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Licavoli Seeks To Correct 'Bad Impression' Of Him

Convict Denies Killed Anyone

GOLDBERG
Columbus Bureau

COLUMBUS, O. — Now that he is more than 37 years old for four murders he has nothing to do with, (Yonnie) Licavoli corrects "the bad impression public has of me." Licavoli wants to be left alone for a few years in his new home in this suburb only hours after Thursday, the 67-year-old Licavoli admitted that he was bootlegger in the prohibition era.

"Everybody was involved in whisky in some way in those days," he said. "That was the roaring 20s. Things were different. Everyone was wild then. If they weren't selling it,

they were drinking it. One was as bad as the other."

Licavoli, who was described in an official highway patrol investigation as a "smart, fast talker capable of promoting his

own best interests," said that any connections he may have had then with Detroit's Purple Gang or Al Capone were only in connection with whisky.

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Blade Jan-7-1972



LICAVOLI SITS WITH GRANDCHILDREN IN HOME AT GAHANNA
Sam, Zena, Gracie, Jacqueline, Rosie, children of Mr. and Mrs. L-

—Associated Press Wirephoto

admission that he was in illegal whisky, he once studied for a law degree in his native St. Louis. He does not consider himself a criminal.

Remaining 3 Members Of Licavoli Gang Freed

Paroled After 38 Years Behind Bars; Convicted In Gangland-Style Slayings

By TOM WALTON
Blade Columbus Bureau

COLUMBUS—The last three members of the Thomas (Yonnie) Licavoli gang have followed their former boss out of prison after 38 years behind bars.

With no fanfare by the state parole board authorities, Ralph Carsello, 66; John Rai, 68, and English, 73, have quietly returned to freedom in the last few weeks.

Carsello was released from the Ohio Penitentiary Jan. 11; Rai was paroled from the same institution Feb. 8, and Sinatra was paroled from the Chillicothe Correctional Institute Feb. 8.

Licavoli was paroled Jan. 6, 1972, after 37 years in prison. A fifth member of the old Toledo gang, Jacob (Firetop) Sulkin, was paroled in 1965 and returned to Toledo, where he died last July.

Licavoli now lives in suburban Gahanna and runs a gift shop with his wife. The lifetime paroles came 2½ years after former Governor Rhodes refused to commute their sentences in 1969. Traditionally, the parole board considers commutation requests only every five years, meaning that Carsello, Rai, and Sinatra were not due for reconsideration until 1974.

But the board has begun making "midterm" evaluations. In all three cases board members urged Governor Gilligan to commute their sentences to second-degree murder, making them eligible for parole. The governor issued commutations early in December, according to George I., chief of the Ohio Adult Parole Authority.

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Licavoli Figures Freed

Continued from First Page

All three men had taken their cases to the parole board on our previous occasions and were denied freedom — after 20 years, 25 years, 30 years, and 35 years in prison.

Factors which motivated the parole board this time, Mr. Denton said, included the earlier paroles of Sulkin and Licavoli. "But that was not the controlling factor. The important thing was the board's belief that they had served sufficient time and had plans for their parole," he said.

Rai said on his parole application that he intended to live with a sister in Buffalo, N.Y., and work either for a construction firm in Williamsville, N.Y., as a clerk, or as a rectory assistant at St. Columba's Church in Buffalo.

Sinatra said he would go to Buffalo to live with a cousin and work at a youth center. Both men were from Buffalo before they became involved with the Toledo underworld.

Carsello said he would live with a brother in Cleveland. It was Carsello's decision to stay in Ohio that won him his freedom a month earlier than Rai and Sinatra. Mr. Denton said, since arrangements had to be made with New York parole authorities. Neither Rai nor Sinatra will have to return to Ohio unless

they violate the terms of their parole. One condition of their release is that the paroles are for life.

The killings which put all five men in prison were products of a deadly struggle for control of racketeering and bootlegging activities in Lucas County.

The first two deaths occurred in October, 1931. Abe Lubitsky, considered by the gang to be a police informer, and a companion, Norman Blatt, were gunned down at Franklin Avenue and Bancroft Street.

Rival's Girl Friend

Thirteen months later, Louise Bell, a girl friend of Jackie Kennedy, a Licavoli rival in Toledo's bootlegging business, was shot and killed at the corner of Jackson and Superior streets. She and Kennedy were riding in his car, but he escaped the assault.

Finally, in July of 1933, Kennedy was strolling with another female friend along Edgewater Drive at 140th Street in Point Place. Three men rushed up, pushed the girl aside, and fired a salvo at Kennedy with machine guns. The girl, a former beauty queen named Audrey Ralls, was not hurt, but Kennedy was killed instantly.

The late Frazier Reams, Sr., then Lucas County prosecutor, built cases against Licavoli and his associates, and a series of dramatic trials followed, which led to the murder convictions.

THE MARK OF A VERY ME

"New" street shows up for the
Yonnie Licavoli
Plea Is Expected
TOLEDO-BLADE
New Clemency Bid
May Come In Days

COLUMBUS, Dec. 22 (AP)—Governor Rhodes is expected to receive a clemency petition for prohibition mobster Thomas (Yonnie) Licavoli of Toledo early next week, a parole commission member said tonight.

Licavoli, 60, is in the Ohio Penitentiary serving a life term on a murder conviction for conspiracy in the slaying of three men and woman in the 1930s. One of the victims was bootlegger Jack Kennedy.

Plea Rejected In 1959
Licavoli, in the penitentiary since 1934, was head of the notorious Licavoli gang during the prohibition era.

Similar move for clemency for Licavoli was rejected by former Gov. Michael V. DiSalle in 1959 following a 4-1 adverse recommendation by the Pardon and Parole Commission.

Commission member Joseph E. Doneghy confirmed tonight that a hearing on Licavoli's petition was held Dec. 1. Mr. Doneghy declined to say what was recommended.

Presumably Licavoli seeks a commutation to second-degree murder, making him eligible for parole.

5 Still In Prison
Licavoli entered Ohio penitentiary Nov. 10, 1934, for his part in the slayings of Norman Blatt, Abe Lubitsky, Kennedy and Louise Bell.

Four others got life terms in the slayings. The other four convicted in the slayings were Joseph (Wop) English, Jacob (Firetop) Sulkin, Ralph Carsello, and John Rai.

All are still in the Ohio Penitentiary except Rai who is at London Correctional Institution. Sulkin, 74, is hospitalized with a broken hip. He fell on ice yesterday near state office buildings while making rounds as messenger.

Commutation Denied 3 Times

Yonnie Licavoli Dies; Jailed 37 Years For Gang Murders

Notorious During Prohibition Era; Parole In 1972 Banned Return To Toledo Area

Thomas (Yonnie) Licavoli, notorious Toledo gangster during the prohibition era who spent 37 years of his life behind bars, died of cancer Sunday in his suburban Columbus home.

The 69-year-old convict had been out of prison less than two years. After Licavoli's conviction for conspiracy in four gangland murders in Toledo 37 years ago, three Ohio governors turned down pleas for commutation of his life sentence.

Licavoli became eligible for parole in 1969 after his first-degree conviction was reduced to second-degree by former Gov. James A. Rhodes. However, Licavoli's release was delayed until Jan. 6, 1972, apparently because of unfavorable publicity about the commutation.

As in other Licavoli freedom attempts, there were rumors of payoffs, and the former gangster's wife was required to state in writing that no money had changed hands before the commutation was granted.

Licavoli was paroled for life, and terms of the parole prohibited him from returning to Toledo or the Detroit area, where a number of his relatives lived.

Licavoli's reign as gang leader and wealthy bootlegger ended on Nov. 10, 1934, when a heavily armed guard of 10 sheriff's deputies took him from the Lucas County jail to the Ohio Penitentiary. Much of the credit for the convictions of Licavoli and other members of his gang was given to the late Frazier Reams, Sr., then Lucas County prosecutor, who brought them to trial in Common Pleas Court.

Licavoli, who once studied for the priesthood, began his criminal career by booting whisky illegally to Detroit from Canada in the 1920s. He had moved to Detroit from St. Louis, bringing his brother, Pete, and his cousin, Jimmy, with him. In 1927, at the height of his bootlegging career in Detroit, Licavoli was arrested for his illegal activities and sentenced to 2½ years in prison.

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**Arguments Slated Today
S. Appeals Court
Licavoli Freedom Bid**

COLUMBUS (AP)—Arguments are scheduled in the U.S. Sixth Circuit Court of Appeals in Cincinnati today in Thomas (Yonnie) Licavoli's latest bid for freedom from the Ohio Penitentiary. Licavoli, Toledo gang leader of the early 1930s, and convicted of murdering a man here last July of his bid for a writ of habeas corpus.

U.S. District Judge Joseph P. Kinneary's ruling last July denied Licavoli's writ of habeas corpus. He argued that the prosecution witnesses were coerced, that the trial was not affected by publicity, and that the government charging him had been properly prosecuted.

Lucas County Common Pleas Court jury convicted Licavoli of first-degree murder in 1934, of four slayings. The jury recommended mercy, sparing him from the electric chair, but sentencing him to life imprisonment.

Licavoli has served 37 years in prison, with recurring charges of gangland slayings involving all-

arguing that he received special treatment and continued to control northern Ohio rackets while in custody.

In 1969 Governor Rhodes commuted Licavoli's conviction to second-degree murder, making him eligible for parole. But his application for parole was rejected by the state pardon and parole board.

The habeas corpus action was filed in 1968. F. Lee Bailey, Boston criminal attorney, and Moses Krislov, Cleveland labor attorney, are representing Licavoli in the federal court action.

Michael Miller, assistant Franklin County prosecutor and former Ohio attorney general staff member, will represent the state as special counsel during the Cincinnati hearing.

**Licavoli Sentence Argued
In Appeals Court Hearing**

CINCINNATI (AP)—Claims that the 1934 murder conviction of Thomas (Yonnie) Licavoli, former Toledo gang leader, was improper were argued Thursday before a three-judge panel of the Sixth U.S. Circuit Court of Appeals.

Judges Paul C. Weick, of Akron, William E. Miller, of Nashville, Tenn., and W. Wallace Kent, of Kalamazoo, Mich., took the case under advisement.

The arguments, in which F. Lee Bailey, noted Boston criminal attorney, represented Licavoli, were on a petition for a writ of habeas corpus to bring about Licavoli's release from prison. They were on an appeal from a ruling by U.S. District Court Judge Joseph P. Kinneary, of Columbus, which denied the writ.

Gangland-Type Slayings

Licavoli was convicted in Lucas County in November, 1934, on four counts of first-degree murder in connection with gangland-type slayings. He was

sentenced to life imprisonment, but in 1969 former Governor Rhodes commuted the conviction to second degree murder which made Licavoli eligible for parole. His parole applications have been rejected by the state pardon and parole board.

The appeal from the habeas corpus ruling was based on claims that witnesses were coerced during Licavoli's trial; that publicity prevented him from receiving a fair trial, and that the indictments were not properly drawn.

In his arguments, Mr. Bailey claimed that a witness was jailed on a charge of perjury and then was brought back and changed his testimony.

The state, represented by Stephen M. Miller of Columbus, a special counsel, argued that the jury knew of the jailing of the witness. In answer to a question by Judge Kent he said, "The question of a witness' truthfulness is a jury question."

Error Disclaimed

In answer to another question by Judge Kent, the attorney said he did not feel it was "reprehensible" to arrest a witness in the middle of a trial for perjury and then drop it.

Mr. Bailey said Licavoli was described as a "big hood" in publicity and that it was "damning in the eyes of the public and the jury."

Mr. Miller countered with the statement that there never was motion on the part of defense counsel at the trial for a continuance because of alleged publicity, a change of venue, a mistrial, or questioning of jurors as to the affect of publicity.

"The man waited 32 years to raise this issue," Mr. Miller said of the 1938 habeas corpus action.

As to claims of improper charges, Mr. Bailey contended that the state did not have enough evidence to convict Licavoli on charges of aiding and abetting in the slayings so he was charged with conspiracy in the killings.

"They hooked him for the killing," he said.

**THURSDAY, JANUARY
Bailey Talks
With Licavoli**

**Lawyer May Handle
Bid For Freedom**

COLUMBUS (AP)—Attorney F. Lee Bailey, of Boston, said Wednesday that he had met with Thomas (Yonnie) Licavoli, a Toledo mobster convicted of four gangland murders in the 1930s, "to discuss possible representation of Mr. Licavoli in a federal suit now pending downtown."

Mr. Bailey referred to a petition filed by Licavoli in 1968 seeking a writ of habeas corpus to obtain his release from the Ohio Penitentiary.

It asks that Licavoli's trial 35 years ago be nullified as having been a violation of due process of law.

Mr. Bailey indicated that he would take the case if Licavoli agrees to his terms. Asked what

are the terms, Mr. Bailey replied: "You'll have to speak to Mr. Licavoli, and I tell you that because I know you can't."

FRIDAY, FEBRUARY 5, 1971

**Federal Appeals Court
Weighs Licavoli Plea
For Release From Pen**

CINCINNATI (AP)—The Sixth U.S. Circuit Court of Appeals took under advisement Thursday an effort by Thomas (Yonnie) Licavoli, former Toledo gang leader, to obtain his freedom from the Ohio State Penitentiary, where he has served since 1934 on his conviction in Lucas County in gangland-type slayings.

Based On 1968 Plea

The present effort stems from a habeas corpus petition which was filed in 1968 and denied by U.S. District Court Judge Joseph P. Kinneary of Columbus.

It alleged Licavoli did not have a proper trial on the grounds witnesses were intimidated, adverse publicity precluded a fair trial, and that the indictments were improperly drawn.

Licavoli originally was sentenced to life imprisonment on a charge of first-degree murder.

Parole Denied

In 1969 former Gov. James A. Rhodes commuted the conviction to second-degree murder, which made Licavoli eligible for parole but his parole petitions have been denied.

During the time he has been in prison there have been recurring charges that he received special treatment and retained control of northern Ohio rackets from the prison.

Under court procedure there was no indication as to when

Lawyer Hopeful In Licavoli Case

Defense Likened To Sam Shepard's

F. Lee Bailey, attorney for Thomas (Yonnie) Licavoli, said today that the ex-Toledo mobster has "fairly strong case" to gain release after 35 years in prison.

victed in the early 1930s of first-degree murder in four gangland slayings here, on the grounds that some prosecution witnesses were forced to testify against him.

TOLEDO-BLADE

"There is evidence that some of the witnesses may have been beaten up to get them to testify. That may have been 'kosher' in the 1930s but it's pretty old hat now," Mr. Bailey said.

Drawing parallels between the Licavoli and Shepard cases, Mr. Bailey said Licavoli's case is notorious in the state, and resistance to overturning the conviction is high.

Mr. Bailey was in Toledo today for a lecture in the Masonic Auditorium.

Licavoli Takes Stand In Bid For Freedom

PAGE 2

Contends He Didn't Receive Fair Trial In Toledo When Convicted In Slaying Plot

By ANDY COTA Blade Columbus Bureau

COLUMBUS — Thomas (Yonnie) Licavoli, 65, took the witness stand in U.S. District Court here Friday in his latest bid for freedom from the Ohio State Penitentiary.

Licavoli, represented by Boston attorney F. Lee Bailey, has filed a writ of habeas corpus claiming that he did not receive a fair trial in Toledo 36 years ago when he was convicted of conspiracy in four gangland slayings.

The aging ex-gang leader, dressed in a dark blue suit and wearing horn-rimmed glasses, said that he was advised against seeking a new trial in 1934 because with the feeling at that time he might have been sentenced to the electric chair.

"There was so much publicity going on at the time, not only about me but about others in the country, I felt my life would be in jeopardy if I went any further (with appeals) at that time," he explained.

TOLEDO-BLADE

Licavoli said in 1962 he learned that this decision had not cost him his right to appeal and "I have been appealing steadily since 1962."

Asked by Mr. Bailey about reports that he has tried to buy his freedom, Licavoli said that he has been reading that in newspapers for the last 20 years.

There was no cross examination.

This was a continuation of a hearing held last June, although at that time Licavoli did not testify. U.S. District Judge Joseph Kinneary agreed to reopen the hearing after Mr. Bailey entered the case as co-counsel for Licavoli.

APR 10 1970

"Carnival Atmosphere"

In the June hearing, Licavoli's attorney, Moses Krislov, of Cleveland, contended that the 1934 trial was conducted in a "carnival atmosphere" comparable to a "Roman holiday." Witnesses were beaten and coerced into testifying, and the judge permitted the prosecution to comment on the fact that Licavoli did not testify on his own behalf, Mr. Krislov said.

Mr. Bailey added to this the fact that the prosecutor in court accused Licavoli of hiding behind his lawyers.

While conceding that in 1934 it was proper to comment on the failure of a defendant to testify, Mr. Bailey said that it has never been proper to say that hiring a

lawyer is proof of guilt because an innocent person would not need one.

Parallels Sheppard Trial

He termed this a fundamental constitutional violation, and said that this issue alone is enough to justify granting the writ. "No American must pay a price for having counsel argue his case," he declared.

Mr. Bailey, who represented the late Dr. Sam Sheppard in his successful appeal for a new trial, said that the Licavoli trial parallels the Sheppard trial in the atmosphere of prejudice that existed.

Both the judge and the prosecutor were up for re-election at the time of the Licavoli trial, and Mr. Bailey suggested they were more interested in their political futures than in giving Licavoli a fair trial.

S. M. Miller, representing the attorney general's office, noted that Licavoli did appeal his conviction to the Sixth District Court of Appeals and then dropped the matter for nearly 30 years.

Didn't Seek Change

He also disputed the arguments that a prejudicial attitude made a fair trial impossible. He said that Licavoli's attorneys felt he could receive a fair trial in Toledo and did not seek a change of venue.

Joseph Jan, assistant Lucas County prosecutor, sat in on the hearing but did not take part in the oral arguments.

Following the hearing, Judge Kinneary granted Mr. Bailey 20 days to file a brief, and gave the attorney general's office 20 days after that to file an answer.

Slaying Of Rival

Licavoli was convicted in connection with the slaying of Jackie Kennedy, a rival for control of the bootleg business in Toledo, and three other persons.

Also convicted in separate trials were Jacob (Firetop) Sulkin, Joseph (Wop) English, Ralph Carsello, and John Rai.

Sulkin was paroled in July, 1965, at age 75. English, Carsello, and Rai are still in prison.

Federal Judge Rules Petition Lacks Merit

Toledo Mobster Battles 35 Years Seeking Release

COLUMBUS (AP) — One-time Toledo mobster Thomas (Yonnie) Licavoli Thursday lost his latest effort in a 35-year fight to gain freedom from a life sentence for murder. 7-10-1970

U.S. District Court Judge Joseph P. Kinneary denied Licavoli's petition for a writ of habeas corpus on grounds it was without merit. TIMES

The petition, argued by famed Boston attorney F. Lee Bailey, contended state officials coerced witnesses at Licavoli's 1934 trial; he was denied due process, and a faculty indictment.

In early 1969, Governor Rhodes commuted Licavoli's first-degree murder conviction to second-degree and the prisoner became eligible for parole consideration.

Convicted In 1934

However, the parole board turned down Licavoli's plea for freedom.

Licavoli was convicted Nov. 9, 1934, on four counts of first-degree murder and has made numerous efforts to gain release from the penitentiary.

Judge Kinneary, in a 17-page decision, said there was no evidence presented that the witnesses' testimony was false or that prosecutors knowingly presented perjured testimony.

He noted that two witnesses at the trial were charged later with perjury but said the allegation that perjury charges constituted coercion and a consequent denial of due process was unfounded.

Judge Kinneary said the contention of a prejudicial community atmosphere was supported by 30 newspaper articles. He said a statement by a Lucas County prosecutor that referred to a "fever pitch" in the community traced to the history and experience of the witnesses.

Fair Trial Claim Denied

"The pretrial and trial publicity in this case," Judge Kinneary said, "was not of such proportions as to deprive petitioner of his right to a trial by a fair and impartial jury."

As to the allegation of a lack of due process, Judge Kinneary held that "considering the totality of the circumstances, petitioner was not deprived of a fair trial and his rights to due process of law."

Rhodes Orders State Patrol To Investigate Licavoli Case

Absolutely Essential To Get All Facts In View Of Allegations, Governor Says

COLUMBUS (AP) — Governor Rhodes ordered the highway patrol Tuesday to begin an immediate investigation of all matters surrounding convict Thomas Licavoli.

The former Toledo mobster now serving a life sentence on a first-degree murder conviction has been a center of controversy since Governor Rhodes commuted his conviction to second-degree murder last January.

Governor Rhodes said that he ordered the investigation after learning that the Ohio Parole Board had moved to continue the parole application until February, 1974.

The parole board formally announced this earlier Tuesday, confirming its action of April 15.

"I feel it incumbent upon me to order a full investigation by the Ohio state highway patrol," Governor Rhodes said in a statement.

"In view of certain allegations that have been made concerning the entire case, I believe it is absolutely essential that we obtain all of the facts on the mat-

ter and let the chips fall where they may."

TOLEDO-BLADE

This apparently referred to a Life Magazine story which reviewed the Licavoli case, including several allegations of offers to bribe Ohio officials who were in position to aid the former gangster's release.

The chief of the parole board announced two weeks ago that the former Toledo gang leader would be denied parole, and his announcement was made official today in the board's minutes. Parole was denied on grounds that there is a lack of placement resources for Licavoli.

Licavoli, if paroled, had planned to move to Michigan to live with his wife and daughter. However, Michigan authorities who would have supervised his parole refused to accept the responsibility.

When a parole application is continued to a definite date, the usual practice is not to reconsider it before that time, a spokesman at the parole board reported.

Thomas Licavoli # 23444

Trial 36 Years Ago

Licavoli To Get New Hearing On Bid For Freedom

Chance To Offer Evidence Slated

By ANDY COTA Blade Columbus Bureau

COLUMBUS — Thomas (Yonnie) Licavoli will be given another chance Friday to present evidence that he was denied a fair trial in Toledo 36 years ago.

The aging prohibition era gang leader, convicted in 1934 of conspiracy to commit murder, has been granted a new hearing in U.S. District Court here on a writ of habeas corpus that has been pending since last June.

Licavoli will be represented in the hearing by F. Lee Bailey, of Boston, who succeeded in reversing the second-degree murder conviction of the late Dr. Sam Sheppard.

