

[page 1]

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

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

The Grand Jurors of the United States of America, duly and legally chosen, selected, summoned and drawn from the body of the Western Division of the Western District of Missouri, and duly and legally examined, empaneled, sworn and charged to inquire of and concerning crimes and offenses against the United States in the Western Division of the Western District of Missouri, on their oaths present and charge that on or about the 11th day of December, 1922, at Kansas City, Jackson County, Missouri, in the Division of the Western District of Missouri and within the jurisdiction of this Court, one CHARLES GARGOTTA, having heretofore been convicted of the unlawful SALE of intoxicating liquor in the Western Division of the United States District Court for the Western District of Missouri, at the November 1921 Term thereof, then and there being, did then and there unlawfully and wilfully and as a second offense on the part of him, the said Charles Gargotta, and in violation of the National Prohibition Act, SELL a certain quantity of intoxicating liquor, to-wit, one-half pint of whiskey, 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.

SECOND COUNT.

And the Grand Jurors aforesaid, on their oaths aforesaid, do further present and charge that on or about the 11th day of December, 1922, at Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri and within

[page 2]

-2-

the jurisdiction of this court, one CHARLES GARGOTTA, having heretofore been convicted on two charges of the unlawful POSSESSION of intoxicating liquor in the Western Division of the United States District Court for the Western District of Missouri, at the April 1921 Term thereof, and having heretofore been convicted of the unlawful POSSESSION of intoxicating liquor in the Western Division of the United States District Court for the Western District of Missouri, at the November 1921 Term thereof, then and there being, did then and there unlawfully and wilfully and as a fourth offense on the part of him, the said Charles Gargotta, and in violation of the National Prohibition Act, POSSESS a certain quantity of intoxicating liquor, to-wit, one-half pint of whiskey, 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.

THIRD COUNT.

And the Grand Jurors aforesaid, on their oaths aforesaid, do further present and charge that on or about the 11th day of December, 1922, and for a long time prior thereto, at and in a certain room and building used as a soft drink parlor and located at 212 Independence Avenue, Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri and within the jurisdiction of this court, one CHARLES GARGOTTA, then and there being, did then and there unlawfully and wilfully MAINTAIN A COMMON NUISANCE in said premises, where intoxicating liquor, to-wit, whiskey, was kept, sold and bartered, 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.

Harvey Roney
Special Assistant United States Attorney.

[page 3]

5928

FORM No. 235.

U. S. DISTRICT Court.

THE UNITED STATES OF AMERICA
vs.
Charles Gargotta.

INDICTMENT.

N.P.A.

Harvey Roney
Special Assistant U.S. Attorney.

A TRUE BILL.
R. Z. Harrington
Foreman.

FILED
MAY 10 1923
EDWIN R. DURHAM
Clerk.
A. Vinick
DEPUTY.