikow at 1006 McGee Street, Kansas City, Missouri, 50 gallons of intoxicating liquor, towit, alcohol.

118.

On April 21st, 1931, Leopold Schwarz, alias Leo Schwarz sold Lawrence Cipolla, alias Barrel 150 gallons of intoxicating liquor, towit, alcohol, at Kansas City, Missouri.

119.

On April 21st, 1931, Ralph Rosenberg, alias Red Rosenberg sold and caused to be delivered one case of whisky at Kansas City, Missouri.

120.

On April 21st, 1931, at Kansas Oity, Missouri, Leopold Schwarz, alias Leo Schwarz sold and caused to be delivered to George Lurwick, 50 gallons of intoxicating liquor, towit, alcohol.

121.

On May 7th, 1931, Frank Martin, alias Cliff, alias A. R. McDonald sold and delivered to Jimmie Hicks, at Kansas City, Missouri, 50 gallons of intoxicating liquor, towit, alcohol.

And the grand jurors aforesaid, upon their oaths aforesaid, do say that all of the said overt acts herein set forth were done and committed pursuant to said conspiracy by said defendants and to effect the object and purpose of the same. 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.

Wm. L. Vandeventer
United States Attorney

A TRUE BILL:

George M. Calhoon
Foreman of the Grand Jury.

For No. 195

No. 10839

United States District Court Western District of Missouri Western Division

The United States of America vs.

Joe Pasano, Frank B. Mulloy, Ralph Rosenberg, Wm. A. Cacy, Leopold Schwarz,
Lawrence Cipolla, Wm. G. Michael, Roy Barrett, et al.

INDICTMENT

Sec. 37 P. C. (Conspiracy to violate the National Prohibition Act)

A true bill, Foreman.

Filed in open Court this day of A. D. 19

Filed Jun 12 1931

Edwin R. Durham, Clerk

By E. O. Keefe. Deputy