U.S. District Judge Joseph Kinneary held a hearing last June on the habeas corpus writ

filed on behalf of Licavoli by a Cleveland and Columbus attorney. Before he rendered a decision, Mr. Bailey decided to represent Licavoli and asked for a chance to reargue the case.

A member of the attorney general's office said Mr. Bailey has given no indication of what he intends to do in the new hearing.

"It could be just a reargument of the issues raised last June, or it could be an evidentiary hearing with witnesses," he said.

In the June hearing, Licavoli's attorneys argued that:

► Prosecution witnesses were coerced into testifying, and one was severely beaten by two private detectives from Detroit before he agreed to testify.

► The trial was conducted in a "carnival atmosphere" comparable to a "Roman holiday."

► Both the judge and the prosecutor were up for re-election at the time and "were overly attentive to the wishes of the news media."

► The judge permitted comment to be made on the fact that Licavoli did not testify on his own behalf. This, they contended, is in violation of a 1965 U.S. Supreme Court decision.

► Conspiracy to commit murder, the charge brought against Licavoli, is not a crime in Ohio.

The state conceded that a key prosecution witness, Sam Stein, was beaten by two private de-

tectives known as "the Clark brothers," before he agreed to testify on the sale of a weapon.

But the state contended that while the witnesses' rights may have been violated, Licavoli's rights were not. It also noted that the jury was aware of the beating.

In answer to the charge that Licavoli was tried in a carnival atmosphere, the state pointed out that no attempt was made to obtain a change of venue.

Licavoli was sentenced to life imprisonment for his part in the slaying of a Toledo speakeasy owner, Jack Kennedy, and three other persons — Norman Blatt, Abe Lubitsky, and Louise Bell.

Governor Rhodes last year commuted Licavoli's conviction to second degree murder, making him eligible for parole. However, his petition was subsequently turned down by the Ohio parole board.

Students Meet Today

COLUMBUS (AP) — The annual Ohio Future Teachers of America Conference meets at Capital University today with more than 400 high school students and their advisers from all sections of the state in attendance.

Lawyer Hopeful In Licavoli Case

Defense Likened To Sam Shepard's

F. Lee Bailey, attorney for Thomas (Yonnie) Licavoli, said today that the ex-Toledo mobster has "fairly strong case" to gain release after 35 years in prison.

Mr. Bailey, who successfully represented Dr. Sam Shepard in his second murder trial, said a petition has been filed in federal court in Columbus as a first step in seeking Licavoli's freedom.

The attorney said he will base his defense of Licavoli, con-

victed in the early 1930s of first-degree murder in four gangland slayings here, on the grounds that some prosecution witnesses were forced to testify against him.

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"There is evidence that some of the witnesses may have been beaten up to get them to testify. That may have been 'kosher' in the 1930s but it's pretty old hat now," Mr. Bailey said. (This allegation has been made by other defense attorneys in the Licavoli case.)

Drawing parallels between the Licavoli and Shepard cases, Mr. Bailey said Licavoli's case is notorious in the state, and resistance to overturning the conviction is high. "There seems to be a feeling Licavoli must be kept in prison as long as possible."

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Judge Kinneary said the contention of a prejudicial community atmosphere was supported by 30 newspaper articles. He said a statement by a Lucas County prosecutor that referred to a "fever pitch" in the community traced to the history and experience of the witnesses.

Fair Trial Claim Denied

"The pretrial and trial publicity in this case," Judge Kinneary said, "was not of such proportions as to deprive petitioner of his right to a trial by a fair and impartial jury."

As to the allegation of a lack of due process, Judge Kinneary said that "considering the total of the circumstances, petitioner was not deprived of a fair trial and his rights to due process of law."

Rhodes Orders State Patrol To Investigate Licavoli Case

Absolutely Essential To Get All Facts In View Of Allegations, Governor Says

COLUMBUS (AP) — Governor Rhodes ordered the highway patrol Tuesday to begin an immediate investigation of all matters surrounding convict Thomas Licavoli.

The former Toledo mobster now serving a life sentence on a first-degree murder conviction has been a center of controversy since Governor Rhodes commuted his conviction to second-degree murder last January.

Governor Rhodes said that he ordered the investigation after learning that the Ohio Parole Board had moved to continue the parole application until February, 1974.

The parole board formally announced this earlier Tuesday, confirming its action of April 15.

"I feel it incumbent upon me to order a full investigation by the Ohio state highway patrol," Governor Rhodes said in a statement.

"In view of certain allegations that have been made concerning the entire case, I believe it is absolutely essential that we obtain all of the facts on the mat-

ter and let the chips fall where they may."

TOLEDO-BLADE

This apparently referred to a Life Magazine story which reviewed the Licavoli case, including several allegations of offers to bribe Ohio officials who were in position to aid the former gangster's release.

The chief of the parole board announced two weeks ago that the former Toledo gang leader would be denied parole, and his announcement was made official today in the board's minutes. Parole was denied on grounds that there is a lack of placement resources for Licavoli.

APR 29 1969

Licavoli, if paroled, had planned to move to Michigan to live with his wife and daughter. However, Michigan authorities who would have supervised his parole refused to accept the responsibility.

When a parole application is continued to a definite date, the usual practice is not to reconsider it before that time, a spokesman at the parole board reported.

O., SATURDAY, APRIL 11, 1970

Trial 36 Years Ago

Licavoli To Get New Hearing On Bid For Freedom

Chance To Offer Evidence Slated

By ANDY COTA
Blade Columbus Bureau

COLUMBUS — Thomas (Yonnie) Licavoli will be given another chance Friday to present evidence that he was denied a fair trial in Toledo 36 years ago.

The aging prohibition era gang leader, convicted in 1934 of conspiracy to commit murder, has been granted a new hearing in U.S. District Court here on a writ of habeas corpus that has been pending since last June.

Licavoli will be represented in the hearing by F. Lee Bailey, of Boston, who succeeded in reversing the second-degree murder conviction of the late Dr. Sam Sheppard.

U.S. District Judge Joseph Kinneary held a hearing last June on the habeas corpus writ

filed on behalf of Licavoli by a Cleveland and Columbus attorney. Before he rendered a decision, Mr. Bailey decided to represent Licavoli and asked for a chance to reargue the case.

A member of the attorney general's office said Mr. Bailey has given no indication of what he intends to do in the new hearing.

"It could be just a reargument of the issues raised last June, or it could be an evidentiary hearing with witnesses," he said.

In the June hearing, Licavoli's attorneys argued that:

- Prosecution witnesses were coerced into testifying, and one was severely beaten by two private detectives from Detroit before he agreed to testify.
- The trial was conducted in a "carnival atmosphere" comparable to a "Roman holiday."

Both the judge and the prosecutor were up for re-election at the time and "were overly attentive to the wishes of the news media."

The judge permitted comment to be made on the fact that Licavoli did not testify on his own behalf. This, they contended, is in violation of a 1965 U.S. Supreme Court decision.

Conspiracy to commit murder, the charge brought against Licavoli, is not a crime in Ohio.

The state conceded that a key prosecution witness, Sam Stein, was beaten by two private de-

TECTIVES known as "the Clark brothers," before he agreed to testify on the sale of a weapon.

But the state contended that while the witnesses' rights may have been violated, Licavoli's rights were not. It also noted that the jury was aware of the beating.

In answer to the charge that Licavoli was tried in a carnival atmosphere, the state pointed out that no attempt was made to obtain a change of venue.

Licavoli was sentenced to life imprisonment for his part in the slaying of a Toledo speakeasy owner, Jack Kennedy, and three other persons — Norman Blatt, Abe Lubitsky, and Louise Bell.

Governor Rhodes last year commuted Licavoli's conviction to second degree murder, making him eligible for parole. However, his petition was subsequently turned down by the Ohio parole board.

Students Meet Today

COLUMBUS (AP) — The annual Ohio Future Teachers of America Conference meets at Capital University today with more than 400 high school students and their advisers from all sections of the state in attendance.



Thomas Licavoli

Few Knew Other Side of Notorious Licavoli

Cleveland Plain Dealer 16 April 1969

Few people know Domiano Licavoli, the high school valedictorian, song writer, student for the priesthood and contributor to the J. Edgar Hoover Foundation.

But few Ohioans have failed to hear of Thomas (Yonnie) Licavoli, convicted murderer, admitted bootlegger and, for the last 35 years, prisoner of the state of Ohio.

He was born Feb. 9, 1904, in St. Louis, where he was a good student—of books and fistfights. But he made his mark in Toledo, where, at age 30, he was named by a jury of his peers as the leader of a gang that had killed four citizens.

HE WAS A DAPPER DUDE, addicted to expensive clothes and pearl-gray, snap-brim hats, when he entered the Ohio Penitentiary. Twenty-five years later, when he was making his second bid for clemency, he granted his first interviews, to Plain Dealer reporter (and now associate editor) Todd Simon.

By then Domiano had been slurred to "Yonnie" and he had changed Dom to Tom. And by then he had acquired the reputation as the richest man in prison—as well as one of the most controversial.

One warden lost his job after investigations into "favoritism" showed Licavoli—steaks for dinner, lengthy visits with his family, visits with persons whose names later were erased from prison records. He wrote songs behind bars: "My Rosary of Love," "Alone With My Tears," "I'll Be Waiting Dear" and "We're Coming Over" were some.

"YONNIE" BRAGGED that he had money stashed away somewhere on the outside and told how he presided over a fleet of a dozen prohibition era speedboats that

did a thriving business between Canada and the United States.

Licavoli's associates in the pen said he had a fine head for business. But the prisoner complained that each time he invested in real estate or gave money to charity including a home for boys funded by the J. Edgar Hoover Foundation somebody smelled a crotched deal. He gave up a plan to have bowling balls made in Italy and shipped to the United States.

A year after his imprisonment, in 1935, Licavoli's father, Michael, and 3-year-old daughter, Grace, were killed in an automobile accident as the family drove from Detroit to Columbus for a visit.

Efforts to win his release played up the fact Licavoli had served a quarter century and more in prison and merely wanted to live out the remainder of his life with his family—his wife, Zena, his other daughter, Concetta.

BUT GOVERNORS and wardens remembered that Licavoli's brother, Peter, was reputed to be a Mafia kingpin in Detroit. And in 1963 John M. McElroy, aide to Gov. James A. Rhodes, composed a letter telling Licavoli:

"It is impossible to disassociate your recent good conduct from the extended criminal conspiracy that brought about your imprisonment in the first place."

Now Licavoli is sour, according to one lawyer friend of his, that Jacob (Firetop) Sulkin, convicted of the same crimes in Toledo, won release in 1955, when he was 74. As the lawyer quoted Licavoli:

"They'll let me out like they let out Jake Sulkin. I'll be like him—too old, too sick, to be any good."

Cleveland Lawyer Calls Licavoli 'Fine Fellow'

A Cleveland lawyer who has been associated with Thomas (Yonnie) Licavoli described the Ohio Penitentiary prisoner as a "fine fellow."

"He speaks like a college professor," the lawyer said. "He has read everything in the prison library. He stands upright. He is dignified. I get a feeling of inadequacy when I talk to him. He has read just about everything there is to read. He has written songs. He has written short stories. He's a phenomenal guy."

The lawyer, who asked that he not be identified, had talked with Licavoli prior to his recent heart attack which hospitalized him in Columbus Riverside Hospital.

"HE TOLD me, 'they'll let me out like they let out Jake Sulkin. I'll be like him, too old, too sick to be any good,'" the lawyer said.

Licavoli referred to Jacob (Firetop) Sulkin, whose sentence was reduced to life in connection with the same Toledo murders for which Licavoli was sentenced. Sulkin was paroled in July, 1965.

Rhodes Refuses Rai Parole Plea

Plain Dealer Bureau

COLUMBUS — John Rai, a onetime henchman in Toledo of Thomas (Yonnie) Licavoli, popped into the news yesterday for the first time in years.

Hours after the Adult Parole Authority said it was rejecting Licavoli's parole plea, the office of Gov. James A. Rhodes announced that the governor was refusing to commute Rai's first-degree murder sentence, a move that would make him eligible for parole.

Rai, now 62, has been in Ohio Penitentiary since 1934. In a letter to Joseph R. Palmer, acting chairman of the parole board, Rhodes said:

"NOTWITHSTANDING THE inmate's good institutional record, which would ordinarily form a proper ground for clemency, I am unable to accept the board's recommendation for commutation of his sentence to a lesser included offense.

"To commute his sentence at this time would damage public acceptance of the principle of commutation and parole which is important to proper administration of our penal system."

Rai originally was from Buffalo. He had told the parole board that, if released, he would return there to live.

Liberty Evades Licavoli

For 35 years Thomas (Yonnie) Licavoli has flirted with freedom — and been spurned.

The leader of a Toledo gang, convicted Nov. 9, 1934, of four bootleg-era murders, Licavoli has tried to win freedom since the day following, when he entered Ohio Penitentiary as Number 68912.

A succession of lawyers, friends, relatives and politicians have failed to win his release. One aging Cleveland Democrat tells of the time in 1959 he was advised \$500,000 was available to help ease Licavoli's release.

But money and highly placed friends did nothing for Licavoli over the years.

LAST JAN. 27, Gov. James A. Rhodes commuted Licavoli's first-degree murder conviction to second-degree, making him eligible for parole. Three times earlier, in 1954, 1959 and 1964, Ohio governors — including Rhodes in 1964 — had refused to commute the sentence.

Rhodes, aware of persistent rumors

that money was available to free Licavoli, announced through an aide in January that Licavoli's wife had signed an affidavit saying no bribe was offered to free her aging (at 65) and ailing husband.

And the governor's office said Rhodes acted after "special recommendations" for clemency were made by "current and preceding wardens" of the Ohio Penitentiary.

The next day The Plain Dealer revealed that neither the present warden, Major Harold J. Cardwell, nor his two predecessors had recommended clemency. A Rhodes aide later said it was a mistake.

WITH CLEMENCY granted, the customary next step would be parole. Yesterday parole authorities in Columbus said they would not release Licavoli.

Ironically, Licavoli was outside penitentiary walls when the announcement was made. He is recovering in Riverside Hospital from a heart attack suffered March 28.

When he is well enough, Licavoli will go back to prison again.

Licavoli's Sentence, Patrol Claims

Toledo Mobster Given Lie Test; Inquiry Finds Rhodes Wasn't Pressured

By ANDY COTA
Blade Columbus Bureau 23444

COLUMBUS—An Ohio Highway Patrol investigation into the commutation of the life sentence of former Toledo gangster Thomas (Yonnie) Licavoli has concluded that no money was offered or paid to anyone in connection with the reduction in sentence from first to second-degree murder.

The highway patrol report, released today, stated that money was available to buy Licavoli's way out of the penitentiary, but the patrol said this offer faded about 1959.

At that time, Licavoli had served 25 years for his connection with four gangland slayings in the Toledo area. He felt he could get out on his own without paying any money, the report stated.

Requested By Rhodes

The report was requested by Governor Rhodes last April after Life magazine published an article implying that Licavoli had somehow used influence with the governor to have the sentence reduced to second-degree murder. This would make him eligible for parole.

Governor Rhodes was out of town today on a trip to New York, where he reportedly is attempting to dissuade an industry from moving from Ohio. He is not expected back until this evening.

Capt R. W. Dunbar, who conducted the investigation, reviewed the numerous attempts by Licavoli to gain his freedom, starting with the first commutation hearing in December, 1954, which was required by law. An inmate convicted of first-degree murder is entitled to a commutation hearing every five years after serving 20 years.

Denied In 1954

Captain Dunbar said commutation was denied in 1954 by Gov. Frank Lausche "because of the seriousness of the offense and (and association with) the leadership in organized crime and a strong adverse feeling which prevailed."

The second commutation effort in December, 1959, was rejected on grounds that "Licavoli's proven conspiracy with notorious gangsters and racketeers, which resulted in the death of four individuals, and association with the possible leadership of organized crime in Toledo and surrounding areas precluded an opportunity for him to return to the community," Captain Dunbar reported.

Gov. Michael DiSalle concurred with the parole commission's recommendation.

Subsequent Denials

The parole commission again recommended against commutation at the third required hearing, in December, 1964, and Governor Rhodes agreed.

Captain Dunbar said that the governor also denied special requests for mercy by Licavoli in June, 1963; by an attorney for Licavoli in 1964; by another appeal from Licavoli in September, 1965, and by Licavoli's wife in October, 1967.

Events leading up to the successful commutation, the captain said, began Dec. 3, 1968, when John McElroy, the governor's chief assistant, informed the parole board that Governor Rhodes had requested another commutation hearing. The request was based on indications that "opposition in Lucas County had died down and that Licavoli had numerous physical ailments," Captain Dunbar said.

Urged By McElroy

The report did not explain why the governor did not wait until this December, when Licavoli would have been automatically eligible. The parole board recommended commutation last Jan. 9. According to the report, the governor was reluctant to sign the commutation, but Mr. McElroy, believing it was the fair thing to do, persisted in urging it.

the affidavit obtained from Mrs. Licavoli and the news release announcing the commutation.

Files Examined

"Every person who had some involvement with the commutation was interviewed and a statement obtained. The three Licavoli files were examined — prison, parole, and the governor's. There were no conflicting statements or reluctance to talk. The files were in order and dovetailed," Captain Dunbar said.

He added that Licavoli was given a lie-detector test regarding any payoff to obtain commutation. "He answered 'no' to the questions, and the examiner reported he was telling the truth," the captain said.

The report took note of a request by Governor Rhodes, about five years ago, for a list of men who had served 20 to 30 years. It has been used as a checklist of "sick, old prisoners whose status should be looked at," the captain said.

The list contained 46 names, starting with a prisoner who served 48 years and ending with one who had served 20 years and six months, Captain Dunbar added, reporting that Licavoli was 16th on the list in time served.

Since the list was filed, 17 of the 46 men remain in confinement, the captain said.

Better Treatment

The report also covered charges that Licavoli received favored treatment while a prisoner in Ohio Penitentiary. Captain Dunbar said Licavoli received better treatment than the average prisoner, but added that so did "other prisonwise inmates."

He said Licavoli is a good prisoner, has good work reports, and has medical reports to back up the reasons for any treatment or assignment. "He also is smart, a fast talker, and capable of promoting his own best interests," he added.

Captain Dunbar quoted Licavoli as saying that he will "scheme and connive to make things better for myself, because I have earned it by serving over 35 years in prison."

Licavoli was found to be receiving special treatment in the Hocking honor camp in 1958, and this resulted in his return to the penitentiary.

The captain said anything out of the ordinary that would appear to be a privilege seems to have a medical basis, such as special foods because of ulcers, and a lower bunk because of a hernia and old age.

"During at least the last 10 years, we found no evidence or indication of any outside pressure or influence to secure any favored treatment for Licavoli," the captain added.

He said reports that Licavoli had a conference with Joe Zerrilli, a Detroit rackets leader, at the time of Licavoli's mother's funeral in August, 1968, are untrue. He did not elaborate.

There is no evidence that Licavoli has controlled Toledo rackets from behind prison walls. At the time of the indictment in 1934, the gang was broken up. Those not arrested fled Toledo and were picked up one by one over the years, Captain Dunbar said.

Others Took Over

He said other individuals moved in and took over, and these in turn were displaced.

A person he identified only as "Besase" returned to Toledo after being released from the reformatory, and eventually controlled the numbers and gambling, the captain said.

show that Licavoli has any control over Besase, although Besase is a cousin and former member of the Licavoli's old gang. Sources claim that if Besase has a boss, it's Pete Licavoli in Detroit," Captain Dunbar said.

(The state patrol said it was referring to Anthony Besase.)

Young Says Rhodes Won't Seek Senate Seat

WASHINGTON—Senator Young said today that he is convinced that Governor Rhodes will not be a candidate to succeed him in the Senate after he retires next year.

"For several weeks I have been sure that he (Mr. Rhodes) will not be a candidate for Senate or for any public office," the senior Ohio senator said.

He explained that his prediction on he had received the error does runs would face the barrassing brushes with the revenue Service before the returns. Set before the not reveal his

Parole Board Stalled Licavoli Freedom Plea

Ohio Parole Board Wants 60 Days To Get More Details

COLUMBUS—The Ohio Parole Board today rejected an immediate parole for Thomas (Yonnie) Licavoli, former Toledo mobster, from the Ohio Penitentiary.

George Denton, chief of the Parole Authority, said today that the parole board wants 60 days to study Licavoli's plea.

As a result, the board neither recommended for or against parole for Licavoli, who has spent 35 years in prison for his part in Prohibition-era slayings in Toledo.

A hearing is scheduled for re-opening in April. Mr. Denton said the board wants more information on where Licavoli will live, how he would support himself, and other matters.

The board may want to set conditions on his parole in whom he may visit or associate, for example.

Licavoli, if paroled, plans to move to Michigan to live with his family there. Mr. Denton said the board did not have enough information to consider sufficient information on his proposed plan to live in Michigan residence.

He said it is not at all unusual to continue a case when the parole involves relocation out of state.

Commutation Approved
Licavoli became eligible for commutation Jan. 27 when Governor Rhodes commuted his first-degree murder conviction. The commutation was approved by the parole board.

Mr. Denton said the parole board feels that in view of certain allegations made concerning the activity of the Licavoli family in Michigan, further investigation is required.

He said the parole board wants to evaluate this factor, and he added that he is sure that Michigan law enforcement officials want to study the information available in Ohio before parole is granted.

Rhodes slams Life on tax, graft charge

DETROIT NEWS, 4-29-69
From UPI and AP Dispatches
COLUMBUS, Ohio—Gov. James A. Rhodes says a Life magazine assertion that he misused political funds and failed to report taxes is an "outright lie."

The magazine reported today that Rhodes had paid penalties on income he did not report and had manipulated "slush funds."

It said, in a story in its current edition, that it discovered the information while investigating Rhodes' commutation of the life sentence of former Toledo mobster Thomas (Yonnie) Licavoli.

"Contrary to the outright lie reported by Life," Rhodes said. "I have never been assessed or paid a penalty either for failure to report or to pay my federal income tax, and I challenge and defy Life magazine or anyone else to prove that I ever was . . ."

LIFE SAID the Mafia had offered \$250,000 for Licavoli's release in the past and recently had raised the figure to \$300,000. Life did not accuse Rhodes of taking the bribe.

