

BOOTLEGGERS SLAYING INVOLVES OFFICIALS

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\$1,000 BAIT HELD OUT; RUM-RUNNER IS KILLED AS POSSE TRAPS HIM

BRUNO NITISCO IS SHOT NEAR CITY LINE FOLLOWING COMPLAINT OF INFORMER WHO SAID HE HAD BEEN SWINDLED. AUTHORITIES IN AT THE DEATH BY CAREFUL PRE-ARRANGEMENT

The killing of a bootlegger last night in the Cicero road threatened today to shake government and city police organizations with investigations of dry enforcement operations.

"Framed for a crooked deal," Bruno Nitisco or Nestico, 23, was shot dead at Faatz's old place on the Plank road just north of the city line, at 7 o'clock last night in an ambush by prohibition enforcement agents, city police and informing accomplices.

District Attorney Malpass, in closed quarters today, questioned James A. Stapleton and Arthur Van Tassel, dry agents assigned to the Syracuse district; William F. Hannon, 810 Bellevue avenue, a former dry agent; John Kulas and Louis Snow, Syracuse motorcycle police; Harry Beam, alias Harry Yates, 205 Burnet avenue, the victim of Nitisco's operations; John Timmons or Timinski, a friend of Beam, and others.

WITNESSES TO SHOOTING LACKING

None would admit having seen the bootlegger shot. All agreed that the two Syracuse police officers were away from the immediate scene. James Stapleton was described as having wept after the shooting, and also was reported contradicted in his story of pistol, and to have fired it twice.

Aboard a truck driven by Joseph Spoto, 842 North State street, with a cargo of two barrels of water, with two quarts of raw spirits near the bungs. Nitisco went to the rendezvous, was trapped and called upon to surrender, showed fight, and was shot once behind the right ear.

Commissioner Miller has ordered a public safety department investigation of the presence of police at the scene outside of the city. Chief of Police Cadin defended their co-operation with the dry agents.

District Attorney Malpass said all except officials who were witnesses of the shooting would be held as material witnesses.

FOUR HELD BY POLICE

Bruno Nitisco is the full name of the dead bootlegger, and his latest known address is 107 Kirkpatrick street, it was established by identification by his brother today.

James A. Stapleton and Arthur Van Tassel, dry agents assigned to the Syracuse office: William Hannon, 810 Bellevue avenue, a former dry agent; **John Kulas**, [*Harry Beam*] alias Harry Yates, 203 Burnet avenue, the victim of Bruno's operations, and John Timmons or Timinski, a friend of Beam, were in the ambush.

\$1,000 OFFER USED TO BAIT BOOTLEGGER

Beam or Yates, Hannon and Spoto were held overnight by the police. All officials concerned were released on their own recognizance. Search was begun for Timmons or Timinski and for an unidentified companion of the man killed. Timmins surrendered today.

With the ninth witness, who is missing, Bruno picked up Spoto in a North side restaurant late in the day. Bruno and Dominick, as the other man is known, told Spoto they would pay him \$20 for the use of his truck. Spoto told the police it was the first time he had lent it to a bootlegging use.

Earlier in the day Hannon, through Timmins or Timinski, whom he says he knew only slightly, arranged to buy two barrels of liquor from Bruno. Hannon was acting for Beam or Yates, the Brunet avenue man. As a customer of Bruno's this man had paid \$700 to Bruno for two barrels of water. He wanted to get revenge.

This time \$1,000 was offered for the two barrels. Bruno took the bait. Early in the morning Hannon, Timmins and the bootlegger drove out to Faatz's together.

Hannon was represented as the proprietor of the roadhouse. Bruno was told where to put the stuff when he came to deliver it at night. It was agreed that he should drive in between 7 and 8 o'clock and the truck should be unloaded in the barn at the rear of the hotel.

William E. Corey is the proprietor of the place. He became the reluctant host of the

ambush party about dusk, according to his statement. Timmins was posted on the road south of the hotel.

