

[page 1]

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN
DIVISION OF THE WESTERN DISTRICT OF MISSOURI.
(April Term, 1928.)

WESTERN DISTRICT OF MISSOURI,

SS.

WESTERN DIVISION.

COUNT I.

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, sworn and charged to inquire of and concerning crimes and offenses against the United States of America within the Western Division of the Western District of Missouri, upon their oaths present and charge that on the 18th day of December, 1924, there was pending in the United States District Court for the Western Division of the Western District of Missouri, Case Number 6786, charging one Tony Leptino with an offense against the United States, to-wit, with the offense of selling for beverage purposes one pint of whisky, containing more than one-half of one per cent. of alcohol by volume on the 6th day of April, 1924, in Kansas City, Jackson County, Missouri and the Grand Jurors aforesaid, further charge that on the 18th day of December, 1924, the said Tony Leptino appeared in the United States District Court for the Western Division of the Western District of Missouri and entered a plea of guilty in the case aforesaid; and the grand jurors aforesaid further present and charge that in accordance with said plea of guilty the said Tony Leptino was sentenced to serve four months in the Buchanan County Jail and to pay a fine of One hundred dollars and costs.

-1-

[page 2]

And the Grand Jurors aforesaid, upon their oaths aforesaid, do further present and charge that thereafter and subsequently, and as a second offense, the said Tony Leptino on the 8th day of November, 1927, at 602 Main Street, Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri, and within the jurisdiction of this Court, did then and there unlawfully, willfully and feloniously sell for beverage purposes a certain quantity of intoxicating liquor, to-wit, four ounces of whisky, 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 on the 18th day of December, 1924, there was pending in the United States District Court for the Western Division of the Western District of Missouri, Case Number 6786, charging one

TONY Leptino with an offense against the United States, towit, with the offense of possessing for beverage purposes three pints of whisky, containing more than one-half of one per cent. of alcohol by volume on the 6th day of April, 1924, in Kansas City, Jackson County, Missouri, and the Grand Jurors aforesaid, further charge that on the 18th day of December, 1924, the said Tony Leptino appeared in the United States District Court for the Western Division of the Western District of Missouri and entered a plea of guilty in the case aforesaid; and the Grand Jurors aforesaid, further present and charge that in accordance with said plea of guilty the said Tony Leptino was sentenced to serve four

-2-

[page 3]

months in the Buchanan County Jail and to pay a fine of One hundred dollars and costs.

And the Grand Jurors aforesaid, upon their oaths aforesaid, do further present and charge that thereafter and subsequently, and as a second offense, the said Tony Leptino on the 8th day of November, 1927, at 602 Main Street, Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri, and within the jurisdiction of this court did then and there unlawfully, wilfully and in violation of the National Prohibition Act possess for beverage purposes a certain quantity of intoxicating liquor, to-wit, one-half gallon of whisky, 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, further present and charge that on the 8th day of November, 1927, at 602 Main Street, Kansas City, Jackson County, Missouri, in the Western Division of the Western District of Missouri, and within the jurisdiction of this Court, one TONY LEPTINO unlawfully, wilfully, knowingly did maintain a common nuisance at, in and upon the room, house, building and place, more particularly described and designated as follows: 602 Main Street, Kansas City, Jackson County, Missouri, where intoxicating liquors, to-wit, whisky, containing more than one-half of one per cent. of alcohol by volume, and fit for use for beverage purposes, was kept, possessed, stored and sold, in violation

-3-

[page 4]

of Title II, of the National Prohibition Act, 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.

Roscoe C. VanValkenburgh
Assistant United States Attorney.

A TRUE BILL:
J. C. Gilmer

Foreman of the Grand Jury.

[page 5]

No. 8567

UNITED STATES District COURT
Western District of Missouri
Western Division

THE UNITED STATES OF AMERICA

vs.

Tony Leptino

INDICTMENT

Vio: National Prohibition Act.

Roscoe C. VanValkenburgh
Asst. U.S. Atty.

A true bill,
J. C. Gilmer
Foreman

FILED
APR 26 1923
EDWIN R. DURHAM, CLERK
BY E. O'Keefe
DEPUTY

Witnesses:

Dorus Roderick
George P. Small
Ben D. Dienst
A. J. Burkhardt