"The fact that Rhodes has been dipping into slush funds for years without getting caught suggests that he thought he could get away just as easily with granting clemency to Licavoli," Life said.

The article said Rhodes purchased land for a home, paid his taxes and conducted other personal business with "loans" from campaign funds.

Rhodes countered with a direct denial. "I deny categorically that I have, as governor of Ohio, received any money illegally or immorally," he said. "Nor have I, as a public official in Ohio before I was governor, ever taken a bribe or which could be construed as contribution to a slush fund."

THE LIFE ARTICLE reported that in connection with his campaign for state auditor, an Internal Revenue Service investigation "found that Rhodes had dipped into the campaign fund for a total of \$88,982 from 1954 through 1957. Of this amount, he reported \$16,982 as 'gifts and gratuities' on his tax returns. He did not report the balance of \$70,000."

Rhodes, the magazine said, told the government he had borrowed \$30,000 of the unreported \$70,000 from the fund. Then, in what it described as an "unusual agreement," the magazine said the IRS allowed Rhodes to settle that debt by putting \$30,000 in a bank account in the campaign committee's name, plus \$3,000 for interest.

It said the matter of the remaining \$34,000 was settled with IRS for \$16,000.

(Concluded on Page 4A)



Gov. Rhodes: No penalties, no slush funds

For Licavoli

No Infringement Of Defendant's Rights Found

The constitutional rights of Thomas (Yonnie) Licavoli were not infringed upon in his 1934 conviction for first degree murder, Common Pleas court Judge George Kiroff ruled today.

The judge denied a motion for a new trial filed April 12 by Moses Krislov, Licavoli's attorney.

The prohibition era gang leader has been in Ohio Penitentiary nearly 32 years. He and 13 others were indicted on charges of murder in the deaths of Abe Lubitsky, Norman Blatt, Louise Bell, and Jack Kennedy.

Read Long Record

Judge Kiroff said he spent 17 hours reading copies of 1934 newspaper articles and the lengthy record of the trial. He also heard eight hours of oral arguments by Mr. Krislov last week.

"The basis for the request for the new trial boiled down to two issues—the alleged prejudicial publicity and what Mr. Krislov termed the totality of deprivation of the rights of Licavoli," the judge said.

The judge found that there was no denial nor infringement of Licavoli's rights and added that the defense attorney in the earlier trial, the late Cornell Schreiber, did a competent job of defending Licavoli and preparing a subsequent appeal, which was turned down by the Sixth District Court of Appeals in 1935.

Appeal Expected

Judge Kiroff said it is expected that Mr. Krislov will appeal today's ruling. The motion was filed under the provision of a 1965 law which allows a convicted person to begin his appeal in the court of original jurisdiction. Such an appeal could eventually be decided by the U.S. Supreme Court.

The former gang leader has made previous attempts to gain freedom by filing appeals and requests for writs of habeas corpus which were denied by the Seal society.

7, 1967

Licavoli Loses Freedom Plea

Ohio High Court Refuses Review

COLUMBUS, April 27 (AP)—

Thomas (Yonnie) Licavoli, leader of Toledo's "Purple Gang," lost another appeal for release from prison in the Ohio Supreme Court yesterday.

The high court refused to review lower court actions, dismissing Licavoli's latest appeal from his first first-degree murder conviction brought under a state post-conviction remedy law.

APR 26 1967

In prison since 1934, Licavoli is serving a life sentence for his part in four prohibition era slayings.

Licavoli contended his indictment was defective and that the prosecutor improperly commented on the gang chief's failure to take the stand at his "unfair and prejudicial" trial.

It was the latest development in Licavoli's bid for freedom in state and federal courts over the years. Three governors also have turned down his request for a second-degree murder commutation to make him eligible for parole from Ohio Penitentiary.

Licavoli was indicted with a dozen others in four Toledo gangland-style slayings. Victims were Jack Kennedy, rival bootlegger and speakeasy owner, gunned down July 7, 1933; Abe Lubitsky and Norman Blatt, shot fatally in an automobile Oct. 6, 1931, and Louise Bell, slain Nov. 30, 1932.

On Licavoli Retrial bid

Judge Kiroff Must Review 1,200-Page Record Of '34 Trial, Newspaper Accounts

Common Pleas Court Judge Kiroff will decide within two weeks whether Thomas (Yonnie) Licavoli is entitled to a new trial.

Convicted of first-degree murder in 1934, Licavoli has been in Ohio Penitentiary since then. In a day-long hearing yesterday, Moses Krislov, Cleveland attorney, argued that his client did not receive a fair trial.

The prohibition-era gang leader and 13 others were charged with four murders. Licavoli has made repeated attempts to gain freedom, and last year, the Ohio Supreme Court refused to review Licavoli's case.

Mr. Krislov charged that Toledo was aroused by prejudicial publicity before and during the trial. He said that newspaper stories implied that the Licavoli gang was responsible for a murder in Detroit just prior to the trial here in October, 1934.

Claims Witnesses Beaten

The attorney also alleged that the then prosecutor, Frazier Reams, Sr., had witnesses jailed if they failed to testify as the state thought they should, that witnesses were beaten and intimidated, and that Licavoli's indictment was faulty in that it alleged a conspiracy to commit murder. There is no such law in Ohio, Mr. Krislov said.

Prosecutor Harry Friberg replied that the attitude in Toledo in the early thirties was not created by the newspapers, but by gangland activities that had the city in fear and apprehension.

The other contentions made by Mr. Krislov concerning the intimidation of witnesses and the question of the indictment, Mr. Friberg said, all were rejected by the Sixth District Court of Appeals in 1935.

Judge Kiroff, who took the case under advisement, must review the 1,200-page record of the 1934 trial and copies of newspapers submitted as exhibits by Mr. Krislov.

Based On 1965 Law

Licavoli's motion for a new trial is based on a 1965 Ohio law that allows a convicted person "postconviction remedies." The law was passed by the Legislature to halt a flood of requests to appellate courts for writs of habeas corpus, particularly in Franklin County. The writs were sought mainly by prisoners in Ohio Penitentiary.

Mr. Friberg said Licavoli's appeal could open the way for court proceedings all the way to the U.S. Supreme Court.

FEB 5 1967
LADE: TOLEDO, OHIO, WEDNESDAY, FEBRUARY

Attorney General Rejects Proposed Licavoli Inquiry

'Purely Political' In Nature, Brown Says; Wardens Deny Backing Commutation

Blade Columbus Bureau

COLUMBUS — A Cincinnati attorney's request for an investigation into the pending parole of Thomas (Yonnie) Licavoli was rejected Tuesday by Attorney General Paul Brown as "purely political" in nature.

The request came from Harry H. McIlwain, an unsuccessful candidate for the Democratic gubernatorial nomination in 1966.

Mr. McIlwain, in requesting the investigation into the commutation of Licavoli's life sentence noted:

► Two wardens denied recommending commutation of the sentence despite reports to the contrary from the governor's office.

► J. Arthur Shuman resigned as chairman of the parole board the day the commutation was announced.

► Licavoli's wife was required to sign a statement that no person was paid or promised anything to assist in obtaining the commutation.

Rehash Of Stories

Mr. Brown, in a letter to Mr. McIlwain, termed the points raised in the request for the investigation as "a rehash of already published newspaper stories." He said he was certain that the matters have been fully checked by the news media.

In any event, Mr. Brown noted, the Ohio Constitution

thorizes the governor to grant reprieves, commutations, and pardons. The attorney general has no authority to review the governor's actions in these matters, he said.

Licavoli has served 35 years on a conviction of conspiracy in four prohibition-era slayings in Toledo. The life sentence was commuted by Governor Rhodes Jan. 27, making Licavoli eligible for parole. A parole board hearing is scheduled Friday.

Mr. Brown noted that a person serving a life sentence is automatically eligible for consideration for commutation after 20 years and periodically thereafter.

Reviewed Several Times

As a result of this legal requirement, Mr. Brown said Licavoli's case was reviewed in 1955, 1959, 1964, 1967, and 1969.

In 1959, the attorney general said, one parole board member recommended commutation. In all subsequent hearings, the board has recommended against commutation, "with the principal reason offered being community feeling," he said.

Among the reasons why the parole board now recommends commutation, Mr. Brown said, is the fact that Licavoli had "completed 35 years' imprisonment with an uncharged record."

He said that if Licavoli

Rhodes Expected To Abandon Plan To Sue Magazine Over Accusations

COLUMBUS — Governor Rhodes has rejected a plan to sue a magazine for accusations it leveled against him last spring, it was reported Tuesday.

A source close to Mr. Rhodes said a research indicates it would be possible for any official to collect on a suit or defamation of character.

"The governor rejected the idea of suing the magazine," the source said.

Lawyer friends of Rhodes over the past year compiled a large number of cases. It was turned over to the governor only recently.

The biggest stumbling block to a libel suit, the source said, is the 1964 U.S. Supreme decision in the New York Times vs. Sullivan case.

In that decision, the high court said a public official must prove actual malice on the part of the publication and that errors of

fact or negligence are not enough.

"In effect, the court ruled in that case that a public official was fair game for muckrakers," the source said.

Fund Manipulation Charged

The magazine, in an article entitled "The Governor and the Mobster," charged that Mr. Rhodes had manipulated campaign funds for his own use and insinuated he acted improperly in commuting the life sentence of mobster Thomas (Yonnie) Licavoli.

Although the commutation of Licavoli's sentence made the onetime Toledo gangster eligible for parole, he remains behind

bars at Ohio Penitentiary. The parole board rejected his bid for freedom.

"The Life article was clearly a case of vicious character assassination, but it is extremely difficult to prove it," the source said.

Alloto Action Cited

When reminded that San Francisco Mayor Joseph Alioto quickly filed a libel suit against Look magazine after it accused him of Mafia connections, the source said:

"It is easy to sue, but almost impossible to collect."

He said Mr. Rhodes does not want to sue if he has no chance of winning because of previous court decisions on libel.

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Licavoli Asks Ohio Top Court Review Of 1934 Conviction

TOLEDO-BLADE Coercion Of Witnesses, Prejudicial Press Are Charges In Appeal Petition

By EDSON WHIPPLE
Blade Columbus Bureau

COLUMBUS, Nov. 8 — Thomas (Yonnie) Licavoli today asked the Ohio Supreme Court to review his 1934 conviction for his role in a Toledo gang slaying.

In a memorandum filed with the Ohio Supreme Court, Moses Krislov, Licavoli's attorney, asked the court to hear an appeal because:

► Prosecutor Frazier Reams permitted to imply repeatedly during the trial that Licavoli's refusal to testify was an indication of guilt—a violation of Licavoli's constitutional rights under the 1965 Griffin decision by the U.S. Supreme Court.

► Lucas County Common Pleas Judge John McCabe

in the prosecution made "a mockery of justice" by coercing witnesses with physical brutality, appealing to passion and prejudice, permitting introduction of evidence of other unrelated murders and arrests, and allowing prosecutors to give testimony.

► Highly prejudicial newspaper publicity both before and during the trial, made a fair hearing impossible with the recent ruling of a federal court in the Sam Sheppard case cited as a precedent.

► The original indictment was defective because it charged conspiracy to murder which is not a crime in Ohio.

Licavoli was sentenced to life imprisonment in 1934 for his part in the July 7, 1933 slaying of Jack Kennedy, Toledo speakeasy owner, and also for the killings of Norman Blatt, Abe Lubitsky, and Louise Bell.

The Sixth District Court of Appeals upheld the conviction. Licavoli never appealed further until now, the memorandum said, because his attorney told him at the time that "Ohio courts were biased against him."

In view of the attitude of the prosecutor and Lucas County newspapers that Licavoli was "a gang overlord responsible for virtually every killing in the area," the memorandum continued, even had the conviction been reversed, Licavoli likely would have been found guilty on some other count and then perhaps sentenced to the electric chair.

"Faced with this alternative," the memorandum added, Licavoli elected not to appeal.

In the circumstances, this court should be considered a waiver of his right to do so.

The memorandum also noted that a 1963 petition for a writ of habeas corpus was denied by Lucas County Judge Mell Underwood on grounds that Licavoli had exhausted all his remedies in the state courts.

One remedy is the action taken today — a request for permission to appeal. Another would be to seek the habeas corpus writ from the Lucas County Common Pleas Court.

Constitutional Question
But the memorandum indicated this route would be less acceptable and said the Ohio Supreme Court should keep jurisdiction because the case raises serious constitutional questions, such as whether the Griffin decision would be "retrospective" in such a situation.

Supporting the contention that the prosecution coerced witnesses with physical brutality, the memorandum claims that two persons known as "Clark brothers" were reported from Wayne County, Michigan, to beat up witnesses until they were willing to testify for the prosecution.

Annortion Plan

The Toledo Times

SECOND SECTION COMPLETE SPORTS

FRIDAY, MAY 27, 1966 PAGE 19

Yonnie Licavoli Move To Ease Sentence Taken Under Study By Judge

Bootleg-Era Figure Kept In Penitentiary, Courtroom Seats Empty During Hearing's Replay Of Turbulent Toledo Period

The latest bid of Thomas (Yonnie) Licavoli, 62, to ease his life sentence for conspiracy in four Toledo bootleg-era murders was taken under study yesterday by Common Pleas Judge George N. Kiroff.

Licavoli has been a prisoner in Ohio State Penitentiary since 1934. He was given no opportunity to appear in person at the 5-hour hearing on a motion to set aside his conviction.

Instead, he was represented by Moses Krislov, Cleveland attorney. A voluminous record of the original trial and blow-ups of front-page newspaper stories of proceedings which rocked Toledo 32 years ago were offered.

Will Read Record
Following arguments by attorneys, Judge Kiroff said he will read the entire record of the original 3-week trial before reaching a decision.

Licavoli and 13 cohorts were indicted in the gang-style murders of Abe Lubitsky, Norman Blatt, Louise Bell, and Jack Kennedy.

Yesterday's hearing was a replay of a troublesome Toledo era. The audience was a series of empty courtroom chairs.

Licavoli's first appeal was rejected by the Sixth District Court, as were 1954 and 1964 attempts to obtain parole.

New Appeals Seen Possible
This latest legal action, attorneys said, could be a forerunner of new appeals to the Ohio Supreme Court, and ultimately to federal courts.

Mr. Krislov argued that the 1934 trial prevented his client from having a fair trial by producing a flood of prejudicial publicity. He commented at length upon wording of the indictment, alleged intimidation of witnesses, wire tapping, and a mass of "hearts and flowers" type of testimony.

The attorney dwelt on the jailing of several witnesses on perjury charges and a change in their testimony following their release to the custody of Frazier Reams, Sr., then the prosecutor. He pointed to tactics employed by two Detroit investigators in allegedly beating a man in the prosecutor's office and thus inducing him to reveal to whom he sold a murder gun.

Defends Press Accounts
"I don't know if Mr. Licavoli is guilty or innocent, but from the record it is apparent he did not receive a fair trial," Mr. Krislov asserted.

Prosecutor Harry Friberg described the arguments as tiresome repetition. The courts, he said, have established that the indictment wording was not faulty and that in the Licavoli case there was abundant evidence of conspiracy.

Challenging Mr. Krislov's charge that press accounts built up an atmosphere of bias, Mr. Friberg said the atmosphere stemmed instead, from strong community feeling following the notorious gangster

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was available to buy Licavoli's way out of the penitentiary, but the patrol said this offer faded about 1959.

At that time, Licavoli had served 25 years for his connection with four gangland slayings in the Toledo area. He felt he could get out on his own without paying any money, the report stated.

Requested By Rhodes

The report was requested by Governor Rhodes last April after Life magazine published an article implying that Licavoli had somehow used influence with the governor to have the sentence reduced to second-degree murder. This would make him eligible for parole.

Governor Rhodes was out of town today on a trip to New York, where he reportedly is attempting to dissuade an industry from moving from Ohio. He is not expected back until this evening.

Capt R. W. Dunbar, who conducted the investigation, reviewed the numerous attempts by Licavoli to gain his freedom, starting with the first commutation hearing in December, 1954, which was required by law. An inmate convicted of first-degree murder is entitled to a commutation hearing every five years after serving 20 years.

Denied In 1954

Captain Dunbar said commutation was denied in 1954 by Gov. Frank Lausche "because of the seriousness of the offense and (and association with) the leadership in organized crime and a strong adverse feeling which prevailed."

The second commutation effort in December, 1959, was rejected on grounds that "Licavoli's proven conspiracy with notorious gangsters and racketeers, which resulted in the death of four individuals, and association with the possible leadership of organized crime in Toledo and surrounding areas precluded an opportunity for him to return to the community," Captain Dunbar reported.

Gov. Michael DiSalle concurred with the parole commission's recommendation.

Subsequent Denials

The parole commission again recommended against commutation at the third required hearing, in December, 1964, and Governor Rhodes agreed.

Captain Dunbar said that the governor also denied special requests for mercy by Licavoli in 1963; by an attorney for Licavoli in 1964; by another attorney for Licavoli in September, 1964; and by Licavoli's wife in 1967.

Up to the suction, the captain said, Dec. 3, 1968, Elroy, the governor's assistant, informed the parole board that Governor Rhodes had requested another commutation hearing. The hearing was based on information that "opposition in Lucas County had died down and that Licavoli had numerous physical ailments," Captain Dunbar said.

Urged By McElroy

The report did not explain why the governor did not wait until this December, when Licavoli would have been automatically eligible. The parole board recommended commutation last Jan. 9. According to the report, the governor was reluctant to sign the commutation, but Mr. McElroy, believing it was the fair thing to do, persisted in urging it.

After a signed statement was obtained from Mrs. Licavoli to the effect that no one paid or promised anything, the governor signed the commutation on Jan. 25.

Licavoli planned to live in Michigan, but authorities there refused to accept him, and the Ohio parole board subsequently refused to grant the parole.

Captain Dunbar said the only unusual aspects of the case were

Mrs. Licavoli and the news release announcing the commutation.

Files Examined

"Every person who had some involvement with the commutation was interviewed and a statement obtained. The three Licavoli files were examined — prison, parole, and the governor's. There were no conflicting statements or reluctance to talk. The files were in order and dovetailed," Captain Dunbar said.

He added that Licavoli was given a lie-detector test regarding any payoff to obtain commutation. "He answered 'no' to the questions, and the examiner reported he was telling the truth," the captain said.

The report took note of a request by Governor Rhodes, about five years ago, for a list of men who had served 20 to 30 years. It has been used as a checklist of "sick, old prisoners whose status should be looked at," the captain said.

The list contained 46 names, starting with a prisoner who served 48 years and ending with one who had served 20 years and six months. Captain Dunbar added, reporting that Licavoli was 16th on the list in time served.

Since the list was filed, 17 of the 46 men remain in confinement, the captain said.

Better Treatment

The report also covered charges that Licavoli received favored treatment while a prisoner in Ohio Penitentiary. Captain Dunbar said Licavoli received better treatment than the average prisoner, but added that so did "other prisonwise inmates."

He said Licavoli is a good prisoner, has good work reports, and has medical reports to back up the reasons for any treatment or assignment. "He also is smart, a fast talker, and capable of promoting his own best interests," he added.

Captain Dunbar quoted Licavoli as saying that he will "scheme and connive to make things better for myself, because I have earned it by serving over 35 years in prison."

Licavoli was found to be receiving special treatment in the Hocking honor camp in 1958, and this resulted in his return to the penitentiary.

The captain said anything out of the ordinary that would appear to be a privilege seems to have a medical basis, such as special foods because of ulcers, and a lower bunk because of a hernia and old age.

"During at least the last 10 years, we found no evidence or indication of any outside pressure or influence to secure any favored treatment for Licavoli," the captain added.

He said reports that Licavoli had a conference with Joe Zerrilli, a Detroit rackets leader, at the time of Licavoli's mother's funeral in August, 1968, are untrue. He did not elaborate.

There is no evidence that Licavoli has controlled Toledo rackets from behind prison walls. At the time of the indictment in 1934, the gang was broken up. Those not arrested in Toledo and were picked up one by one over the years, Captain Dunbar said.

Others Took Over

He said other individuals moved in and took over, and these in turn were displaced.

A person he identified only as "Besase" returned to Toledo after being released from the reformatory, and eventually controlled the numbers and gambling, the captain said.

"Nothing has developed to

Won't Seek Senate Seat

WASHINGTON—Senator Young said today that he is convinced that Governor Rhodes will not be a candidate to succeed him in the Senate after he retires next year.

"For several weeks I have been sure that he (Mr. Rhodes) will not be a candidate for the Senate or for any public office," the senior Ohio senator said.

He explained that he bases his prediction on information he had received that if the governor does run in 1970, he would face the prospect of embarrassing disclosures of past brushes with the Internal Revenue Service over income tax returns. Senate Young would not reveal his source.

Inflation Ca

Romney Lists U.S. Priorities

Blade Washington Bureau

WASHINGTON — George Romney, housing and urban development secretary, told a subcommittee headed by Rep. Thomas L. Ashley Monday that although creating a proper urban environment is the No. 1 U.S. domestic need, he does not see how it can be done in an inflationary economy.

This is why the secretary said he supports the order of priorities set forth by President Nixon — ending the Vietnam war must come first, followed by an end to inflation, before urban problems can be solved.

Mr. Romney was testifying before a House banking and currency subcommittee on urban growth headed by the Toledo Democrat. The secretary was pressed by Mr. Ashley on whether he can see adoption of a national urban policy in the near future. The Toledo congressman said that the present "piecemeal" approach to urban problems by different federal agencies has led to some "conflicting and self-defeating programs," notably in the construction of highways which in turn create new difficulties for city-dwellers.

Preparation Ordered

Mr. Romney said that the staff of the President's Council on Urban Affairs has been directed to prepare such a policy and that he is confident that there will be one. But he said he did not know whether it would be a comprehensive one or a set of actions done on a piecemeal basis.

The Toledo congressman also asked Mr. Romney whether the Administration's plan for sharing federal revenues with the states might not contain some requirements for the states to assume a more active role in providing better zoning controls and more equitable real estate taxation.

Although conceding the need for more state action in these areas, Mr. Romney said it would be unwise to load down the revenue-sharing program with all the requirements that various different federal agencies might want to insert.

