

[page 1]

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

April Term, 1929.

United States of America,
Plaintiff,

vs.

No. 9518

Tony Casciola, Ellis Titus Buice,
Angelo Distassio,
Gaston Van Ross,
Defendants.

INDICTMENT

The grand jurors of the United States of America duly and legally chosen, 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 of America in the Western District of Missouri, upon their oaths present and charge that on the 10th day of May 1929, at 1324 Lydia Avenue, Kansas City, Jackson County Missouri, in the Western Division of the Western District of Missouri, Tony Casciola, Ellis Titus Buice, Angelo Distassio, and Gaston Van Ross, did unlawfully, wilfully, knowingly and feloniously have in their possession and under their control a certain distilling apparatus suitable for the distillation of alcoholic spirits, towit, a whiskey still of 100 gallons capacity, set up; and the grand jurors aforesaid, upon their oaths aforesaid, further present and charge that the said, Tony Casciola, Ellis Titus Buice, Angelo Distassio, and Gaston Van Ross, had not then and there nor theretofore registered the said still and distilling apparatus as was required by law; 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.

[page 2]

COUNT II

And the grand jurors aforesaid, upon their oaths aforesaid, do further present and charge that on the 10th day of May 1929, at 1324 Lydia Avenue, Kansas City, Jackson County Missouri, in the Western Division of the Western District of Missouri, Tony Casciola, Ellis Titus Buice, Angelo Distassio, and Gaston Van Ross, did then and there unlawfully, wilfully, knowingly and feloniously engage in and carry on the business of a distiller and did operate a distillery for the purpose of distilling alcoholic spirits, without having given a bond as required by law; 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.

[page 3]

COUNT III

And the grand jurors aforesaid, upon their oaths aforesaid, do further present and charge that on the 10th day of May 1929, at 1324 Lydia Avenue, Kansas City, Jackson County Missouri, in the Western Division of the Western District of Missouri, Tony Casciola, Ellis Titus Buice, Angelo Distassio, and Gaston Van Ross did then and there unlawfully, wilfully, knowingly and feloniously engage in and carry on the business of a distiller and did operate a distillery for the purpose of distilling alcoholic spirits, with the intent to defraud the United States of America of the tax on the spirits distilled by them; 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.

[page 4]

COUNT IV

And the grand jurors aforesaid, upon their oaths aforesaid, do further present and charge that on the 10th day of May 1929, at 1324 Lydia Ave., Kansas City, Jackson County Missouri, in the Western Division of the Western District of Missouri, Tony Casciola, Ellis

Titus Buice, Angelo Distassio and Gaston Van Ross did unlawfully, wilfully, knowingly and feloniously use in a dwelling house located at 1324 Lydia Avenue, Kansas City, Jackson County Missouri, a distilling apparatus suitable for the distillation of alcoholic spirits, towit, a 100 gallon whiskey still; and the grand jurors aforesaid, upon their oaths aforesaid, further present and charge that the said Tony Casciola, Ellis Titus Buice, Angelo Distassio, and Gaston Van Ross, did use the still and distilling apparatus as aforesaid for the distillation and manufacture of alcoholic spirits; 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.

[page 5]

COUNT V

And the grand jurors aforesaid upon their oaths aforesaid, do further present and charge that on the 10th day of May , 1929 , at 1324 Lydia Avenue, Kansas City, Jackson County Missouri, in the Western Division of the Western District of Missouri, one Tony Casciola, Ellis Titus Buice, Angelo Distassio, and Gaston Van Ross whose true names other than herein set forth are to these grand jurors unknown, then and there being, did then and there unlawfully, wilfully, knowingly and feloniously, and in violation of the National Prohibition Act, possess a certain quantity of intoxicating liquor, intended and fit for beverage purposes, towit: ten gallons of whiskey containing more than one-half of one per cent of alcohol by volume; 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.

[page 6]

COUNT VI

And the grand jurors aforesaid upon their oaths aforesaid, do further present and charge that on the 10th day of May , 1929, thence hitherto, in the Western Division of the Western District of Missouri, one Tony Casciola, Ellis Titus Buice, Angelo Distassio, and Gaston Van Ross whose name other than as herein set forth is to the grand jury

unknown, unlawfully, wilfully, knowingly and feloniously did maintain a common nuisance at in and upon the room, house, building, and place, more particularly described and designated as follows: 1324 Lydia Avenue, Kansas City, Jackson County Missouri, where intoxicating liquor, intended and fit for beverage purposes, towit: whiskey containing more than one-half of one per cent of alcohol by volume, was sold, possessed, kept and bartered in violation 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.

Harry L. Thomas
Assistant U. S. Attorney

A TRUE BILL:

[signature]

FOREMAN OF THE GRAND JURY

[page 7]

Form No. 195

No. 9518

UNITED STATES DISTRICT COURT
WESTERN District of MISSOURI
WESTERN Division

THE UNITED STATES OF AMERICA

vs.

TONY CASCIOLA,
ELLIS TITUS BUICE
ANGELO DISTASSIO, and
GASTON VAN ROSS,

INDICTMENT

Vio: SeCs. 3258, 3281, 3266,

R.S.U.S., and

National Prohibition Act.

A true bill

[signature]

Foreman

Filed in open Court this day

of A. D. 19

FILED

JUL 20 1929

EDWIN R. DURHAM, CLERK

BY E. O'Keefe

DEPUTY