Faatz's is a tight-shuttered barn of a place, set back 150 feet from the road among elms that border a semi-circular entrance road. It was a midnight-and-after resort frequently raided by sheriff's men for years.

After the snare had been laid at Faatz's, Hannon looked up the prohibition agents. The police who joined the party have been active in prohibition enforcement raids. They went along to be in at the kill. All sat inside the roadhouse last night until Timmins the lookout in the road, brought word.

Timmins broke in upon the company sitting inside in the light, and shouted that the load was coming. The party filed out into the dark, except that Hannon remained inside.

Beam, who had gone out the front way with Kulas to cut off retreat, was first to leap upon the running board of the truck, according to young Spoto.

"You damned cheat, you won't sell me any more water for 'alkil'," he shouted.

Flashlights picked out Bruno and Spoto on the driver's seat and the command came from several directions to throw up their hands.

Spoto obeyed.

Bruno leaped from the truck and closed with Van Tassel.

Shots sounded from the truck and Bruno fell back. An hour later, Sheriff Ten Eyck and

District Attorney Malpass learned of the affair but it was 1 o'clock this morning before statements had been taken and detentions ordered.

Michael J. Stapleton, head of the prohibition enforcement department in the Syracuse district, said he informed the authorities as soon as he learned what had happened. His men are under standing orders to arrest all violators at all times, he said, in the only comment he would make on the propriety of the arrangements to arrest Bruno.

VAN TASSEL DENIES SLAYING

Arthur Van Tassel, who was present when his chief was questioned by the press, said he did not kill Bruno, whatever might be inferred from published reports.

The body of the slain man was brought to the morgue after midnight. The coroner's physician who performed the autopsy was out of the city today at a funeral. Dr. S. Ellis Crane, the coroner, was ill at home and had left orders not to be disturbed. It was not possible to find out officially where the bullet entered the head or what course it took, in other words, whether the man was shot from in front or from behind.

SWINDLING SAID TO BE FREQUENT

Concerning Bruno's history and activities not a great deal could be learned. His standing as a bootlegger was established fairly downtown, where he was quite well known. Few knew his full name.

Examinations of the contents of the barrels on the truck at Faatz's showed that Bruno had repeated the deceit Beam charged him with before. "Cheater sacks" contained

alcohol. They are bags fastened inside the barrel around the bunghole. The rest of the contents of the barrels was water. Use of such sacks has been common since rum-runners began their activities, but the majority of victims have been quiet about their losses and have not sought redress.

Samuel Nistico, 107 Kirkpatrick street, identified Bruno as his brother and said he did not know Bruno's address.

Victor Ciciarelli, an interpreter, accompanied Mariano Nitisco, 1217 North State street, another brother of the slain man, who went to the morgue. Mariano threw himself across his brother's body and clung to it. It was hard work to get him to go and he could not be comforted.

It develops that he last saw Bruno at 4 o'clock yesterday afternoon. Bruno for a time living with him. When he went out yesterday afternoon he said he would be back for dinner.

Through the interpreter it was learned that the Italian spelling of the family name is Nestico and that Bruno was about 22 years old and was in the army. His parents are in Italy, and one sister is believed to be on her way to America. He had not a great deal of money when he came here several months ago from Buffalo and he took no regular employment here, living with his brothers.

Official investigators looked to the brothers to aid them in finding Dominick, Bruno's missing associate. Through him they hope to trace the barrels to their loading place. Young Spoto declared the barrels were taken

aboard in an alleyway between the premises at 209-211 North West street.

ACCUSED OF USING COUNTERFEIT COIN

In the police investigation it was learned from the records that Bruno was arrested under the name Bruno Nistico, August 9, on the charge of passing counterfeit specie. William J. Adams, a federal treasury agent, and Thomas Hennigan, a policeman, took

him in at that time. There had been complaints that a person of his description was passing bad 50-cent pieces. He was arrested, August 3, possessing a bad coin, but was liberated when he explained that he did not know the money was bogus.

A new complaint came in August 7 from a street car conductor and Nistico was arrested again. His bail was set at \$1,000 and he was at liberty on this bail when killed.