'Rube Goldbergish'

At one point in his testimony, Mr. Romney described some of the frustrations he has had in trying to successfully administer his department.

Some of the various federal grant programs are "Rube Goldbergish" in their requirements, he noted. A study shows that a single HUD program has more than 1,000 points at which action or review are required.

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Yon Licavoli Shifted From Camp To Pen

NOV 7 1958
Transfer Follows Tales Of Pampering At Hocking Facility

COLUMBUS, Nov. 6 (AP)—Thomas (Yonnie) Licavoli, 54-year-old ex-Toledo mobster and convicted murderer, was returned to Ohio Penitentiary today following published reports that he was receiving special privileges at Hocking Honor Camp.

However, Maury C. Koblentz, director of the Ohio division of correction, stressed that Licavoli's return did not mean he was guilty of violating any camp rules.

Mr. Koblentz said the action was taken, following a conference between himself and penitentiary Warden Ralph W. Alvis, "as a result of the recurring rumors which were not for the best interest of the camp."

The correction chief said it was "the first rumor we've ever had of favoritism" in the honor camp program.

He pointed out that the honor camp program has been in existence for 8 1/2 years and that more than 2,000 inmates have passed through the camps. Ohio has 15 such camps, with six under the supervision of the penitentiary.

Mr. Koblentz said Licavoli's future status at the penitentiary would be up to Warden Alvis. That includes whether he will be there permanently or only on a temporary basis.

Licavoli was a nurse attendant when he was at the penitentiary before. He entered the prison in November, 1934, and was transferred to the honor camp in Hocking County three years ago this month.

Mr. Koblentz said the investigation will continue into reports that Licavoli received favored treatment.

The Columbus Dispatch, in a front page story today, said Licavoli was "being given special treatment to assure his personal comfort and pleasure" at the honor camp.

Among privileges which the Dispatch said have been granted Licavoli are: Unlimited visitors on days other than regulation visiting days.

Meals served apart from other prisoners with special food provided by his family.

Uncensored mail, both incoming and outgoing.

Receiving boxes by mail and personal delivery without inspection by a guard for possible contraband.

Use of the camp telephone.

Permission to take visitors to a small cabin for private talks.

Permission to wear non-regulation clothing.

Denial Given Out

The Dispatch last month also printed stories in which it said Licavoli was getting special privileges. At that time, Mr. Koblentz commented: "No special privileges have been granted to any prisoner and they will not be tolerated."

Mr. Koblentz said today that as far as his division knows, special treatment for individual prisoners is still not being done. He said when the published reports came out last month, Warden Alvis sent his camp supervisor, Capt. Frank Morcal, to investigate at Hocking Honor Camp, and that Captain Morcal labeled the reports untrue.

In Penitentiary Overdone, Warden Says

Official Admits Ex-Toledo Mobster May Have Had Too Many Visitors

TOLEDO BLADE
 Claims Of Favored Treatment At Honor Camp Still Denied

NOV 7 1958
 By FRANK R. KANE
 Toledo Blade Bureau
 COLUMBUS, Nov. 7—Thomas (Yonnie) Licavoli, Toledo gangster serving a life sentence for four murders, has been ordered back to the Ohio Penitentiary as a result of charges that he was receiving favored treatment as a prisoner at Hocking honor camp.

Warden Ralph W. Alvis of the penitentiary continues to contend that the charges are unfounded but he said that Licavoli was transferred back to the penitentiary yesterday "for the good of the honor camp, the other camp inmates and Licavoli himself."

Charges Repeated
 A Columbus newspaper charged several weeks ago that Licavoli was getting special treatment, living in a cabin by himself and virtually ruling the camp.

At that time Warden Alvis sent corrections officers to the camp for an investigation and he said they found the charges were unfounded.

Yesterday the same newspaper printed another story saying, among other things, that Licavoli was allowed to receive unlimited visitors, that his meals were served apart from other prisoners and consisted of special food provided by his family, that he was allowed to use the camp telephone, wore non-regulation clothing and that his mail was uncensored.

Hoffa Visit Denied
 Warden Alvis said that he sent another officer to the camp with orders to bring Licavoli back. He said that the officer was told not to spend much time checking the reports but just return Licavoli to the penitentiary.

The warden added that he has found nothing at all to substantiate the charges, including one that James R. Hoffa, president of the Teamsters, visited Licavoli at the camp.

He said the visitor Licavoli received was a man named Coffman from Cleveland and not Mr. Hoffa.

COLUMBUS, Nov. 7 (AP)—Ohio Penitentiary warden Ralph W. Alvis today termed as "grossly exaggerated" some published reports here that ex-Toledo mobster Thomas (Yonnie) Licavoli received preferential treatment at Hocking Honor Camp.

Licavoli, 54-year-old convicted murderer, was returned to the penitentiary yesterday following publication of the reports.

However, Maury Koblentz, director of the Ohio division of correction, asserted that "the step was taken to guard against any reflection on the camp program," and not because Licavoli had violated any camp rules.

Says Deep Probe Due
 Warden Alvis said a thorough investigation will be made into some of the alleged privileges that Licavoli received. But he said other reported privileges were not that at all, including the following on which he had these comments:

Permission to wear non-regulation uniforms. "He was wearing, when brought in (to the penitentiary), and has been wearing the regulation sun-fan uniform, the same worn by clerks in prison and at honor camps."

Special foods. "All prisoners are allowed to bring food in and receive food. If they have too much food, it's kept for them in the kitchen refrigerator."

Licavoli having a pet dog in violation of rules. "There's no rule against having dogs. The dog in question was sent by Deputy Warden Marion Koloski. I sent three dogs. Mrs. Lausche (wife of Sen. Frank Lausche) has sent a dog to camp."

Limited visitors. "We're

checking that, but I do know that Mrs. Licavoli and her daughter, until the daughter's marriage, never missed one day of visiting him on days when visits were permitted."

Too Many Visitors Possible
 Mr. Alvis added, however, that "there is the possibility he had more visitors than he should have had."

Packages not searched for possible contraband. "That appears absurd on the face of it. Why would he want contraband sent to use in escaping? All he had to do is walk away if he wanted to escape."

Use of camp telephone. "As clerk he used the phone often. We've never received any bills for long-distance calls. Such calls could be made collect. We're checking to see if he made any such calls."

Licavoli was sent to the honor camp in Hocking County three years ago this month after spending 21 years in the penitentiary proper.

In Prison Hospital

COLUMBUS, Jan. 9 (AP)—Thomas (Yonnie) Licavoli, ex-Toledo mobster whose activities set off a recent Ohio penitentiary investigation, is in the prison hospital suffering from bleeding ulcers, warden Ralph Alvis said today.

Mr. Alvis said the convicted murderer's wife, his daughter and son-in-law visited Licavoli in the hospital for 30 minutes yesterday and again this afternoon.

"The visits are just as routine as anything in the penitentiary," Mr. Alvis said.

Licavoli has had ulcers for a number of years but the present attack is due to "excitement and worry," Mr. Alvis said.

Licavoli was transferred back to the prison from the Hocking Honor Camp after an investigation was launched by prison officials and the state highway patrol into reports that the prisoner was receiving special privileges.

The investigation substantiated some of the reports.

Yonnie Licavoli In Prison Hospital

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Warden Denies Licavoli Is Favored

NOV 6 1958
 COLUMBUS, Nov. 6 (AP)—Warden Ralph W. Alvis today investigated rumors that Thomas (Yonnie) Licavoli is receiving special privileges at the Hocking County honor camp for Ohio Penitentiary prisoners. Mr. Alvis said he found the rumors baseless.

Licavoli, a former Toledo underworld figure, is serving a life sentence for murder and will be eligible for parole consideration in 1959. He runs the honor camp dispensary, is a male nurse and is in charge of the commissary.

Rumors were that he lives in a private cabin and has access to an automobile. Prison authorities said Licavoli makes trips to Lancaster and Logar for supplies but is always accompanied by a guard.

Inquiry Confirms Counts On Licavoli Privileges Found

BLADE 1-20-59
 In Ohio Patrol Quiz
 COLUMBUS, Jan. 20 (AP)—Conclusions in the final report on an investigation into special privileges received by convicted slayer Thomas (Yonnie) Licavoli of Toledo at the Hocking honor camp are the same as those made in a preliminary report last month.

M. C. Koblentz, chief of the

division of correction, said yesterday the Ohio Highway Patrol's investigation showed Licavoli received more than the authorized number of visitors, that he made a number of long distance telephone calls and lived on a special diet because of ulcers.

Licavoli was returned to Ohio Penitentiary during the inquiry and has been in the prison hospital for a week because of the ulcer condition, officials said. He has lost his status as an honor inmate.

The investigation resulted in the resignation of the camp superintendent, Lt. Thomas Crowe. Ralph M. Durst, second in command, now has taken over camp direction.

Liberal Explained Warden Sees No Privileges For Licavoli

TOLEDO BLADE
 COLUMBUS, Oct. 7—Reports that Thomas (Yonnie) Licavoli, former Toledo gangster, has been receiving special privileges as a prisoner at the Hocking County honor camp have been investigated by state corrections divisions officials.

E. B. Haskins, assistant division chief, said reports had been received that Licavoli was living in a private cabin at the camp and that he had the use of an automobile.

Mr. Haskins said Warden Ralph W. Alvis of Ohio Penitentiary checked the reports and found the following situation:

Employed As Nurse
 "That Licavoli, among other things, was employed as a nurse at the camp and on 24-hour call. Therefore, he was living in a cabin with five other men, most of them cooks, also on 24-hour call."

"In addition, Licavoli sometimes makes trips into nearby Logan and Lancaster for supplies for the camp, but each time he is accompanied by the guard lieutenant in charge of the camp."

Mr. Haskins said that both he and Warden Alvis see no justification for the reports that Licavoli was getting special privileges.

Seeks Commutation

Licavoli, 54, is serving a life sentence for murder. He has been at the honor camp since November, 1955. The camp is a small one, with about 40 men, most of whom are employed in forestry and park work in Hocking State Forest. Licavoli will be eligible for a hearing next year before the state parole board on a request

for commutation of his sentence to one for second-degree murder. If the commutation is granted by the parole board and the governor, then he will become eligible for parole. He began his sentence Nov. 10, 1934.

Thacher Visits to Licavoli Disclosed

Councilman Admits Seeing Notorious Gangster Serving Life in Ohio Penitentiary

COLUMBUS, O., April 12 (Special)—Several unregistered visits to Ohio penitentiary by Addison Q. Thacher, former Republican mayor and present city councilman of Toledo, in the interest of Thomas "Yonnie" Licavoli, former Toledo gang chief, were disclosed today and verified by Warden Frank D. Henderson.

Simultaneously, the prison head revealed that Mr. Thacher also has visited Jacob "Firetop" Sulkin, a former Licavoli gang member now a prison trusty serving a life sentence.

Warden Henderson said no record of Mr. Thacher's visits with Licavoli exist and he disclosed further that it is possible that Mr. Thacher has had unauthorized, informal chats with both Sulkin and Wop English, another former Licavoli gang member who also is a trusty serving a life sentence.

The disclosures were made by Mr. Henderson in response to questions asked by reporters, one of whom less than two weeks ago saw Mr. Thacher talking with Sulkin and English in front of the prison.

The reporters said they had information that Mr. Thacher had visited Licavoli frequently.

Warden Henderson replied that the Toledo councilman has visited the penitentiary five or six times in the last two years, but that to his, the warden's knowledge, had only talked with the former Toledo gangster once.

Warden Henderson was unable to give the exact date of this visit, he said during his conversation with the reporters that it was a "few months ago." Later in the conversation he said in the summer of 1942.

Mr. Thacher, the warden said, made the visit at request of members of Licavoli's family who had received a letter from the former gang head complaining that he was being discriminated against at the prison.

"Among other things," explained Warden Henderson, "Licavoli had written that he wasn't being treated right by guards."

Warden Henderson said he and Mr. Thacher talked about the case and that Mr. Thacher thought he might be

able to "straighten up" Licavoli by talking to him. The warden said he agreed.

No record was made of the visit because "we didn't start keeping records of screen visits" until a couple of months ago, the warden said. A screen visit is one in which the visitor in the "bull pen" talks through a screen to an inmate in the adjoining cellblock.

The warden said that to the best of his knowledge Mr. Thacher's other visits were along social lines. He explained he has known Mr. Thacher a number of years and that the Toledo official just drops in to say "hello."

On one of these visits, the warden said, Mr. Thacher asked and obtained permission to talk with Sulkin.

Asked if that permission meant that he would be permitted to talk with the inmate whenever he wanted, the warden said "No." He then explained that it is possible Mr. Thacher stopped to talk with Sulkin and Wop English on other occasions because both are trusties who might be in front of the prison at the moment Mr. Thacher visited the institution.

The warden elaborated, stating he had "no control" over a situation which might arise if an acquaintance of a trusty happens to encounter that trusty and stops to say "hello."

English entered the prison Jan. 5, 1934, sentenced to die April 23. His sentence was commuted to life by former Governor White.

Sulkin was admitted April 27, 1935, to die March 7, 1936. His sentence was commuted by former Governor Davey.

Thatcher Disclaims Interest in Licavoli

Asked for a comment on the warden's statement last night, Mr. Thacher said, "I have talked to Licavoli only once at the penitentiary, and then he was behind a screen. I have talked to Sulkin and English several times. Sulkin is across the road in the garage and English is in charge of the gardening, and as trusties, I have seen them outside."

See THACHER, Page 13, Col. 5

 **BUY WAR BONDS**

WEATHER
TOLEDO AND VICINITY

Colder

U. S. Weather Report on Page 7

The Toledo Times

AN INDEPENDENT NEWSPAPER

FINAL
★ ★ ★ ★ ★

Licavoli Gang

MAY 12 1957

Continued from First Page

Still irked at the success of Jackie Kennedy's Studio Club he decided to take over a club in Toledo's downtown area. He selected the Show Boat, operated by Lou Greiner and Chet Marks, and began putting pressure on the owners for a "piece" of the club.

The owners resisted. A short time later Mr. Marks was shot to death near his home in South Toledo.

* * *

NOW YONNIE decided that the dry cleaning business needed "protection." One night in October, 1932, the dry cleaners met in the Gardner Bldg. Suddenly Licavoli and two of his gunmen entered the place.

Christopher Engel, one of the dry cleaners, demanded to know who they were. Yonnie replied he was Tom Licavoli and that he and his men were dry cleaners from downstate who wanted to organize the Toledo cleaners under a director. He did not say, but those present knew what he meant—Licavoli wanted to take over.

Mr. Engel refused to be cowed and announced his determination not to accede to Licavoli's demands. Three nights later a bomb exploded in his dry cleaning place on West Bancroft St. near Upton Ave.

Yonnie also tried to organize the policy numbers gamblers, among whom were three named Abe Lubitsky, Norman Blatt and Hyman Abrams.

* * * MAY 12 1957

LUBITSKY TOLD Captain Timiney that the Licavolis were trying to take over the numbers games in Toledo. Somehow Sulkin learned of that and accused Lubitsky of being a "stool pigeon."

On the night of Oct. 6, 1931, Lubitsky and Blatt were shot to death and Abrams wounded in a car that had stopped at Franklin Ave. and West Woodruff Ave., waiting for a traffic light to change.

James Leahy was another numbers gambler who met a similar fate. His body later was found filled with bullets off Sterns Rd. near the Dixie Highway. Two other numbers boys also were shot to death.

No one was held for these crimes.

The year 1932 marked the beginning of the end for the gang. Kennedy was still defying the Licavolis and getting away with it. One night two of Yonnie's men decided to barge into Kennedy's Black Hawk Cafe (the new name for the Studio Club). Jackie met them at the top of the stairs and threw a barrel of beer at them. The gangsters and beer hit the pavement together. The gunmen fled to Jackie's derisive laughter.

MAY 12 1957

* * *

AWARE THAT he was in a dangerous position, Jackie began practicing with a machine gun on a West Central Ave. range. He also imported as body guards several unsavory characters known to be members of the infamous Eagan's Rats gang of St. Louis.

The gang almost caught up with Kennedy the night of Nov. 30, 1932. He and his sweetheart, Louise Bell, had gone to the Paramount Theater. While driving back to the Black Hawk, Kennedy stopped his car at Superior and Jackson Sts. for a traffic light. A car swept up beside him and a hail of bullets poured into Kennedy's automobile. Kennedy escaped injury; Miss Bell was shot, dying two hours later.

A storm of protest arose in Toledo. Jackie was more of a hero than ever. A demand was made to stop the Licavolis.

BLADE

Unknown to most people, Lee N. Murlin, assistant U.S. district attorney, was preparing to do just that. After a lengthy investigation, a federal grand jury, on Dec. 8, 1932, indicted Licavoli and several of his henchmen on the charge of violating federal prohibition laws. On May 10, 1933, Licavoli was found guilty and sentenced to two years imprisonment and fined \$5,000 by U.S. District Judge George P. Hahn. It turned out that Licavoli never served his sentence. While his case was being appealed the prohibition went out and the charges against Licavoli were dismissed.

THEN IT HAPPENED.

It was a beautiful moonlight evening July 7, 1933—just the kind of evening when young lovers liked to stroll hand in hand.

About 9 that evening Jackie and his newest sweetheart, Audrey Ralls, a Toledo beauty queen, were strolling hand in hand along Edgewater Dr. As they reached 140th St., a car slipped up behind them and stopped. Two men leaped out. The driver gave them guns. They ran silently behind the couple, who did not hear them. One of them grabbed Miss Ralls and pulled her aside. His companion shot Kennedy in the head. As Jackie fell the triggermen emptied their guns at him. Kennedy probably never knew what hit him. Miss Ralls was untouched.

The car whirled around and started for Toledo. The two gunmen leaped aboard. When the car reached Ottawa River Rd., it swerved and sped down the thoroughfare which lines the Ottawa River.

The gunmen threw their guns far into the river. They did not know, however, that the weapons fell on a clump of weeds. Two days later they were found by some boys and turned over to police.

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AN INVESTIGATION of the guns' numbers carried officers to a Monroe St. pawnshop where one of the clerks, Sam Stein, finally admitted selling them to Sulkin.

Frazier Reams, county prosecutor, presented the evidence to the Lucas County grand jury which returned an indictment charging Yonnie Licavoli, Jimmy Licavoli; English, Leo Mocerri, Johnny Mirabella, Firetop Sulkin, Ernest LaSalle, Russell Syracuse, Ralph Carsello, Harry Leonard (alias Chalky Red Yaranowsky), Anthony Besase and Sebastian Lupica with first-degree murder in connection with the Kennedy, Bell, Blatt and Lubitsky slayings.

English was the first to be brought to trial. He was convicted in Common Pleas Court by a jury which did not recommend mercy, thus heading him for the electric chair.

The gang's prize triggerman collapsed in fright. Taken into the chambers of Judge Roy Stuart he screamed in terror that he would be tortured by the gang if he told what he knew.

While awaiting execution in Ohio Penitentiary in Columbus, his sentence was commuted to life imprisonment by Gov. George White just two hours before the governor was to leave office.

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MR. REAMS, helped by his assistants Joel S. Rhinefort, Arnold S. Bunge and Harry Friberg, in subsequent trials was able to send Yonnie Licavoli and Sulkin to prison for life. Later Rai and Carsello were brought to trial and received similar sentences. All of these men have tried repeatedly, but in vain, to get their sentences reduced.

The lesser members pleaded guilty to extortion and received short prison terms. The last member of the gang to be caught was Leo Mocerri, arrested in 1953 in Hollywood, Calif. He pleaded guilty to extortion. Syracuse and Mirabella never have been apprehended.

Thacher
 APR 14 1943
 Continued From First Page
 "I have no interest in Licavoli, and hadn't met him before that day I talked to him in prison. I saw him then at the request of his sister, who said Licavoli had written his family he wasn't getting a square deal at the prison."
 "I have known Warden Henderson intimately for years, ever since he was adjutant general under George White. I never went to the prison for the purpose of seeing Licavoli. I never knew him, and wouldn't recognize him if I saw him again. I have no connection with him and never had."

Li Denied Trip To Toledo
Must Stay In Prison During Trial Hearing

Thomas (Yonnie) Licavoli, prohibition-era gang leader, will not be returned to Lucas County for a hearing Thursday on a motion for a new trial. Common Pleas Court Judge George Kiroff said yesterday.

MAY 23 1966

The judge said he was asked by Licavoli's attorney, Moses Krislov, Cleveland, to permit his client to be brought from the Ohio Penitentiary for the hearing. Licavoli was convicted nearly 32 years ago of first-degree murder with a recommendation for mercy.

Denied In Letter

Mr. Krislov made the request in a telegram, and Judge Kiroff replied in a letter that he was denying the request. Prosecutor Harry Friberg indicated last month that he planned to oppose any move to return Licavoli to Lucas County for the hearing.

Mr. Krislov, in filing the motion for a new trial here on April 12, contended that Licavoli's conviction was obtained in the midst of "highly inflammable and prejudicial newspaper publicity" and that witnesses were beaten and coerced by the prosecution.

Indicted In 1934

Licavoli and 13 others were indicted in 1934 on charges of murder in the deaths of Abe Lubitsky, Norman Blatt, Louise Bell, and Jack Kennedy. The former gang leader has made several attempts to gain freedom. The Ohio Supreme Court refused to review Licavoli's appeal two years ago and in 1963 a federal judge denied a writ of habeas corpus filed by Licavoli.

The latest appeal is being made under a 1965 law which permits a convicted person to return to the court of original jurisdiction and file a request for a new trial.

Joseph Jan, an assistant prosecutor, said yesterday that Mr. Krislov plans to submit his plea for a new trial on the transcript of the original case and on copies of newspaper stories published during the trial. The defense attorney apparently has decided not to introduce testimony from a purported "live" witness as he had previously indicated, Mr. Jan said.

Thacher Probes 'Smear Story'

Councilman Addison Q. Thacher said today he will leave for Columbus this afternoon to determine the reason for what he described as a "smear story" after his visit with Thomas (Yonnie) Licavoli, former Toledo gang leader, in the Ohio State Penitentiary at Columbus. Licavoli is serving a life sentence there.

Mr. Thacher said that he does not know Licavoli, and that the only time he ever spoke to him was through a screen at the penitentiary. He said he went there at the request of Licavoli's sister.

