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BEFORE THE SUPERVISOR OF LIQUOR CONTROL FOR THE STATE OF MISSOURI

Investigation No. 6039

APPLICATION OF PETER DIGIOVANNI AND JOSEPH DIGIOVANNI, TO AMEND ANSWERS TO QUESTIONS 6 and 6(a) in the LAST LONG FORM APPLICATION FOP. A LICENSE TO OPERATE A WHOLESALE LIQUOR BUSINESS, DATDE July 1, 1946 and July 1, 1947.

PETER DiGIOVANNI and JOSEPH DIGIOVANNI, co-partners, doing business as the MIDWEST DISTRIBUTING COMPANY, at 1109 Cherry Street, in Kansas City, Jackson County, Missouri, and each of them individually and in his own behalf having been cited to appear before the Supervisor of Liquor Control of the State of Missouri at 10'00 A.M. on Friday, the 13th day of October, 1960, for a hearing at Jefferson City, Missouri, to show cause why License Number 38 heretofore issued to the said Peter DiGiovanni and Joseph DiGiovanni, permitting them to operate a wholesale liquor business at the above named address of the Midwest Distributing Company, should not be suspended or revoked, said hearing being in connection with the Said State Supervisor's Investigation No. 6039, and it having been alleged in said citation served upon the above named licensees that they violated Regulation No. 2, subsection (h) of the Rules and Regulations of the Supervisor of Liquor Control promulgated for the year 1946, and at present in full force and effect in that they did not make full, true and complete answers to questions Number 6 and Number 6(a) on the last Long Form of Application made to the said State Supervisor of Liquor Control for a permit and license to operate a wholesale liquor business at said address, dated July 1, 1946 and July 1, 1947, respectfully state to the Court that their answers made to the said questions Number 6 and Number 6(a) on the said last long form application were not full, true or complete, but that said answers were not wilfully false nor made with any intention to deceive or mislead the State Supervisor of Liquor Control, but were made inadvertently and mistakenly and in ordinary routine of business by some clerk employed in said business and signed by the said Peter Di Giovanni and Joseph Di Giovanni, neither of whom can read the English language, in ignorance of the fact that said answers were not complete and true.

WHEREFORE the said Peter DiGiovanni and Joseph DiGiovanni now respectfully request the said Supervisor of Liquor Control to permit them to amend their answers to questions Number 6 and Number 6(a) of their said last long form applications in accordance with their answers made in an application for wholesaler's basic permit to the Department of Treasury of the Federal Alcohol Administration dated the 30th day of January, 1942, a copy of which they respectfully request to file with this application, and to be made a part of the same, so that their answers to said questions 6 and 6(a) on the last long form application shall be wholly and completely correct and true, and so that said answers to the said questions 6 and 6 (a) may be consolidated and answered as follows:

"That Peter DiGiovanni on the 13th of November, 1925, entered a plea of guilty to the possession of 25 gallons of wine and that all of the other charges contained in the information filed against him were thereupon dismissed, and that the defendant was fined \$50.00; that on the 21st day of August, 1926, the said Peter DiGiovanni entered a plea of guilty to the second count of an information filed against him in the United States Court at Kansas City, Missouri, which said second count charged the defendant with the possession of one quart of wine, and that thereupon the other charges in the information against him were dismissed and he was

fined \$300.00 which he paid, and that there has been no other conviction of any misdemeanor or felony, or violation of the laws of any municipality, state or nation against the same Peter DiGiovanni since said 21st day of August, 1926.

"That Joseph DiGiovanni, on or about the 20th day of November, 1920 entered a plea of guilty to an indictment which charged the defendant with violation of the National Prohibition Act and was fined \$500.00 which he paid, and that he received no jail sentence or imprisonment in any penal institution; that the said Joseph DiGiovanni was charged by an indictment some time in the year of 1928 with violation of the National prohibition Law and that on May 2, 1928, he was tried before a jury in the United States Court for the Western District of Missouri, and that the jury failed to agree upon a verdict, and were discharged and that thereafter, to-wit, on the 24th day of October, 1928, the said Joseph DiGiovanni withdrew the plea of not guilty theretofore entered as to the third count of the indictment, charging the defendant with making and possessing mash, and was fined \$500.00, but received no jail sentence, nor any sentence of imprisonment in any penal institution and that the other charges in the indictment were dismissed, and that there have been no other violations of the law of Kansas City, or ny other municipality of the State of Nation against the said Joseph DiGiovanni, since the said 24th day of October, 1928.

S/ Peter DiGiovanni Peter DiGiovanni

S/ Joe DiGiovanni Joseph DiGiovanni

STATE OF MISSOURI)

SS

COUNTY OF JACKSON)

Peter DiGiovanni and Joseph DiGiovanni, being of lawful age, state that they have caused the above and foregoing application for leave to amend answers to be prepared; that the same has been read to them by Sam DiGiovanni, who is the son of Peter DiGiovanni and the nephew of Joseph DiGiovanni, and has been by him explained to them, and that they understand all of the contents of the above and foregoing application for leave to amend answers, and that the facta therein stated are true according to their best knowledge and belief.

S/ Peter DiGiovanni

S/ Joe DiGiovanni

Subscribed and sworn to before me this 12 day of October, 1950.

(SEAL)

S/ Blanche K. Park

Notary Public

My Commission expires:

March 7, 1953