

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

United States of America, Plaintiff, vs.
James Gargotta, Anthony Trombino, Defendants

No. 14218

INDICTMENT

The grand Jurors of the United States of America, duly and legally chosen, selected the body of the Western District of Missouri, and duly and legally empaneled, 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 James Gargotta and Anthony Trombino, on or about the 2nd day of July, 1938, at 548 Troost Ave. Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri, and within the jurisdiction of this court, unlawfully, knowingly and feloniously did remove and aid and abet in the removal of distilled spirits on which the tax had not been paid, towit; 15 gal. alcohol and 7 gallons cut-alcohol from a distillery to the grand jurors unknown to a place other than a distillery warehouse provided by law, towit, 548 Troost Ave. Kansas City, Jackson County, Missouri:

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.

COUNT II

And the grand jurors aforesaid, upon their oaths aforesaid, do further present and charge that James Gargotta and Anthony Trombino on or about the 2nd day of July 1938, at 548 Troost Avenue, Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri, and within the jurisdiction of this court, unlawfully, knowingly and feloniously did conceal and aid in the concealment of distilled spirits, towit.

15 gal. alcohol and 7 gal. cut-alcohol upon which the tax had not been paid, which said alcohol and cut-alcohol had been removed from a distillery to the grand jurors unknown, to a place other than a distillery warehouse provided by law, towit, 543 Troost Avenue, Kansas City, Jackson County, Missouri:

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.

COUNT III

And the grand jurors aforesaid, upon their oaths aforesaid, do further present and charge that on or about the 2nd day of July 1938, at 548 Troost Avenue, Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri, James Gargotta and Anthony Trombino, are whose names other than as herein set forth to this grand jury unknown, did then and there unlawfully, knowingly and feloniously hold and possess for sale a certain distilled spirits, towit, 15 gal. alcohol and 7 gal. cut-alcohol, of distilled spirits, in immediate containers, and which distilled spirits were not then and there contained in bottles in closed cases and said immediate containers, not having affixed thereto revenue stamps, denoting the quantity of distilled spirits contained therein and evidencing payment of Internal Revenue Taxes imposed on such distilled spirits as provided by Sections 201, and 202, of Title II, of the Liquor Taxing Act of January 11th, 1934.

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.

Otto Schmid

Assistant United States Attorney

A TRUE BILL:

Foster B McHenry

Foreman of the grand jury

Form No. 195

No. 14218

UNITED STATES DISTRICT COURT WESTERN MISSOURI WESTERN Division

THE UNITED STATES OF AMERICA vs.

James Gargotta, Anthony Trombino

INDICTMENT

Violation:

Ct.1- Sec.1287 T. 26 USCA

Ct.2- Sec. 1237 T. 26 USCA

Ct.3- Sec.1152 T. 26 USCA

A true bill, Foreman.

Filed in open court this day of, A.D. 19 Clerk.

Bail, \$

FILED SEP 28 1938

A. L. ARNOLD, Clerk

By W.W. Caster, Deputy