He said Licavoli had sent letters home, relating that he was being mistreated by the guards. Mr. Thacher said he promised to look into the report and would try to "straighten up" Licavoli.

Mr. Thacher said that he has talked with Jacob (Firetop) Sulkin and Joe (Wop) English, both former Licavoli gangsters, on a number of occasions. The men, he said, are trustees and he would see them when he went to visit with Warden Frank D. Henderson, whom, he said, he knows intimately.

The story was published under a Columbus dateline.

Thacher
 APR 14 1943
 Continued From First Page

"I have no interest in Licavoli, and hadn't met him before that day I talked to him in prison. I saw him then at the request of his sister, who said Licavoli had written his family he wasn't getting a square deal at the prison."
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Mrs. Licavoli Quits Hospital for Home

Mrs. Thomas Licavoli, wife of Toledo's gangland leader, returned to her home at 2733 Pemberton drive Monday after waiting in vain four days at St. Vincent's hospital for the stork to arrive, with her second child.

Mrs. Licavoli went to the hospital last Friday when she became ill. It was apparent, however, that the stork got his dates mixed. Licavoli is held in the county jail on a first degree murder charge.

New Bid Made For Licavoli

Toledo's Lawyers Seek His Release

COLUMBUS — Attorneys for Thomas (Yonnie) Licavoli have made another move in their continuing efforts to free the Toledo gangster from the Ohio Penitentiary, where he is serving a life term for murder.

The state attorney general's office has been asked to show cause within 20 days in U.S. District Court here why Licavoli should not be freed on a writ of habeas corpus.

Licavoli's lawyers allege deprivation of his federal constitutional rights on issues that have been considered several times in the last few years in state and federal courts, William Baird, of the attorney general's staff, said.

Licavoli was sentenced to life imprisonment from Lucas County in 1934 for his role in Toledo gang slayings.

WARDEN FINDS NOTATIONS ON THACHER VISIT

COLUMBUS, April 13 (Special) — Warden Frank D. Henderson of Ohio penitentiary, said this afternoon he had "found among his records" a notation of a visit of Former Mayor Addison Q. Thacher of Toledo to the institution during February, 1943, to call on Thomas "Yonnie" Licavoli, notorious Toledo gangster serving a life sentence for murder.

"In a discussion Monday," Warden Henderson said, "I inadvertently said Mr. Thacher visited Licavoli sometime in the summer of 1942. Today when I checked through some records of mine I found where Mr. Thacher had visited Licavoli in February of this year."

Mr. Henderson said he had erroneously set the date of Mr. Thacher's visit to the penitentiary because he had the date of the visit from memory.

The warden said Mr. Thacher also had visited the penitentiary "about two weeks ago" but that "to the best of my knowledge" Mr. Thacher had only seen Licavoli once in the five or six times the Toledo councilman "has called at the penitentiary." On the occasion of the last visit, Mr. Thacher was reported seen talking with Wop English and Jake "Firetop" Sulkin, outside trustees, who are former members of the Licavoli gang, also serving life sentences.

The Toledo Times, Friday,

Detroit Police Head Testifies Mafia Rakes In \$150 Million Annually

WASHINGTON, Oct. 10 (AP) — Detroit Police Commissioner George C. Edwards testified today Mafia mobsters in his city "trademark" their murders, prey on legitimate business and profit heavily from narcotics, gambling, prostitution and other rackets.



—AP Wirephoto
GEORGE C. EDWARDS
 Tells of Detroit gangland

He pictured Detroit as "the cleanest and least racket-ridden big city in the country" although he said organized crime rakes in \$150 million or more yearly.

Mr. Edwards said the five top "dons" of the syndicate in Detroit live in the swanky suburbs of Grosse Pointe. He said four of the five were born in Sicily and they are locked together by ancestry and intermarriage.

Wonders About New Yorkers

Mr. Edwards joined senators in wondering out loud why the son of a New York mobster is able to run a profitable nonunion trash collection service in Detroit, while competing firms are organized by James R. Hoffa's teamsters union.

Mr. Edwards told of Detroit mobsters who strangled one of their men suspected of informing to the police, then left an asphyxiated pig on the doorstep of the hoodlum's favorite bar as a grim message.

To the dead hoodlum's associates, he said, the message was loud and clear: "squealers die."

Mr. Edwards and Sgt. William J. DePugh described prostitution rackets they said are operated by the mob from four Detroit hotels, and of their still unsuccessful efforts to have one of them padlocked by order of the Wayne County circuit court.

Wants Hotel Padlocked

Sergeant DePugh said Circuit Judge Joseph Moynihan, now retired, on May 10, 1957, imposed a sentence of \$40 court costs and a permanent injunction against further prostitution, and Judge Chester B. O'Hara pronounced a duplicate sentence on April 30, 1959.

Both sentences, he said, were by what he termed "consent decree"—indicating that the prosecutor had agreed. Mr. Edwards declined to blame anyone but said he did wish someone would padlock the hotel.

Mr. Edwards

land (D. Ark). "There must be some insulation there. It's right there, under the jurisdiction of Hoffa's own local."

Mr. Edwards said eight other garbage firms were punished last year for defrauding the city of dumping fees in a deal involving payoffs to dump employees. He said Tricounty people had been observed "apparently paying," but no witness would testify that this was true. "They were scared," he said.

Shows Chart Of Gang

The commissioner unveiled a huge chart of the Mafia organization in Detroit. At the top were five "dons" — Joseph Zerrilli, Peter Licavoli, John Priziola, Angelo Mei, William Tucco. Of these, police believe Zerrilli is "the big man."

Mr. Edwards said the history of the Detroit Mafia traces back to the arrival of American-born Pete Licavoli in the city in 1927.

"Pete's brother, Dominick (Licavoli) was married to Zerrilli's daughter Rosalie," the commissioner said as he called the marriage relationship "interesting."

"Jack Lucido married Pete's niece, the daughter of Pete's brother Yonnie (sic)." He said Yonnie Licavoli is serving a life sentence for murder in Ohio.

"Long Joe Bommarito, brother-in-law of Pete, married Pete Licavoli's sister, Mamie, and Pete Licavoli married Joe's sister, Grace," the commissioner said.

Earl C. Miller of the police criminal intelligence bureau in Detroit, teamed up in naming Joseph Barbara, Jr., head of the Tricounty Sanitation Co. of Detroit, as the son of the late Joseph Barbara who was host at the underworld "crime convention" raided by the police at Apalachin, N.Y., in 1957.

A New York Subsidiary

This, said Mr. Edwards, shows how the mobs "take care of the sons of deceased chieftains after the deceased chieftain is deceased."

He said the firm is a subsidiary of a New York City company.

Tricounty Sanitation, Inspector Miller said, blossomed out a few years back as a Detroit newcomer, equipped with new, high-power garbage trucks of a type competing firms couldn't afford, capable of carrying bigger loads with smaller work crews. Inspector Miller said he has been told Tricounty drivers draw wages of \$40 a week smaller than the wages of drivers for unionized competing lines.

Said Sen. John L. McClellan

Attention Ladies

PLAN TO ATTEND ONE **FREE "Learn-To-Bow"**

Wed.: Oct. 16 at 10:00 A.M.
 Thurs.: Oct. 17 at 1:00 P.M.

* Classes Limited — Sign Up

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 "Toledo's Most Progressive Bowling Center"

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Licavoli To Walk Out Of Prison Today, Start Lifetime Parole Status

COLUMBUS (AP) — After more than 37 years in prison, Thomas (Yonnie) Licavoli steps out to freedom from Ohio Penitentiary at 8 a.m. today, but under a lifetime parole.

The 67-year-old, onetime Toledo prohibition-era gang leader entered the penitentiary Nov. 10, 1934, after being sentenced to life imprisonment for the slaying of four persons in Toledo.

Now ailing, he plans to live in suburban Gahanna with his wife. He became a stamp collector in prison, and plans to become a dealer in stamps.

Made Rare Exception

The Ohio Parole Board announced the parole, effective Jan. 6, last month, but made a rare exception in his case by placing him under parole supervision for the rest of his life.

His conviction in the Lucas County Common Pleas Court in 1934 was for the slayings of three men and one woman, all stemming from gang warfare.

The victims were Abe Lubitsky and Norman Blatt, shot while riding in a car together on Oct. 6, 1931; Louise Bell, killed while riding in a car with Jack Kennedy on Nov. 30, 1932. Kennedy, who escaped then, was shot to death July 7, 1933.

Three Still In Prison

Three other members of the Licavoli gang are still in prison awaiting action on commutation appeals. They are John Rai, 67; Ralph Carsell, 66, and Serafino Sinatra, alias John (Wop) English, 72. Rai and Corsello are in Ohio Penitentiary, and Sinatra is in Chillicothe Correctional Institute. **TIMES**

A fifth gang member, also convicted for murder, was Joseph (Firestop) Sulkin, who was 74 when paroled July 8, 1965.

In 1969, then Gov. James A. Rhodes commuted Licavoli's first-degree conviction to second-degree murder, making him eligible for parole consideration. But until last December, all his bids for parole had been blocked by disclosures made before the board of Licavoli's close ties to the Mafia, plus a past history of alleged favoritism he received in prison. **JAN 6-1972**

Figured In Libel Action

His name had figured in a \$10.3 million libel action filed by Rhodes when he was governor against Life magazine. The magazine article had questioned Licavoli's commutation. Mr. Rhodes charged Life had said he acted improperly in commuting the sentence. He dropped the suit last August.

When the parole was announced, Board Chairman Joseph Palmer said it had been decided that whatever punitive and deterrent effect confinement exerts "must surely have been effected in Licavoli's case after more than 37 years."

The parole board also noted the state of Licavoli's health. He suffers from heart, eye and other ailments. The board said, "Further confinement could mean a future substantial burden of costly care for an aged person by the State of Ohio."

Love is...



... knowing there is something wrong although he tries to hide it.

Licavoli Disclosed

Warden Serving Life in Ohio Penitentiary

The warden elaborated, stating he had "no control" over a situation which might arise if an acquaintance of a trusty happens to encounter that trusty and stops to say "hello."

English entered the prison Jan. 5, 1934, sentenced to die April 23. His sentence was commuted to life by former Governor White.

Sulkin was admitted April 27, 1935, to die March 7, 1936. His sentence was commuted by former Governor Davey.

Asked for a comment on the warden's statement last night, Mr. Thatcher said, "I have talked to Licavoli only once at the penitentiary, and then he was behind a screen. I have talked to Sulkin and English several times. Sulkin is across the road in the garage and English is in charge of the gardening, and as trusties, I have seen them outside."

Asked if that permission meant that he would be permitted to talk with the inmate whenever he wanted, the warden said "No." He then explained that it is possible on other occasions because both are trusties who might be in front of the prison at the moment Mr. Thatcher visited the institution.

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Love is ...



... knowing there is something wrong although he tries to hide it.

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Thacher Visits to Licavoli Disclosed

Councilman Admits Seeing Notorious Gangster Serving Life in Ohio Penitentiary

COLUMBUS, O., April 12 (Special)—Several unregistered visits to Ohio penitentiary by Addison Q. Thacher, former Republican mayor and present city councilman of Toledo, in the interest of Thomas "Yonnie" Licavoli, former Toledo gang chief, were disclosed today and verified by Warden Frank D. Henderson.

Simultaneously, the prison head revealed that Mr. Thacher also has visited Jacob "Firetop" Sulkin, a former Licavoli gang member now a prison trusty serving a life sentence.

Warden Henderson said no record of Mr. Thacher's visits with Licavoli exist and he disclosed further that it is possible that Mr. Thacher has had unauthorized, informal chats with both Sulkin and Wop English, another former Licavoli gang member who also is a trusty serving a life sentence.

The disclosures were made by Mr. Henderson in response to questions asked by reporters, one of whom less than two weeks ago saw Mr. Thacher talking with Sulkin and English in front of the prison.

The reporters said they had information that Mr. Thacher had visited Licavoli frequently.

Warden Henderson replied that the Toledo councilman has visited the penitentiary five or six times in the last two years, but that to his, the warden's knowledge, had only talked with the former Toledo gangster once.

Warden Henderson was unable to give the exact date of this visit, he said during his conversation with the reporters that it was a "few months ago." Later in the conversation he said in the summer of 1942.

Mr. Thacher, the warden said, made the visit at request of members of Licavoli's family who had received a letter from the former gang head complaining that he was being discriminated against at the prison.

"Among other things," explained Warden Henderson, "Licavoli had written that he wasn't being treated right by guards."

Warden Henderson said he and Mr. Thacher talked about the case and that Mr. Thacher thought he might be

able to "straighten up" Licavoli by talking to him. The warden said he agreed.

No record was made of the visit because "we didn't start keeping records of screen visits" until a couple of months ago, the warden said. A screen visit is one in which the visitor in the "bull pen" talks through a screen to an inmate in the adjoining cellblock.

The warden said that to the best of his knowledge Mr. Thacher's other visits were along social lines. He explained he has known Mr. Thacher a number of years and that the Toledo official just drops in to say "hello."

On one of these visits, the warden said, Mr. Thacher asked and obtained permission to talk with Sulkin.

Asked if that permission meant that he would be permitted to talk with the inmate whenever he wanted, the warden said "No." He then explained that it is possible Mr. Thacher stopped to talk with Sulkin and Wop English on other occasions because both are trusties who might be in front of the prison at the moment Mr. Thacher visited the institution.

The warden elaborated, stating he had "no control" over a situation which might arise if an acquaintance of a trusty happens to encounter that trusty and stops to say "hello."

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Yonnie Licavoli Dies

Continued from First Page

Upon his release, Licavoli returned to Detroit, but soon moved to Toledo after assembling, in 1931, a gang that included Ralph Carsello, Joseph (Wop) English, John Rai, and Jacob (Firetop) Sulkin. Sulkin was freed in 1965, at the age of 75, after serving 30 years of a life sentence for the Toledo murders. The others were released from prison earlier this year.

The Licavoli gang harassed brewers and bombed breweries in their muscle campaign to take over the beer business in Toledo during the speakeasy era. Licavoli opened distilleries on Spicibusch Avenue and Holmes Street, then took over several clubs. One club owner who resisted was shot to death.

But the gang's most famous rival was Jack Kennedy, who owned the Studio Club, later named the Black Hawk Cafe, on St. Clair Street. Kennedy under-sold Licavoli's beer, earning the gang's hate and continual harassment.

In an effort to outdo Kennedy, Licavoli opened the Golden Rose, a nightclub on Edgewater Drive in Point Place. But nightly visits by Toledo police kept customers away, and the club was forced to fold.

The former gangster also tried to organize dry cleaner stores, and one owner who declined "protection" found his store bombed.

Two gamblers who accused Licavoli's gang of trying to take over the numbers games in the city, Abe Lubitsky and Norman Blatt, were shot to death at a traffic light at Franklin and West Woodruff avenues on Oct. 6, 1931. A third man in the car, Hyman Abrams, was wounded. Later, three other numbers gamblers were murdered.

Kennedy, meanwhile, continued his defiance of Yonnie's gang. He began practicing with a machine gun, and imported bodyguards from St. Louis to insure his safety.

On a theater date with Louise Bell on the night of Nov. 30, 1932, Kennedy stopped for a traffic light at Jackson and Superior streets. Another car drove by, and its occupants opened fire on Kennedy's car. Miss Bell was fatally injured, but Kennedy was unharmed.

The following year, on the night of July 7, 1933, Kennedy was shot in the head and killed while strolling along Edgewater Drive with his girl, Audrey Ralls, a beauty queen. The killers yanked the girl aside before shooting.

During their getaway, the killers flipped their guns out the car door toward the river. But the guns landed instead in a clump of weeds and were later found by a group of boys. The guns were traced to Firetop Sulkin and provided the key for the successful prosecution of Licavoli and the other gang members for their part in the murders of Kennedy, Lubitsky, Blatt, and Miss Bell.

Licavoli's long stay behind the walls of the Ohio Penitentiary was punctuated by appeal after appeal, as well as several schemes to bring the favor of the state to his cell. One involved an unsuccessful attempt by a public relations man to enlist the help of columnist Drew Pearson to present a check from the Licavoli family to the J. Edgar Hoover foundation, a charitable organization. The check

was never presented.

Frequently referred to as Ohio Penitentiary's wealthiest prisoner, Licavoli was the subject of an investigation at the prison's Hocking Honor Camp, where he was an inmate. The investigation resulted in the dismissal of the camp supervisor and the return of the Toledo gangster to the main prison.

Charges against Licavoli, which were never substantiated, included the granting of special privileges to him at the camp: a special table for his guests, access to a private room without supervision, unauthorized use of the prison station wagon and civilian clothes, possession of a pet dog, uncensored mail and package privileges, and use of a refrigerator for special foods, such as daily steaks.

A stamp collector in prison, Licavoli opened a shop featuring stamps, coins, antiques and other items in a Columbus suburb after his release.

The body will be in the Bag-nasco Mortuary, St. Clair

Mother Gives U.N. Birth To 6

All Are Reported In Fair Condition

DENVER (AP)—Sextuplets—four boys and two girls—were born to a Lakewood, Colo., couple, Sunday, officials at Colorado General Hospital said today. The babies and mother were reported in fair condition.

A hospital spokesman said the infants were born to Mr. and Mrs. Eugene J. Stanek.

The infants, born six weeks premature, and ranging in weight from just less than two pounds to just less than three pounds, were reported breathing under their own power.

The spokesman said Caesarian surgery was necessary to assist the birth of the last five babies.

Shores, Mich., a suburb of Detroit. Services will be Thursday.

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THOMAS (YONNIE) LICAVOLI
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Drug Dispute

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Life Reports Rhodes Tax Claim



BACK TO THE PEN—Thomas (Yonnie) Licavoli carried by stretcher when he was returned to Riverside Hospital in Columbus to Ohio Penitentiary nearly two weeks ago. He had been in treatment after reported heart attack.

★ From First Page

land, Columbus and other major cities about reports that Life was investigating the Licavoli case and Rhodes' handling of it.

With the exception of a picture showing Licavoli standing at a hospital window shortly after prison officials announced he had suffered a "massive" heart attack the other details of some circumstances surrounding the commutation, most of the article is devoted to a history of Licavoli and his ties with the Mafia.

Some of the material in the article first was published in various Ohio newspapers in the rough-and-tumble 1962 gubernatorial campaign when Rhodes unseated then Gov. Michael V. DiSalle.

It was in that campaign that DiSalle's forces contended that Rhodes had diverted \$54,000 in funds from previous campaigns.

Going beyond the DiSalle charges, Life alleged that

between 1958 and 1966 (Rhodes took office as governor in January, 1963), the IRS, as a result of separate audits, obtained settlements from Rhodes in excess of \$100,000. The magazine said:

"IN SUMMARY, over the past 10 years Rhodes has settled tax claims against him by paying in excess of \$100,000 in taxes, interest and penalties on income he did not report."

Harking back to the DiSalle charges, Life reported that in 1959, after an IRS investigation, "Rhodes was forced to pay \$16,000 in taxes, penalties and interest on money he had taken from the so-called 'Rhodes for Auditor Committee,' used for personal purposes and not reported as income" the magazine said.

"The investigation found that Rhodes had dipped into the campaign fund for a total of \$38,982 from 1954 through 1957," Life continued. "Of this amount, he reported, \$18,982 as 'gifts and gratuities' on his tax return. He did not report the bal-

ance of \$70,000," the magazine alleged.

Life said that Rhodes told the government he had "borrowed" \$36,000 from his campaign fund.

"But then, in a unusual agreement, it (IRS) allowed Rhodes to open a bank account in the name of the committee and put \$36,000, plus \$3,000 interest, in the account to settle his 'debt,'" Life said.

THE MAGAZINE said the account "was the first bank account the (campaign) committee ever had."

Life also said that long-time Rhodes lieutenant, Elmer Keller, now a member of the Ohio Public Utilities Commission, kept no books indicating "either receipt or disbursement of the money."

The magazine added that all transactions from the campaign fund were in cash.

"What happened to the \$39,000 (\$36,000 to repay the loan and \$3,000 in interest) that Rhodes put into the bank to repay the 'committee's' loan?" Life asked in its article.

The magazine said: "It's a question Life would have asked the governor had he granted an audience."

On April 13, Walsh and Life senior editor Russell Sackitt attempted to see Rhodes in Columbus. Rhodes refused an interview and the two men met instead with gubernatorial aide John M. McElroy.)

LIFE SAID "The \$16,000 settlement with IRS was made only on the remission-

\$34,000 (of the \$70,000 in unreported funds.) And nothing more was ever said about it."

The article also said that "Life has found that Rhodes reported \$21,024.29 as 'gifts and gratuities' in 1958 and 1959."

The article referred to a \$250,000 "spring Yonnie" fund which it said law enforcement officials have known about for years. The magazine said that much money or even more would be available to anyone who could obtain Licavoli's freedom.

But the magazine did not suggest that Rhodes had received any money in connection with his commutation of Licavoli's first-degree murder sentence.

The six-page illustrated article is captioned: "The Governor and the Mobster."

ON THE Licavoli commutation, Life charged that "the policy or numbers racket in Toledo are still run at Yonnie's direction from Ohio Penitentiary in Columbus."

Life did not document this charge, other than to say Licavoli's "lieutenant" in Toledo is "an ex-convict and old member of (Licavoli's) gang, Anthony (Whitey) Besase."

Toledo sources earlier had told the Plain Dealer that Besase still is living in Toledo, but has managed to keep in the background for the past several years. Besase was a member of Licavoli's gang at the time that Licavoli and four of his were convicted of conspiracy to commit murder in

Rhodes Denies Life Article's Charges

From First Page

ously requested the Revenue Service to... I have nothing to... ally or legally in... illing of my respect... obligations to my... I have paid all my

C MAGAZINE has... me with 'dipping... funds.' I deny cat-

egorically that I have, as governor of Ohio, received any money illegally or immorally, nor have I as a public official in Ohio before I was governor ever received money which could be construed as a bribe or which could be construed as a contribution to a slush fund.

"I defy anyone to prove the contrary. And I say further that if I were ever of-

fered a bribe, I would not do as Life reports Gov. DiSalle and the others did — ignore the offer and conceal it from public officials who would have prosecuted the one who offered it.

"A bribe is a bribe whether it is concealed or not. An offer of a bribe is as vicious as a bribe itself. I not only have not received any offers of bribes for Licavoli or anyone else, but if anyone had the temerity to make such an offer of a bribe I would drive him from my office and report it to the public prosecutor for prosecution.

"THE LIFE article in no respect impugns my reputation as governor of Ohio or my conduct of the office of governor.

"My integrity as governor is unassailable.

"Life magazine is being used by my political enemies as a nefarious device to try to destroy my usefulness as a public official and to attack my character. It is a rehash of DiSalle's 1962 campaign.

"Life magazine in its long recital of my relations with the Internal Revenue Service has not mentioned a single transaction which occurred since I became governor, and refers only to campaign charges which

were brought to public attention by ex-Gov. DiSalle and twice weighed and rejected by the people of Ohio.

"Neither life magazine nor political enemies will impair my efforts and enthusiasm to make Ohio the greatest state in the Union."

"Unlike Life's reported information about bribe offers to Gov. DiSalle and others, I have never been offered a bribe to release Licavoli or to see that he got any privileges.

"CONTRARY to the outright lie reported by Life, I have never been assessed or paid a penalty either for failure to report or failure to pay any federal income tax and I challenge and defy Life Magazine, or anyone else, to prove that I ever was required to pay a penalty for failure to report or failure to pay any federal income tax.

Rhodes Denies Charge in Life Magazine Story

CLEVELAND Plain Dealer 4/29/69
Plain Dealer Bureau

COLUMBUS—Gov. James A. Rhodes last night issued the following statement about the Life magazine article about his reported tax problems with the Internal Revenue Service and his role in the Thomas (Yonnie) Licavoli parole case:

"I have read a release concerning an article that reportedly will appear in the May 2 issue of Life Magazine.

"From the headlines to the final paragraph, this article is written with insinuations and irresponsible innuendoes and contains information which the author falsely represents as facts.

Unlike Life's reported information about bribe offers to Gov. DiSalle and others, I have never been offered a bribe to release Licavoli or to see that he got any privileges.

"CONTRARY to the outright lie reported by Life, I have never been assessed or paid a penalty for either failure to report or failure to pay any federal income tax and I challenge and defy Life Magazine or any one else, to prove that I was ever required to pay a penalty for failure to report or

failure to pay any federal income tax.

"My tax returns have been examined and audited by agents of the Internal Revenue Service over the years, and every return of mine which has been examined has been cleared. The only returns of mine which remain to be cleared are those which remain to be examined for the year 1966, which was just filed, and for the year 1967, both of which

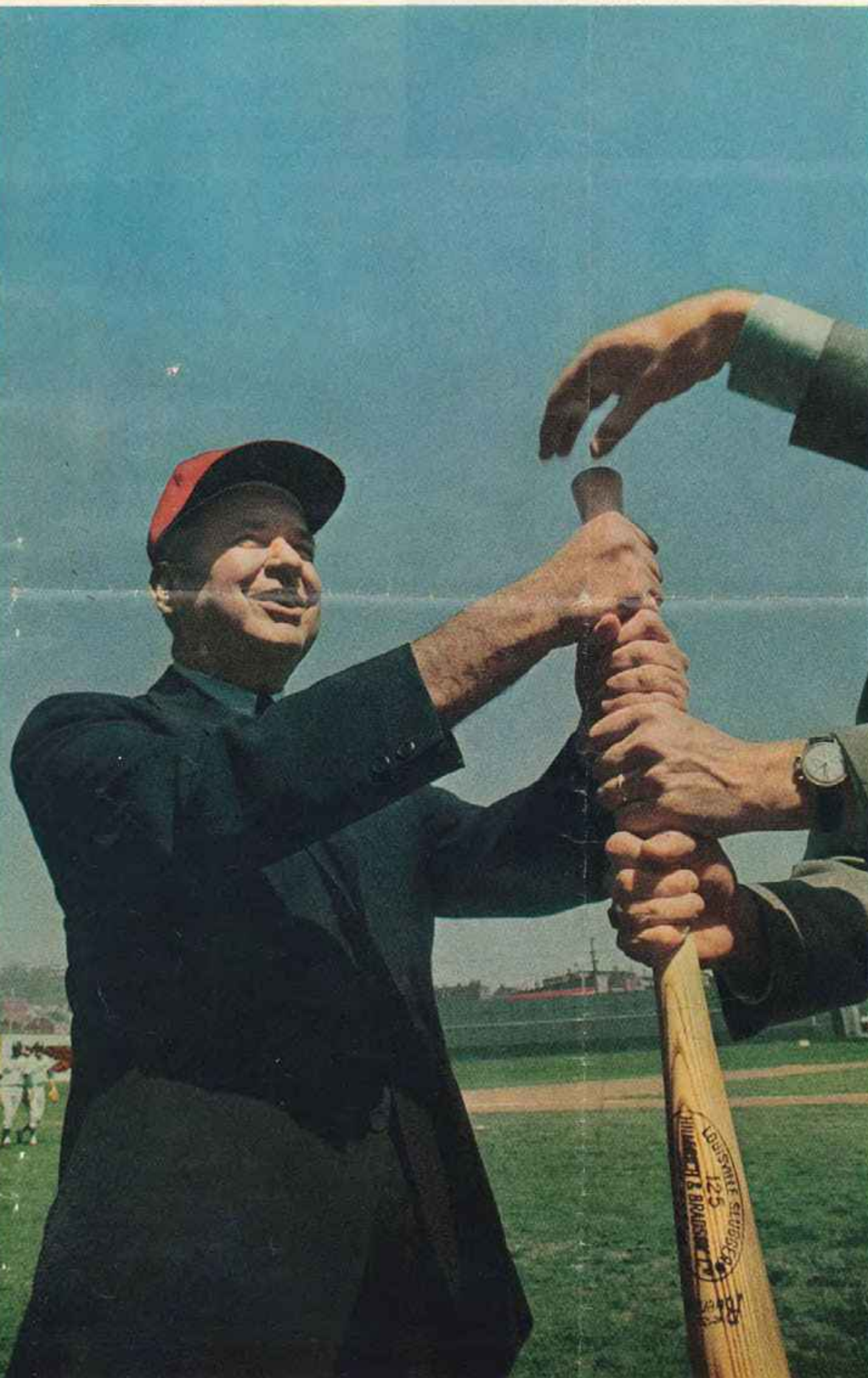
Continued on Page 11, Col. 1

\$100,000 Claims Reported by Life

at a mere 30 miles an hour... the Volkswagen and a Ford... recalled in their entirety for... being up of the suspension... system to eliminate some of... the dangerous instability... And I think there must be... standards for all cars, basi-... cally saying that cars that... are of such a small size.

23444

The Governor...



— Mug shots of Thomas (Yonnie)

Late in January, Ohio's Governor James A. Rhodes announced that he had commuted the sentence of a man who had been in the Ohio State Penitentiary for the past 35 years. Thomas (Yonnie) Licavoli thus became eligible for immediate parole.

Yonnie Licavoli is no ordinary criminal. In spite of more than three decades behind bars, he has retained his position as one of the nation's smartest and meanest Mob leaders, a man who has continued to swagger and to run a portion of his old racket empire from inside.

The implication of Governor Rhodes's statement was that Licavoli, whatever his menacing past, was now, at 65, a sick old man whose exemplary record in prison commended him to spending his remaining days in the bosom of his family. The facts, of which Governor Rhodes could hardly have been ignorant, argued powerfully against the very action he took. LIFE's investigations have shown that Yonnie's record at Ohio State Penitentiary was in fact outrageously bad. Contrary to the governor's conclusion—that Licavoli had long since severed all ties between his immediate family and the Mob—are these facts: brother Pete is a top Mafioso in Detroit and Tucson; brother Dominic is married to the daughter of the Boss of the Detroit Cosa Nostra Family; cousin Jimmy (Jack White) Licavoli is a top Ohio hood. Yonnie's son-in-law, who now lives in the home Yonnie owns in Grosse Pointe, Mich., and to which he would be paroled, is a member of brother Pete's gang.

For more than 10 years it has been known in underworld and

Before opening the 1969 baseball season in Cincinnati, Ohio's Governor Rhodes cavorts for the camera. He has been mentioned as the next Baseball Commissioner.



Licavoli were taken in 1934

and the Mobster

law enforcement circles that a quarter of a million unmarked Mob dollars existed in a "spring Yonnie" fund, available to anyone who could facilitate his release. LIFE has found two public officials who were directly approached with bribe offers. This year the underworld grapevine began humming with the word that the fund had risen to \$300,000—and that Yonnie would be released shortly. Governor Rhodes took cognizance of the rumors by noting in his commutation announcement that "special inquiry was also made to ascertain whether any person had been paid or promised anything to assist in obtaining a commutation for Licavoli. No evidence of such payment or promises was found . . ." The fact remained that every governor since Licavoli was sent to prison in 1934—including Jim Rhodes—had found ample reason to deny him clemency.

Yet just as Yonnie Licavoli is no ordinary convict, so James A. Rhodes is no ordinary governor. As chief executive of the sixth largest state, he is one of the most influential Republicans in the country. He was a strong bet for the 1968 vice presidential nomination on the Nixon ticket. He is also a man with much to hide. In the course of investigating the Licavoli case, LIFE found evidence proving that while in office Rhodes has engaged in high-handed manipulation of political funds.

On the following pages are the results of the LIFE probe regarding Licavoli. These include details of Rhodes's financial shenanigans. The governor has refused to meet with LIFE, to answer questions or to comment upon any of the facts which are presented here.

Heading back to prison, Licavoli is wheeled out of Riverside Hospital in Columbus after a 20-day stay. He had reportedly suffered a massive heart attack on March 28.



Leniency for a Hoodlum, Slush-Fund Income

by DENNY
WALSH

One day in February, just after a rather flustered decision by the parole board to postpone a ruling on the Licavoli parole, Governor Rhodes's right-hand man John McElroy observed sagely:

"The essential question is: are we dealing with the man who went to prison 35 years ago or with a different kind of a man, cut free of bad associations, nonviolent and philosophically different?"

Good question. The answer to it is that when Yonnie Licavoli went to prison he was an important member of the American Mafia. Today he is, if anything, even more important.

The policy or numbers rackets in Toledo are still run at Yonnie's direction from Ohio State Penitentiary in Columbus.

The lieutenant who oversees Toledo for Licavoli is an ex-convict and old member of his gang, Anthony (Whitey) Besase. During the late 1950s, when Yonnie was at the prison's honor camp in the southern Ohio hills, both Besase and mobster Pete Licavoli, Yonnie's older brother, visited him with unimpeded regularity. These meetings were, in fact, top-level conferences at which far-reaching decisions on Ohio rackets operations were made.

Peter Licavoli is one of five ruling "Dons" of the Detroit Family of La Cosa Nostra, now controlled by Joseph Zerilli, which includes a good portion of Ohio in its territory. Though Pete is more than a year older than Yonnie, Yonnie has always been conceded to be the leader, prison or no. Indeed,

there are those close to the Detroit scene who maintain that, had Yonnie managed to stay in circulation, he, not Zerilli, would be Boss of the Detroit Family and a member of the national crime syndicate's ruling Commission. It was Yonnie who, at a meeting with Al Capone at Detroit's Hotel Pick-Fort Shelby in 1927, told the legendary Chicago gangster to stay out of Detroit—and made it stick.

Yonnie's wife, Vincenza, is still scrupulously allotted a weekly allowance (\$150 as of 1965) by the Detroit Mob Family, though Yonnie is a wealthy man in his own right. When Yonnie's mother died last August and a special service was arranged in Toledo so he could attend (with prison guards), the body was accompanied from Detroit by a graying, distinguished-looking man. It was Joe Zerilli, grabbing an opportunity for a summit meeting with Yonnie.

Yonnie was first arrested in St. Louis in 1916, at the age of 12. He and Pete and two others were charged with stealing two pairs of shoes. By June 1922, a report to the St. Louis juvenile court officially described Yonnie as "incorrigible." The following year, he fled St. Louis to avoid prosecution on a concealed weapon charge, joined the Navy and promptly deserted. (An early tribute to Yonnie Licavoli's good connections: he was granted amnesty by no less than President Warren G. Harding.) In 1924 Yonnie turned up in Detroit and began a rum-running operation, there to be joined by brother Pete and cousin James Licavoli. The three formed the nucleus of a notorious band known in Detroit as the River Gang.

'The woman in the car just disintegrated'

When Yonnie and a brother-in-law went to prison in Canada in 1927 on a weapons charge, Pete took command of the Detroit group, which ultimately gained control of the smuggling of liquor into Detroit's east side from Canada.

Yonnie was released from the Canadian prison in 1930. He operated restlessly in and around Detroit for a few months and then started "organizing" northern Ohio.

He hit Toledo in the spring of 1931 and quickly began opening gambling spots, running illegal whisky, manufacturing alcohol and building illegal distilleries. Yonnie's men expanded all over the place, muscling dry cleaners for protec-

tion and trying to bring competing gamblers and speakeasy operators into line. And blood began to flow. Finally young Licavoli rode too high, and on March 8, 1934 an indictment was handed up charging him and 12 others with murdering and conspiring to murder a popular local bootlegger named Jackie Kennedy, as well as two gambling competitors and Kennedy's hapless girl friend. The latter murder had been particularly bloody. Recently, a Toledo woman, hearing of Governor Rhodes's commutation action, telephoned local parole authorities to tell how on Nov. 30, 1932 she had been a passenger on a bus that had stopped at a downtown intersection. She saw a black hearse pull abreast of a car, the hearse window curtains part and "shotguns—they weren't pistols, they were shotguns—pointed out. The woman sitting beside a man in the car just disintegrated as I watched."

As a result Yonnie Licavoli and four of his men were convicted and sentenced to spend the rest of their lives in prison. (In Ohio, it is not possible to be paroled from a life sentence for first-degree murder.)



Accompanied by a smiling sheriff, Licavoli (right) leaves the federal courthouse in Toledo in 1933. The next year he was convicted of murder and has been in jail ever since.

Once inside the walls of the penitentiary Yonnie wasted little time asserting his authority. Within two months, Frazier Reams, the Lucas County prosecutor who had sent him up, was getting word that Yonnie was still directing his gang and was receiving special favors from prison officials. Reams was commissioned by Governor Martin L. Davey to investigate, and as a result Preston E. Thomas, who had been warden for 21 years, became the first of three prison officials to be sacked for favors to Yonnie. The charge was permitting known criminals to visit Licavoli. One of the more prominent visitors was Michael DeAngelo, the Columbus Mafia leader, who had a lengthy arrest record and had done two years of a three-year federal sentence for conspiracy. It was the first time DeAngelo's name popped up in connection with Yonnie Licavoli. It would not be the last.

The illegal privileges for Yonnie



MICHAEL DeANGELO



ANTHONY BESASE



PETE LICAVOLI



JOSEPH ZERILLI

did not end with the dismissal of Warden Thomas. Four years later, Warden James C. Woodard lost his job for favors shown to Licavoli and other well-connected convicts. By this time Yonnie was well established as the prison's "inside boss," banking an internal numbers game, heading a narcotics and liquor ring and receiving special food.

In 1958, an investigation by the Ohio state highway patrol disclosed, once again, that Yonnie was receiving special privileges and unauthorized visitors, this time at the prison's Hocking Honor Camp near Logan, where he spent three years. Now it was Lt. Thomas Crowe, the camp superintendent, who was forced to resign for "errors in judgment." Prison officials acknowledged that Crowe had "received a few presents" from friends of Yonnie. There was a good deal more to it than that.

For one thing, when Yonnie's daughter was married—the underworld social event of the season in Detroit, which Yonnie had helped plan via prison telephone—Lieutenant Crowe was among the guests.

In his spare time during his busy stay at camp, Licavoli managed to collect a \$35,000 debt owed him on the outside. Even in the "joint," Yonnie is known as one who collects on time.

Among Licavoli's parade of visitors, according to witnesses, was Teamster President James Riddle Hoffa. Yonnie's affinity for Teamsters has been a recurrent phenomenon. His chief counsel over the years has been a Teamster lawyer, Moses Krislov of Cleveland. The Licavolis' Detroit and northern Ohio range is heavily organized Teamster territory.

A Washington Teamster-connected lobbyist and wide-swinging public relations man named I. Irving Davidson made a brief but brave try at "representing" Yonnie in 1949 and 1950. Davidson induced Yonnie to donate \$5,000 to the J. Edgar Hoover Foundation, a pet project of Columnist Drew

Pearson aimed at furthering research on the sociological aspects of juvenile delinquency. Yonnie's wife, mother and daughter went to Washington to present the check in person to the columnist. Davidson succeeded in persuading Paul Richman, executive secretary and co-founder of the foundation, to visit Ohio and discuss the merits of the Licavoli case with some key officials. Davidson insisted his role in the matter was purely one of sympathetic helper, though he did admit he submitted a bill for \$1,000 to the Licavolis in 1950.

There were others eager to promote Yonnie's good qualities—Warden Ralph W. Alvis, for one, who protested in 1958 that Yonnie was not being credited with the many fine things he had done specifically to spruce up the Hocking Honor Camp. The warden explained that Licavoli had purchased a television set for the camp, and also had donated a pool table, a cash register and adding machine, asphalt tile for the dining room floor, venetian blinds and draperies for the windows and a sandbox for children visiting their fathers and grandfathers.

Yonnie's well-wishers in the organized underworld have been trying for years to accomplish what Governor Rhodes did with a simple announcement on Jan. 27. The previously mentioned \$250,000 "spring Yonnie" fund has been known to enforcement officials for more than a decade. Substantial portions of it, LIFE has learned, have more than once been openly offered to officials.

One was John M. McCabe, the judge who had presided at the Licavoli trial in Toledo in 1934. When Frank Lausche was governor, Judge McCabe was approached by a swarthy man who identified himself as being "from Cleveland." He offered the judge \$100,000 if he would write a letter to the governor urging parole or pardon for Yonnie Licavoli.

The judge recalled for a LIFE re-

porter: "I told him, 'Do you think I would do that? Only a damn fool would agree in conviction and then ask for the man to be set free!' I became quite disturbed, and he saw that and got out of there in a hurry."

Judge McCabe said he had never mentioned the bribe attempt to anyone because he believes the fact that a judge is even approached in this manner taints him to a degree.

Now retired, the judge has been closely following recent developments: "I was upset when I heard what Jim Rhodes had done," he said. "He had Licavoli all but out of prison; Licavoli doesn't belong out of prison."

Plenty of money floating around to set Yonnie free

In 1957, longtime Lt. Governor John Brown served as governor for 11 days between the time that Frank Lausche was sworn in as U.S. senator and the time his successor took the oath of office. Brown acknowledged to LIFE reporters that "overtures were made to me to consider Licavoli's case, and they were flatly refused." He would not elaborate.

Another who was approached was former Governor Michael DiSalle, himself a Toledoan of Italian parentage, who had refused clemency for Licavoli twice during his term of office. He had just been beaten in the election. Apparently it was felt that DiSalle, now a lame duck, might have softened his attitude. On a fall day in 1962, Mike DeAngelo appeared with another man at the executive mansion. The offer was \$100,000, with the implication that it could be bargained upward, if the outgoing governor would take action favorable to Licavoli before the governor-elect, Jim Rhodes, took office.

DiSalle, who had been forewarned by federal agents that a bribe attempt might be forthcoming

from Detroit sources acting through DeAngelo, rejected the offer. Though this was the only direct bribe attempt during DiSalle's four years in office, he acknowledges that "there were lots of calls. I was contacted by lawyers from all over the United States—some acquaintances, some not—all feeling me out on the possibilities for a fix in the Licavoli case."

One of the foremost authorities on organized crime in the Detroit-northern Ohio area is Vincent W. Piersante, now chief investigator for the Michigan attorney general's office, and currently working with the Justice Department's organized crime strike force in Detroit. It was Piersante who frustrated the wish of Ohio officials to have Yonnie Licavoli paroled to Michigan. Piersante discovered that Michigan parole authorities had made only a cursory investigation before agreeing to accept Yonnie as a resident. They paid no heed, for instance, to the fact that son-in-law Jackie Lucido, listed as living in the same Grosse Pointe house in which Yonnie would live, is himself active in Mob business. Piersante took his case to Michigan Attorney General Frank Kelley.

"This is no ordinary prisoner," said Piersante. "The Mob in this area today needs a shot in the arm. We've been hitting them at the management level and they're feeling it." (As a result of a strike force investigation, Pete Licavoli's right-hand man, Matthew (Mike the Enforcer) Rubino, was sentenced in March to 10 years in prison for income tax evasion.)

"We are beginning to get witnesses," said Piersante, "even some from the Mob's own community. If Yonnie comes out, it will be a feather in the cap of every Don in Detroit—especially Pete, who is already too strong. And Yonnie? Yonnie Licavoli has nowhere to go but the Mob. He wouldn't want to go anywhere else."

Highest in the minds of those who watch Ohio politics these days is not whether Yonnie Licavoli stays or comes out from behind bars, but what the whole Licavoli affair will do to Jim Rhodes.

Though not well-known to non-Ohioans, the bluff, handsome governor is one of the most spectacularly successful politicians in the country and unquestioned leader of the Republican party in the sixth most populous state. Sought out for counsel and support by Republican candidates up to and including Richard Nixon, Rhodes was expected by many to wind up on the national ticket last fall or, failing that, at least to land a top Cabinet post. He stayed in Ohio; some associates feel it

CONTINUED

CONTINUED

was by choice, because he felt stronger there.

Now 59, Jim Rhodes has spent most of his adult life in politics, beginning in 1933 when he was first elected Republican committeeman from Columbus. A high school graduate and the son of a coal miner, he had sold clothing and had run a campus restaurant after a brief stint at Ohio State University. The restaurant, which featured cards in the back room, had the backing of a well-known Ohio politician, and it was through him that Rhodes got into politics.

Nearly four terms as mayor of Columbus and 10 years as state auditor preceded his election to the governorship in 1962. He has acquired a reputation, particularly in Democratic party circles, for being a rough political in-fighter, not averse to leaving his cleat marks on the back of anyone in his way. In addition, he has had the unstinting admiration and support of most of the state's press. But his appeal to the electorate is based largely on positive, unabashed boosterism, plus opposition to high taxes. He works hard to attract industry. "Profit is not a dirty word in Ohio" has been a favorite slogan in the Rhodes administration. "Jim Rhodes could sell snake oil to a snake," was the crabby tribute of a non-admirer.

For a politician, Jim Rhodes has also been a pretty good money-maker. He manipulates slush funds, for example, dating all the way back to his years as state auditor.

In 1959, following an Internal Revenue Service investigation, Rhodes was forced to pay \$16,000

taxes, penalties and interest on money he had taken from the so-called "Rhodes for Auditor Committee," used for personal purposes and not reported as income.

The investigation found that Rhodes had dipped into the campaign fund for a total of \$88,982 from 1954 through 1957. Of this amount, he reported \$18,982 as "gifts and gratuities" on his tax returns. He did not report the balance of \$70,000.

Rhodes told the government that he had "borrowed" \$36,000 of the unreported \$70,000 from the fund. At first he could show no evidence of this, but finally he produced a series of promissory notes, some dating back to 1954.

If Rhodes ran short there was always a campaign fund

Rhodes told the IRS investigators he had used \$12,000 of the "loan" for payment of federal income taxes, \$5,500 on a home he built in 1955-56, \$4,000 on an automobile and the rest for miscellaneous expenses. There had been no effort to repay any of the money. Rhodes admitted this looked peculiar.

IRS at first found the \$36,000 to be taxable income. But then, in an unusual agreement, it allowed Rhodes to open a bank account in the name of the committee and put \$36,000, plus \$3,000 interest, in the account to settle his "debt."

It was the first bank account the committee ever had. The question was: to whom did the account belong? The committee, as such, had never really existed—except as it functioned to collect money and turn it over to the boss. By whom was the money donated? By employees of the auditor's office. Who was the auditor? Jim Rhodes.

The money was in fact collected for Rhodes by Elmer Keller, a Rhodes lieutenant in the auditor's office and now on his Public Utilities Commission. Keller kept no books indicating either receipt or disbursement of the money.

IRS established that Keller and Rhodes, in effect, were the "Rhodes for Auditor Committee" and that there were absolutely no records of the committee's activities. All of the committee's transactions were in cash.

Further, in reports filed with the Ohio Secretary of State, Keller was not even listed as an officer of the committee, nor were there any balances ever noted. Ohio law states very clearly that balances in the possession of the candidates or committees must be listed in the reports that they file.

What happened to the \$39,000 that Rhodes put into the bank to repay the "committee's" loan? It is a question LIFE would have asked the governor had he granted an audience.

The \$16,000 settlement with IRS was made only on the remaining \$34,000. And nothing more was ever said about it.

Rhodes admitted that \$10,000 he reported as "gifts and gratuities" in 1955 were taken from the campaign donations and used to purchase the lots on which he built a \$63,000 home. He told government investigators that at the time he took much of the campaign money, he had several business deals in mind and didn't want to tie up all his funds in the house.

A total of \$8,962 "gifts and gratuities" reported in 1956 and 1957, also from the slush fund, was used for miscellaneous expenses, he said.

Rhodes told the investigators he had repaid part of the \$36,000 "loan" with \$15,000 which in turn had been repaid to him from a loan to an Ohio manufacturing company. This, too, is a fascinating story.

Ohio Machine Products Company manufactured prefabricated steel corn cribs and grain bins, which were sold through another firm, the Steel Company of Ohio. Two of Rhodes's close business and political associates worked for Ohio Machine Products, and Rhodes himself, while he was state auditor, was reporting "management fees" from the Steel Company of Ohio as income.

In 1956, Rhodes took the president of the two firms to Washington, D.C. and introduced him to the then U.S. senator from Ohio, George Bender, and to the Vice President, Richard M. Nixon. These men paved the way for his introduction to the Commodity Credit Corporation. Subsequently the steel company sold \$9 million worth of its products to the government for storage of surplus grain.

But sales tapered off and the companies needed cash. Rhodes loaned Ohio Machine Products \$15,000. Steel Company of Ohio, with Rhodes's help, borrowed \$250,000 from a firm called simply the Ohio Company, which specializes in floating securities for various enterprises. Ohio Company is owned by the powerful Wolfe family of Columbus. The family also owns the Columbus *Dispatch*—considered by many to be the most influential newspaper in the state—as well as the BancOhio Corporation, a holding company which controls more than 20 Ohio banks.

In 1958, when it became ob-

vious that the loans could not be repaid, Rhodes again intervened, this time securing a \$325,000 loan to the two troubled firms from the Small Business Administration.

It was understood between SBA and the two firms that \$70,000 of the loan would be used to retire indebtedness, \$15,000 would be used to repay Rhodes and the remaining \$240,000 would be applied as an increase in working capital. But that was not the way it worked. Steel Company of Ohio paid the \$240,000 to the Ohio Company. Both Steel Company and Ohio Machine Products subsequently went out of business, leaving scores of other creditors, including SBA and IRS, holding the bag.

More recently there have been other mysteries concerning money given by state employees to help Rhodes defray campaign expenses. There are, for example, many persons who say they made contributions totaling thousands of dollars in cash to an "Ohioans for Rhodes" organization raising funds for the 1966 gubernatorial campaign. None of these contributions are listed in the Ohio Secretary of State's office as required by law.

One of the governor's top aides, who helped collect money for "Ohioans for Rhodes" from state employees, claimed that instead of turning the money over to the organization, he gave it to the Republican leader of a poor rural county in Ohio, a man named Eugene Clark. Mr. Clark died on March 25, 1967.

LIFE has found that Rhodes reported \$21,024.29 as "gifts and gratuities" in 1958 and 1959. On the other hand, in the years 1958-66, IRS collected more than \$85,000 in deficient taxes and interest—this on money Rhodes had taken from funds collected ostensibly for political expenses, diverted to his personal use and not reported as income.

These settlements came as the result of one IRS audit of Rhodes's financial affairs in 1962 and another in 1966.

In summary, over the past 10 years Rhodes has settled tax claims against him by paying in excess of \$100,000 in taxes, interest and penalties on income he did not report. For purposes of comparison, the amount he has been forced by IRS to pay in deficiencies is nearly equal to the total amount of income on which Senator Tom Dodd of Connecticut has been accused of evading taxes in his celebrated case.

The fact that Rhodes has been dipping into slush funds for years without getting caught suggests that he thought he could get away just as easily with granting clemency to Licavoli. His actions since



In 1963, beginning the first of his two terms, James Rhodes (left) shakes hands with outgoing Governor DiSalle. Applauding is Ohio State G.O.P. Chairman Ray Bliss.

announcing the commutation (it is noteworthy that the only newspaper to chide him was the heretofore friendly *Columbus Dispatch*) suggest that the governor is unaccustomed to coping with any sort of adverse publicity.

Rhodes had certainly gone out of his way to make commutation sound like a great idea. He had denied the same plea from Licavoli in 1963, saying "It is . . . impossible to disassociate your recent good conduct from the extended criminal conspiracy that brought about your imprisonment in the first place." He had denied it again in 1964. Now, in 1969, reversing his position, he needed to call up his full array of salesman's talents. He cited recommendations by the present and preceding wardens that Licavoli's fine record justified clemency. (The present warden and his immediate predecessor say they made no such statements.) Then his office said that the FBI gave assurance there was no evidence available to suggest improper influence on Yonnie's behalf. (The FBI flatly denies it did any such thing.) To prove that there had been no bribe attempts, Governor Rhodes solicited a letter from Licavoli's wife, saying there had been none. He got that.

Parole for Licavoli could happen anytime

In pointing out that since Yonnie is a dying man, and should be permitted to live out his remaining days at home, the governor went on to mention recent surgery for kidney stones, need for further surgery and near blindness from cataracts. John McElroy mentioned a hernia. On March 28, Licavoli was transferred from the prison to a private hospital, reportedly suffering from a massive heart attack. He was said to be under intensive care in a guarded room. Passers-by noted that he was not always in his bed, and occasionally he could be observed from the outside, strolling by his window and staring out over the parking lot.

On April 15, LIFE reporters went to Columbus for appointments with John McElroy and Parole Authority Chief George F. Denton, and with hopes of seeing Governor Rhodes. That morning there was a hastily convened meeting of the three top correctional officials—Martin Janis, director of the Department of Mental Hygiene and Correction; Maury C. Koblentz, chief of the Division of Corrections, and Denton. At the governor's direction, they drafted a statement

announcing that Licavoli "will not" be granted a parole—this despite the fact that no meeting of the parole board had been held on the matter and no vote taken.

That afternoon the governor sent word that under no circumstances would he meet with any LIFE representatives.

The next morning, Licavoli was wheeled out of Riverside Hospital and taken back in a prison ambulance to the penitentiary, where he is reported "doing fine."

Whatever the real condition of Licavoli's health, the truth is that enforcement officials—and sizable numbers of Mob leaders—honestly fear what will happen if Yonnie makes it out. Reliable sources in Detroit, Cleveland, Toledo and Columbus—where all good gangsters supposedly are rooting hard for Yonnie's release—report there is a lot of worried talk. Shortly after Rhodes granted his commutation, Yonnie gave a visiting underworld colleague the word that he expected either to reassert absolute control of his northern Ohio territory or be paid *in full* the profits his old rackets have shown in the past 35 years—many millions from crap games alone. No one knowing Yonnie Licavoli doubts that he would try to move right back in where he left off.

Licavoli's commutation stands. He can still be paroled anytime the board so decrees. As Parole Authority Chief Denton admitted to LIFE, "It might be two years, it might be a year, it might be six months. It depends on how much time the parole board feels is sufficient to work out some of the problems."

This indeterminate period will be critical for Governor Rhodes as well. Next year will be his last in the governorship (Ohio has a two-term limitation). The consensus is that he will file for the U.S. Senate seat of Democratic incumbent Stephen Young. A victory there would vastly enhance the power of Rhodes's party machinery, since the other seat was won last fall by his former state attorney general, William B. Saxbe. There is also strong talk of Rhodes's becoming Commissioner of Baseball, a \$100,000-a-year position, replacing interim commissioner Bowie Kuhn. And Rhodes himself has never shut the door to a possible appointment to a high post in the Nixon administration.

Supposedly under treatment for a coronary attack, Yonnie Licavoli was photographed with his wife gazing out of his semiprivate room at Riverside Hospital last month.



40 MORE CALLED IN LICAVOLI CASE

State Witnesses Will Build Biography of Gang Head in Murder Trial

Continued From Page 1.

attempt to weave a tight web of circumstantial evidence to show that Licavoli was ruler of a gang that attempted to take over liquor distribution and gambling here.

Auto Dealer Called

Among those subpoenaed are Mr and Mrs. Ernest Reid, 3245 130th street, Paul Pince, and Thelma Bond, 3243 135th street. The state expects them to testify that they saw a car parked in the rear of Kennedy's cottage on 130th street the night he was slain.

Another important state witness will be Lemuel D. Arnold of the Scottwood apartments. He is head of an auto firm bearing his name. He is expected to testify concerning autos purchased from him by Licavoli.

John Connell Sr., River road, was another called. He will testify concerning operations of the Golden Rose and the General Importing Co. prosecutors said.

George Petcoff, 749 Forsythe street, operator of the General Importing Co., is expected to testify concerning Licavoli's conviction on a liquor conspiracy charge.

English Witnesses Included

Robert Schwalle, 3078 135th street and Harry Craig, 5816 Edgewater drive, witnesses of the Kennedy slaying and star witnesses in the trial that sent Joe (Wop) English to the death cell as one of the slayers, also were called.

George E. Jagger, 3304 Darlington road, was among others called. Others on the list of new witnesses include: Arthur Edelstein, 538 Winthrop street; Lillian Kruse, 2251 Waterworks drive; Myrtle Edinger, 923 Stillman street; Delmar B. Little, 538 Lincoln avenue; William



The Toledo News-Bee

FINAL HOME EDITION

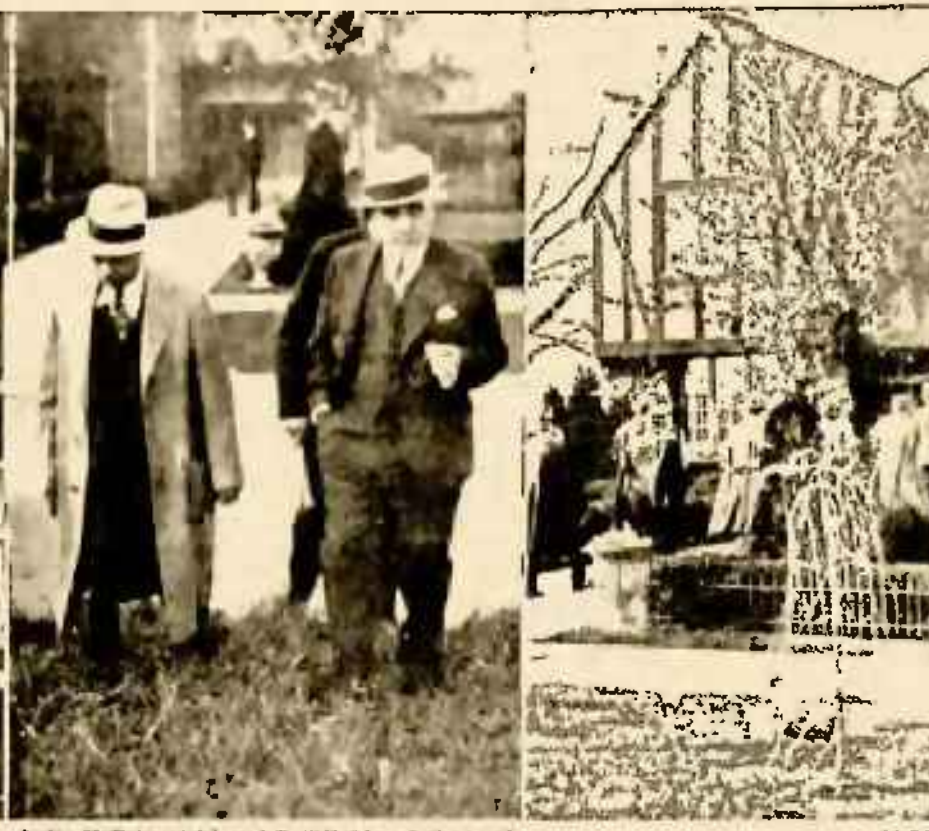
TOLEDO, OHIO, MONDAY, OCTOBER 22, 1934

PRICE TWO CENTS

Jury Visits Slaying Scenes as Licavoli Begins Battle for Life



At the scene of Miss Louise Bell's slaying.



Judge McCabe, right, and Bailiff Edward Newmark.



At Licavoli's beautiful Old Orchard Home.

2 BRITISH RACERS BURNED IN CRASH

Another English Ship Smashes Record in Australian Dash

DARWIN, Australia, Oct. 22.—Tragedy marred the England-Australia air race today as three speedy planes roared toward the finish line in the greatest aviation contest in history.

In July, more than 10,000 miles behind the leader, one of the laggard planes, carrying Flying Officer Harold D. Gilman and James Baines of Great Britain, crashed near Foggia after leaving Rome and the fliers were burned to death.

Of those still in the race, G. W. A. Scott and E. Campbell, Black of Great Britain, were dashing along the last stages of the race, flying over Australia and well in front.

They had smashed the record from England to Australia by more than 100 hours. Their new mark is 52 hours, 45 minutes and 18 seconds.

Their arrival at Darwin, after the most astonishing speed flight in aviation history, at 11:07 G. M. T., 4:07 a. m. E. S. T., and took off again at 1:34 p. m. G. M. T. (8:34 a. m. E. S. T.).

They have averaged 172 2/3 miles an hour even tho they slowed up after leaving Singapore, pulling safety first in view of their great lead.

It was a dramatic last stage of the greatest air race ever held.

Dutch in Second Place. At 9:57 p. m. G. M. T. (4:57 a. m. E. S. T.), the second plane in the race—the Dutch "Flying Hotel" with a crew of three and three passengers—left Rangoon, in the Dutch East Indies.

The Americans, Col. Giuseppe Turani and Clyde Pangborn in their Boeing transport, were in third place. They landed at Singapore at 2:05 p. m. G. M. T. (9:05 a. m. E. S. T.), then proceeded toward Manila after a short halt.

Scott and Black were sighted over the Royal Australian air force air-ground at 11 a. m. (6 a. m. E. S. T.).

OUTLAW FLOYD SOUGHT IN OHIO

Wounded Desperado Believed Surrounded in Woods Near Frederickstown

WELLSVILLE, O., Oct. 22.—Armed posses searched the woods and hills near here today for a wounded and desperate killer — Charles (Frank) Floyd.

Police, federal agents and citizens participated in the search, spurred to new fervor by a report that the outlaw had been sighted near Frederickstown, O.

Leaving a few men to guard Floyd's confederate, Adam Richetti, in the Wellsville jail, scores of possemen rushed toward the spot where a road worker reported having seen a man resembling the wounded killer just before daybreak.

Meanwhile, the belief grew that Floyd had escaped the cordons thru his cunning ability to back-track. Pennsylvania state police were massed on roads in the western part of that state to form a new blockade.

Floyd Seriously Wounded. Richetti was captured Saturday in a gun battle in which Floyd managed to shoot his way to freedom, commencing two autos in succession and escape into the wooded sections east of here.

It was believed certain that Floyd was seriously wounded by a bullet from the gun of Police Chief John Fultz of Wellsville.

Floyd's trail had begun to cool today when Dave Ransauer, 30, rushed into the police station here with word that he had encountered a man he believed to be Floyd on the highway near Frederickstown—only a few miles from the spot near Lisbon, O., where the bandit last was seen.

Ransauer said he did not get close enough to the man to determine whether he was wounded, but officers were certain the man was Floyd.

Poses From Everywhere. A dozen federal agents under Melvin Jurvis, an department of justice man hunter, who led the successful search for John Dillinger, co-operated with local authorities.

Purses expressed himself as sure that Floyd still is in this region, and spread out his agents to search in nearby small towns while local men kept watch.

Please Turn to Page 2, Column 5.

AUTO-LITE SIGNS PACKARD CONTRACT

New Long-Term Agreement for All Ignition Units. Signing of a new long-term contract with the Packard Motor Car Co. of Detroit was announced Monday by G. O. Munger, chairman of the board of the Electric Auto-Lite Co.

'EPIC' Is a Winner Even If I Lose,' Says Sinclair

Central Figure in Most Intriguing Political Campaign in Years Appears Tired But Battles On For Utopia

By GEORGE H. BEALE. Copyright, 1934, by United Press.

LOS ANGELES, Oct. 22.—Claiming the victory is his whether or not the California electorate favors him Nov. 6, Upton Sinclair, Democratic nominee in California's bitterest modern gubernatorial fight, was on route north today on a final vote-seeking tour.

If the winner in the election two weeks hence should be Gov. Frank P. Merriam, Sinclair's chief opponent, Sinclair said Merriam would be driven from office within a year.

"My 'EPIC' (End Poverty in California) plan already is a certain ultimate winner," the 58-year-old quiet-spoken former Socialist, said confidently. "The seed of 'EPIC' has been planted. The political organization associated with it will recall Merriam within a year if he is elected."

Says Life is Shortened. The strain of the long campaign showed plainly on the internationally known author. He admitted he was nervous, tired and "anxious to see the election over."

"This campaign," he remarked at one point, "has shortened my life. I'm sure of it."

He said he had received written threats that had forced him into seclusion. The interviewer was given his address only on promise of secrecy. At the quiet, well-appointed residence where he lived it was first noted thru a chained door that he was present.

Once inside, Sinclair led the way to a long living room. He wore a dark blue suit, not recently pressed. His brown shoes were unstained. He looked tolerantly thru his blue glasses as he explained his views in a slightly husky voice. He rumbled his sparse gray hair frequently, always returning his hands to a folded position across his chest.

Isn't Afraid of Florida. He looked as tired as he said he was with his slight frame huddled in his seat, but his tongue was as sharp as ever. Occasionally, a mild "George, that's right," or "Well, but my good fellow, don't you see?" crept into the conversation.

Motion picture executives have Please Turn to Page 2, Column 4.

MRS. STOLL PLANS TRIP TO FLORIDA

Plea for Abductor's Wife Apparently Abandoned

By United Press. LOUISVILLE, Ky., Oct. 22.—While members of her wealthy family demanded the death penalty for her kidnappers, Mrs. Alice Speed Stoll prepared today to recuperate in Florida from the effects of brutal treatment in six days of captivity.

TOLEDO DAY PLANS READY

Bargains and Innovations Await Shoppers During Event Tomorrow

Only one more day until Toledo day and 48 shopping days till Christmas.

Forget that about Christmas and concentrate on Toledo day advice the downtown merchants. Toledo day is Tuesday.

Specifically, say the merchants, concentrate on the bargains. And after the bargains, look around and get acquainted with the store. That was the last bulletin from the bargain counter front on the eve of the ninth semi-annual Toledo day, sponsored by the Retail Merchants' board.

In addition to the bargains, the stores in the downtown business area have much to offer in the way of departmental innovations and unique services according to the committee in charge of Toledo day arrangements.

For instance, in the basement of Grant's store on Summit street is a pet shop with canaries and tropical fish. All next week Grant's will hold a bird clinic in the pet shop and Toledoans proud of their birds are invited to bring them in.

Dr. Richard Kral, New York bird specialist, will pass in review the pet birds of Grant's customers. A ladies' ready-to-wear department with a "day-a-way" plan of buying is unique in Grant's store, officials believe.

At Stella, in its 42nd year, there are a number of innovations that its ready customers have not realized. Customers are advised by store officials to get acquainted on Toledo day.

Stella's Campus shop on the corner. Please Turn to Page 2, Column 7.

TWO VICE RESORTS RAIDED BY POLICE

Three Men and Four Women Arrested in "Cleanup"

Two houses of ill-fame that ventured to remain open in the face of the city-wide shutdown were raided by the police vice squad over the week-end.

Arrest of three men and four women resulted. The men were charged with "visiting" the women with "solitaire." One of the houses located near Canton and Southard streets, the other at 27 Vance street.

The seven paid the penalty "arrested from more than a score of persons arrested on vice charges last week following orders from Sheriff Director John A. Price to "eliminate" all disorderly houses in the city.

KENNEDY DEATH DETAILS BARED

Reams Gives Licavoli Murder Trial Jury First Complete Version; Witness Found

Hitherto unrevealed details of the gangland slaying of Jack Kennedy, Toledo night club operator and bootlegger, came to light Monday as the state launched its effort to send Thomas (Yonnes) Licavoli, the electric chair for his part in a series of underworld murders.

Assistant Prosecutor Arnold Bunge filed the sprawling 100-page state case with a statement to the jury in which he portrayed Licavoli as the "master mind" who sent forth his gangs on missions ranging from bootlegging to murder while he remained in his beautiful Old Orchard home.

At the same time Prosecutor Reams announced that his array of witnesses had been completed with the finding of John Henry Brown, Licavoli's gardener, who disappeared several weeks ago, in Sandusky, Brown and several other important state witnesses were reported under close guard in a downtown hotel.

One of these was said to be a young woman "mystery" witness, and to possess information vital to the state's case. She was said to be under the care of a physician in a hotel room.

Gamblers Are Called. An indication that the state expects to open into the record the wide ramifications of the Licavoli organization was seen when Ben Aronoff and Ben Harris, proprietors of local gambling houses, and Ben and Joe Fretell, slot machine operators, were subpoenaed as state witnesses.

It also was learned that attorneys in the case have obtained the entire transcript of Licavoli's trial in federal court on charges of conspiracy to violate liquor laws several years ago, and that all witnesses who appeared at that time have been subpoenaed in the present case.

Licavoli and a dozen members of his gang were indicted and tried on the federal charge. Licavoli was convicted, but never served his sentence as repeal was voted while he was awaiting an appeal. As in the present case, most of those indicted with him are fugitives.

We expect to show that all that day there had been considerable activity in the Bancroft Grill, operated by two Italian girls known as Please Turn to Page 2, Column 1.

"MARCINI" MORE "MARCINI"

Those who were watching the exciting times when the team fell out of the world on Oct. 23, 1929. The business of prosperity stopped open drooping, drooping. From brokers crying for margin, margin. Speculative suddenly forced outside the national fold and just to the voices of Depression.

John T. Flynn, famed financial writer, reveals to you clearly and dramatically the cause of the Great Crash in an on first page, second section. It's the first of a series on "WALL STREET AND THE DEPRESSION" Flynn has written for

The News-Bee

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The Weather

Forecast for Toledo and Vicinity: Fair Monday night and Tuesday; slowly rising temperature Tuesday; moderate variable winds.

LICENSES SUSPENDED

Chateau, Bon Ton and Arthur Hand Sifted From Liquor Sales. COLUMBUS, Oct. 22.—Liquor permits of the Chateau La France and two other Toledo liquor establishments, were suspended Monday by Col. John A. Hughes, liquor control director.

OPENS CHEST DRIVE

Radio Address by F. D. R. Tonight Sounds Campaign Keynote. By United Press. WASHINGTON, Oct. 22.—A national-wide address opening up the community chest campaign in connection with the mobilization of human needs will be delivered at 10:30 p. m. Monday by President Roosevelt.

LIVESTOCK DIE IN FLAMES

MONROE, Mich., Oct. 21.—One man was burned, eight cows, five horses and 18 pigs died in flames that destroyed a large barn and several other buildings on the John Miller farm at Southfield, 10 miles northwest of Monroe, Sunday night. Barn burning, a farmhouse, was only burned on the face, hand and back legs to save livestock.

W. K. C. PLANS CEREMONY

ELMORE, O., Oct. 22.—Robert H. Caldwell, Women's Relief corps at Elmore will have its annual meeting Monday evening with Ruth Bud of Toledo as the guest.

The Toledo News-Bee

Toledo and vicinity: Cloudy, probably rain Wednesday night and Thursday; warmer Wednesday night; slightly colder Thursday.

VOL. 59—NO. 252

TOLEDO, OHIO, WEDNESDAY, OCTOBER 24, 1934

Entered at Toledo, Postoffice as Second Class Matter Under Act of 1879

LACK OF FUNDS SHUTS SCHOOL AT LEMOYNE

Classes Close Friday; Re-open Nov. 12 If Voters Pass Three-Mill Levy

OTHERS MAY SUSPEND Toledo and Lucas County Able To Maintain Sessions To January at Least

By EDMUND RUFFIN. The schoolboys' dream will come true Friday in the village of Lemoine, 12 miles south of Toledo.

The North Troy Township Centralized school will close that afternoon. It will open Nov. 12 if voters in that district approve a special three-mill levy for school purposes.

Due to lack of funds, some other schools in Wood county may be closed this week. Toledo and Lucas county schools will remain open at least until the first of the year, according to Dr. Norris E. Olicker, president of the Toledo board of education.

The many other township schools are in similar financial straits. The North Troy township board of education stands as the first to take the drastic action of closing.

"We owe our principal, four teachers, janitor and two bus drivers salaries for two months last year and two months of this year, or about \$2000 in all, Walter E. Schwartz, president of the board, said Wednesday.

"I will help on the farm," said Miss O'Brien, principal, and Miss Muehlbacher, Miss Elvina Miller, Miss Virginia Bigelow and Paul Abke, teachers.

"I'll help on the farm," said Miss Abke, youthful instructor in mathematics and science.

The school will affect 130 pupils in the school and about 12 more who attend day camp at the 62nd Street School.

YOUNGEST OPERATION MEMBER HOLDS OWN Baby, Under Knife at Birth, Less Appendix Doing Well.

By United Press. BALTIMORE, Oct. 24.—"Baby" Shepard, the baby operated on here last Friday when only 30 minutes old, continues to show amazing vitality.

Three Men Win From Slot Machine, Are Jailed When Owner Calls Police

The "drive" to rid Toledo of slot machines, launched jointly a month ago by city and county authorities, suddenly became effective Tuesday night.

They were getting all of the money out of the machines. Mrs. Lenore, proprietress of the Budget restaurant, 212 Jefferson avenue, excitedly phoned police.

Sergt. James Livingston and Patrolman Fred Mease sped to the place and arrested the men. They spent the night in jail.

The woman owner of the machine was booked at the safety building as a complaining witness. Police, at a loss as to what charge to place against the three men who had achieved the unprecedented feat of winning 18 nickels from the device, phoned Prosecutor Remms, arch enemy of the slot machine racket.

BANKERS AWAIT F. D. R.'S SPEECH

Aid Says President "Won't Go Beyond Purgatory" in Talk to Financiers

By United Press. WASHINGTON, Oct. 24.—President Roosevelt's important address tonight to the American Bankers' association was awaited eagerly today in expectation it might solidify a swing toward banking support of the new deal.

Share of interest with the president's address was a speech by Jesse Jones, director of the Reconstruction Finance Corporation.

Sharing interest with the president's address was a speech by Jesse Jones, director of the Reconstruction Finance Corporation.

"I do not believe the president will go beyond purgatory."

When three men played a slot machine in her safe at 212 Jefferson avenue and won all the time.

FLOYD'S PAL GOING BACK TO MISSOURI Ohioans Will Release Ricketti To Face Murder Charge

New-By State Service LISBON, O., Oct. 24.—Adam Ricketti, lieutenant of the slain Charles "Pretty Boy" Floyd, was brought to the county jail here from Wellsville today and will be held for Columbus, Mo., authorities.

6 PRISONERS ESCAPE 4 Men, 2 Women Attack Oklahoma Jail, Die in 2 Autos.

MR. REAM ordered the trio held on charges of gambler and disturbance.

The men, who gave their names as Edward Hobery, 20, of 1223 Whitbridge avenue; Loren Land, 26, of Jefferson avenue; and Coleman Durkin, 227 Western avenue, flushed with their victory over the supposedly "unbeatable" machine.

The machine will be exhibited as part of the evidence against them. It is a type operated openly through Toledo, before and since the pleasure turn to Page 2, Column 3.

PICCARDS LAND NEAR CADIZ, O.

Balloon Ripped in Descent Thru Trees After Reaching 10-Mile Height

CADIZ, O., Oct. 24.—Joan and Jeanette Piccard, recovered from a balloon ascension that took them 10 miles above the earth's surface, packed their dozens of scientific instruments today, confident their flight would contribute much new knowledge concerning the nature of the stratosphere and cosmic rays.

The balloon came down in a tree which broke the force of a rapid descent. Before Mrs. Piccard would describe her experience, she sent a message to her children, Paul, 10, and Donald, 8. The children had watched the take-off.

The Piccards considered the flight a great success. They fell short of equating the altitude reached by at least a mile and a half, but they had no desire of exceeding it.

"I was nervous right after the take-off," she said. "The wind bumped the gondola around a great deal, but before long we began to ascend rapidly and when we got into the upper air it was very calm."

The performance of the American-built Douglas, however, remained the real sensation of the race. Rainstorms that reduced visibility to almost nothing caused it to land at Albany, 100 miles northwest of Melbourne, in boggy ground.

TOLEDO BANK CASES IN SUPREME COURT Establishment of Mortgage Liquidation Bank Expected.

MIAMI, Fla., Oct. 24.—Immediate payment of the soldiers' bonus was urged by an American Legion convention today.

Model Apartment Is Setting for Foods On Parade, News-Bee Cooking School Opening Tuesday, Oct. 30

A model three-room apartment will be the stage setting at Convention Hall next week when The News-Bee presents Foods on Parade, its second annual cooking school.

DUTCH PLANE TAKES SECOND IN AIR DERBY

"Flying Hotel" Beats Out Turner and Pangborn in Dash to Australia

Polardo, Wright Silent Since Leaving Baghdad in Race From England

MELBOURNE, Oct. 25.—(Thursday)—Three winning airplanes in the England-Australia race were safe here today and a fourth eligible for the \$8000 handicap prize, across Australia toward its goal.

The winning planes and their prize money in the 11,300-air-mile race, half around the world, were:

1. C. W. A. Scott and Tom Campbell, Great Britain, De Havilland Comet, Gray VT twin motor, \$40,000. (Official elapsed time, 51 hours, 18 minutes, 11 seconds.)

2. K. D. Rasmussen, J. J. Meili, C. Van Bruze and E. J. Meili, Holland, American-built Douglas air liner, Wright Cyclone motor, \$3000. (Official elapsed time, 53 hours 7 minutes 16 seconds.)

3. Col. Roscoe Turner and Clyde Pangborn, United States, Boeing transport, Curtiss and Wright twin engines, \$2000. (Official elapsed time, 53 hours 7 minutes 16 seconds.)

TOLEDO GLASS COMPANY SUED Patent Infringement Charged To Libbey-Owens-Ford By New Jersey Firm

Libbey-Owens-Ford Glass Co. manufacture the safety glass used by General Motors, Packard, Auburn, Studebaker and other autos.

SINCLAIR IS TRAILING Governor Merriam Leads Digital Fall of California.

NEW YORK, Oct. 24.—Gov. Frank P. Merriam of California, was leading United Sinclair by more than 2 to 1 in the first city returns of the Literary Digest's poll of the state for Digital announced Wednesday.

O'DELL LOSES FIGHT TO ESCAPE TRIAL Supreme Court Refuses To Halt O'Brien Strike Cases.

LICAVOLI IS NAMED TOLEDO GANG CZAR BY GIRL, STATE ACE

Maid at Argonne Hotel Testifies To Sessions of 'Crime Syndicate' in Sulle; Points To Racket Chief as Chairman



Maid at Argonne Hotel Testifies To Sessions of 'Crime Syndicate' in Sulle; Points To Racket Chief as Chairman

Mrs. Frances Halteman, pretty blond girl friend of Bud Gardner, bootlegger associated with Yonnie Licavoli, told of meeting various members of the mob when she appeared as a state witness in the gang leader's murder trial Wednesday.

'DIRECTORS' MEETINGS' DAILY

Former Gardener at Old Orchard Home Under Guard as Second Trump To Link Boss To Gang Murders

The state Wednesday played one of its ace in the trial of Thomas (Yonnie) Licavoli, former gang leader, charged with conspiracy in four underworld murders here.

BRUNO'S TRIAL SET FOR JAN. 2

Hauptmann Pleads Not Guilty On Arraignment in Lindy Baby Slaying

By United Press. FLEMINGTON, N. J., Oct. 24.—Bruno Richard Hauptmann, Bronx carpenter, will go on trial Jan. 2, 1935, charged with the murder of Col. Charles A. Lindbergh's infant son, kidnapped from the Lindbergh home at Hopewell in 1932.

Spoke Once in English. "That man in the brown suit," she replied. "There was more listening done than talking."

TOLEDO-BOUND TRAIN HITS 120-MILE SPEED

Aluminum Speeder Due To Reach City Tonight

By United Press. OMAHA, Neb., Oct. 24.—The Union Pacific streamlined aluminum train arrived in Omaha at 6:07 a. m. today and left for Chicago at 8:30 a. m., with two world records to its credit.

Defense Attorney Cornel Schreible asked the maid how the men treated her.

GOLDSMITH, Oct. 24.—Ohio supreme court Wednesday refused to prevent Okey O'Dell, leader of the Hardin county union, strikers, and five of his lieutenants, including Earl Paul of Toledo, from being brought to trial in the Hardin county common pleas court on individuals variously charging them with inciting to riot, assault and battery, assault to kill and poisoning strikers.

Forecast for Toledo and vicinity: Cloudy with probably rain Wednesday night and Thursday; slightly colder Thursday; moderate southerly winds.

Table with 2 columns: Topic and Page Number. Includes: Toledo News Briefs, Editorials, Heywood Brown, Retard's Points, Westbrook Pegler, Page Society, Women's Features, Theater, Political, Washington Merry-Go, Wall Street and the Depression, Telling It to Toledo, Sports, Financial News, Toledo's Best Comics, Clow of Foresters Murder.

Resets Span Girders Engineers Confirm Experts' Claim Bridge Is Not Safe.

F. D. R. ASKS, GETS BANKERS' PLEDGE OF AID

Association Votes Resolution, Response to Speech: Urge Balanced Budget

REPORT NOT DISCUSSED Stand Contrasts With 1933 Attacks; Sentiment is for "Peace"

By United Press WASHINGTON, Oct. 25.—President Roosevelt's call to bankers to make common cause with the new deal in the fight against depression passed its first test today before the American Bankers' association.

Ask Balanced Budget The association went on record as recognizing the temporary need of large emergency expenditures, and as voting President Roosevelt's "an understanding statement" for "setting a time schedule for expenditures to be made for relief and recovery."

Industry and trade were called on to "nullify themselves" of credit facilities by the association.

Nothing definite on money. His words that the administration stood squarely back of continuation of the profit system and that emergency activities would be curtailed as fast as private business would pick up the load received close attention.

"All-American" Roosevelt Picks Team To Win Recovery in Talk to Bankers

WASHINGTON, Oct. 24.—Highlights of President Roosevelt's speech to the bankers: "The time is ripe for an alliance of all forces intent upon the business of recovery. In such an alliance will be found business and banking, agriculture and industry, and labor and capital. What an all-American team that is!"

When Foundling Meets Foundling—They Don't Always Agree



"COME on now—just because you got here first, don't think you're supposed to get all the attention around this place," said Mary Elizabeth, right, to Bonnie Rae. "And furthermore, don't forget that I'm the oldest!"

"In fact, you fairly make my hair stand on end!" Which doesn't indicate that Mary Elizabeth and Bonnie Rae, the two newest foundlings at Women and Children's hospital, aren't on the heat of terms in spite of such salty conversation.

—Photographs by Florence Baker, News-Bee Staff Photographer. The two unattached young ladies. "Personally, I think I'd better stick around a bit and keep an eye on that Bonnie Rae," was Mary Elizabeth's confidential comment.

Legion Demands Its Bonus in Stormy Convention Vote

Delegates Cheer 987 "Aye" Ballots, Boo 183 "Nayes"; Call on Congress for Three Billions

By United Press MIAMI, Fla., Oct. 25.—The American Legion today voted 987 to 183 to demand that the 74th congress pay the soldiers' bonus immediately.

CLEVELAND BANKER IS TAKEN TO PRISON Faces One to 22 Years for Embezzlement

3 U. S. PROFESSORS SHARE NOBEL PRIZE Pioneers in Medical Research To Receive \$14,000 Each.

THACHER RECOVERING Former Mayor Is Recovering After Illness at Home. Add Thacher former mayor of Toledo, who has been ill for the past two weeks suffering with a bronchial ailment and a severe cold was reported much improved Tuesday.

85 MILLIONS TAX NEEDED BY STATE

Must Be Raised Soon by Ohio Legislature

News-Bee State Service. COLUMBUS, Oct. 25.—Fought on all sides by hard-hitting lobbyists with opposing demands, the state legislature has the job of raising \$85,000,000 in November or January.

FLOYD'S PAL TO GO ON TRIAL IN MISSOURI

"Pretty Boy's" Body En Route to Oklahoma for Burial.

LIBBON, O., Oct. 25.—Columbian county officials, relenting from their previously adamant stand, today prepared to turn over Adam Richetti, henchman of "Pretty Boy" Floyd, to authorities of Boone county, Missouri.

INSIDE TODAY Editors: Brown ... Page 4 Heywood Brown ... Page 5 Readers' Forum ... Page 6 Toledo News Briefs ... Page 9 Society ... Page 10 Women's Features ... Page 11 Politics ... Page 12 Washington Merry-Go-Round ... Page 13 King It to Toledo ... Page 14 85 and the Depression ... Page 14 The ... Page 15 ... Page 16-17 ... Page 18 ... Page 19

Two Girl Eyewitnesses of Hayes Murder Guarded

Court Places Young Women Under Protection Bonds of \$75,000 Each; Accused Slayers Denied Bail

By United Press DETROIT, Mich., Oct. 25.—Two young women eyewitnesses to the slaying of Jimmy Hayes, Toledo gambler king, Oct. 4 in a night club here were held by police Thursday for their own protection on bonds of \$75,000 each.

WOMAN SUES DRIVER FOR \$25,000 DAMAGES

Charges She Can Never Walk Again After Crash With Man's Auto.

SINCLAIR TRAILING IN DIGEST'S POLL

Democratic Nominee Running Far Behind Governor Merriam.

NRA VIOLATORS NOTE

New State Policy To Announce Publicly Complainants Against Code.

LICAVOLI AID IS ARRESTED FOR PERJURY

Eddie Beck, Former Night Club Worker, 'Foggets' Tale When He Takes Witness Stand; Evasions Ire Prosecutor

DENIES VISITING HEADQUARTERS

Judge Assails Defense Counsel for 'Trickery' in Placing Deputy Resembling Gangster Beside Yonnie in Court Room

Eddie Beck, Licavoli gangster, was jailed on a perjury charge Thursday after testifying as a state's witness in the murder conspiracy trial of his former leader.

JAFSIE DECIDES BRUNO IS 'JOHN'

Dr. Condon Views Hauptmann in Jail, Is Convinced He Received Ransom

By United Press. FLEMINGTON, N. J., Oct. 25.—Dr. John F. (Jafsie) Condon has become convinced that Bruno R. Hauptmann is the mysterious "John" to whom he passed the \$50,000 Lindbergh ransom.

Dr. Condon has planned his visit carefully. As Hauptmann came back to the prison from the courtroom where he had pleaded not guilty to the murder indictment, he was confronted by the Lindbergh inquest.

Dr. Condon's visit came when he was considered out of the case as far as the trial of Hauptmann was concerned. He had been vague when asked to identify the suspect earlier in the Bronx.

Refused to clear kidnapers' wife. Stoll favors prosecuting Mrs. Robinson.

By United Press LOUISVILLE, Ky., Oct. 25.—Hope of Mrs. Thomas H. Robinson Jr. wife of the alleged kidnaper of Mrs. Betty V. Stoll, that the family of the abducted woman would intercede for her, faded today.

Movies by Radio. Win Hess Sends Australia Film to London at \$5000 a Foot.

By United Press LONDON, Oct. 25.—London motion picture goes today set films on the end of the English-Australia airplane race, 11,300 miles away, two days ago.

By United Press NEW YORK, Oct. 25.—Upton Sinclair was running far behind Gov. Frank F. Merriam in new city figures on the Literary Digest's poll of the California gubernatorial race.

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The Weather Forecast for Toledo and vicinity: Partly cloudy and cooler tonight; Friday, fair.

LICAVOLI GANGSTER HELD FOR PERJURY

Eddie Beck Is Jailed After 'Forgetting' Early Admissions

Continued From Page 1. Dingo Burger club? Bunge asked Beck.

"Who employed you there?" "Johnny Hino."

Beck testified that after the Golden Rose closed he went to the show boat, where he performed similar duties until that place closed.

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TESTIFIES IN LICAVOLI TRIAL



Mrs. Lucretia Bost, friend of Fonia Place, is pictured here as she waited to testify in the first-degree murder trial of Yonnie Licavoli in common pleas court.

Licavoli, and John Mirabella were officers whose pictures were picked from the "Lacavoli blue book" by Ekerman.

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ROOSEVELT'S ADDRESS TO BANKERS

WASHINGTON, Oct. 25. — The President Roosevelt's address to the American Bankers' association...

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YONNIE IS 'PICKY'

Jail food doesn't appeal to "Yonnie" Licavoli's palate.

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COUTEN'S Magazine Basket advertisement with image of a magazine basket and price \$49.85.

CIRCULATING HEATER advertisement with image of a heater and text: This is a Great, Big CIRCULATING HEATER...

March 5, 1977

Licavoli Loses Freedom Bid

Appeals Court Rules Trial Fair

CINCINNATI — Thomas (Yonnie) Licavoli, convicted of murder in four gangland slayings in 1934, today lost his latest bid for freedom in the U.S. Sixth Circuit Court of Appeals.

The three-judge panel upheld an earlier decision by Judge Joseph P. Kinneary, U.S. District Court in Columbus, O., that Licavoli had received a fair trial.

State and prison officials have been accused of giving Licavoli special treatment in the Ohio Penitentiary and it has been said that he maintained control

over rackets in the northern Ohio area.

F. Lee Bailey, Boston attorney, argued that prosecuting officials at the time of the trial had intimidated witnesses and that the trial was held in an atmosphere "permeated with prejudicial publicity."

Steven Miller, assistant Franklin County prosecutor, had asked the court why Licavoli had waited 34 years to appeal the case.

The U.S. Supreme Court had refused to review the case in 1967. In 1968 Governor Rhodes commuted the conviction to second-degree murder making Licavoli eligible for parole. The Ohio Pardon and Parole Board then refused to release him.