

*Sulkin - Jacob  
alias "Firetop"*

25491

**June Release  
Is Possible  
For Sulkin**

**Sulkin, Licavoli Pal,  
Put In Line For Parole**

MAY 1 1965

Rhodes Commutes Sentence Of Toledoan  
Convicted In 1935 In Murder Conspiracy

MAY 1 5 1965 By EDSON WHIPPLE

Blade Columbus Bureau TOLEDO-BLADE

COLUMBUS, May 15—Governor Rhodes yesterday commuted the sentence of a member of the old Licavoli gang, Jacob (Firetop) Sulkin, paving the way for his release from the Ohio Penitentiary.

Sulkin, now approaching his 75th birthday, has been in the penitentiary since April 27, 1935, following conviction in Lucas County Common Pleas Court on a first-degree murder conspiracy charge.

There was no recommendation of mercy, making the death penalty mandatory. But a year later, the sentence was commuted to life imprisonment by former Gov. Martin Davey.

**Recommendation Unanimous**  
Yesterday, Governor Rhodes, acting on the unanimous recommendation of the seven-member adult parole authority, commuted the first-degree charge to a second-degree charge, which means that Sulkin is eligible for immediate parole, having served three times the 10 years required under the lesser charge.

Sulkin will remain in custody until the parole authority grants a parole, as it presumably will do shortly.

The official reason for the commutation, as entered in the governor's clemency book, was that Sulkin was "convicted of murder as a conspirator, but did not himself kill anyone."

"He had no prior criminal record. During 30 years imprisonment, he has had an exemplary record, and for almost 24 years has been in the honor dormitory. He can be released without risk to society."

**Case Rejected Twice**  
Persons convicted of first degree murder under Ohio law receive automatic clemency consideration at five-year intervals. Previously, Sulkin's case had been considered and rejected in 1955 and 1960. It came up again May 6 with a unanimous recommendation for reducing the sentence.

Sulkin's record shows that since 1941 he has had honor assignments at the penitentiary. From 1941 to 1945, he drove a supply truck, and

from 1945 until last December, he was a driver-messenger with assignments outside of the prison in Columbus. Then on Dec. 21, he fell and broke his left hip, but is reported recovered enough to walk with a cane and a slight limp.

He reportedly has relatives living in Toledo, three sisters and a brother-in-law.

**Sulkin First Of Five  
To Win Bid For Freedom**

The release of Sulkin will mark the first successful bid for freedom of any of the five men who received life sentences in connection with four gangland killings in the early 1930's.

Altogether 13 men were indicted by the Lucas County grand jury in the break-up of the old Licavoli mob which had connections with the Al Capone kingdom in Chicago and the Purple Gang of Detroit.

Four of the men still are serving their terms in Columbus. Six men served terms for lesser charges of extortion. Two others, one of whom has since died, never were arrested.

**Licavoli Rival Killed**

The final showdown began after Jack Kennedy, Yonnie Licavoli's rival for control of the bootleg business in Toledo, was shot down at Edgewater Drive and 140th Street in Point Place on July 7, 1933.

Earlier, Louise Bell, Kennedy's girl friend had been slain when bullets were fired into Kennedy's auto at Jackson and Superior Streets on Nov. 30, 1932. Kennedy had escaped that attack.

Also involved were the deaths of Abe Lubitsky, who was thought by the gang to be a police informer, and his companion, Norman Blatt, who were shot down at Franklin Avenue and Bancroft Street on Oct. 6, 1931.

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**Sulkin Parole**

MAY 1 5 1965

Continued From First Page

In the dramatic trials here Sulkin and Joseph (Wop) English, identified as the triggerman, were given death sentences while the others received life terms.

**Davey Explained Move**

In commuting Sulkin's sentence in 1936, Governor Davey explained that "the chief conspirator and head of this crime gang (Licavoli) was given a life sentence; the actual triggerman was given a death sentence by the jury which later was commuted to life by my predecessor . . . Since that time two other members of the same gang have come to trial and have been given life sentences."

"This leaves Sulkin as the only one to face the death sentence. While there is no doubt about his guilt, or his active participation in this conspiracy, and in other lawless activities, yet it does seem a bit unfair that he alone should have to pay the supreme penalty."

Sulkin, a native of Toledo, was credited with the establishment of the gang which moved here from Detroit in 1931. He was known as a colorful character who had numerous contacts in Toledo political and fraternal circles.

Several hundred names were on petitions submitted to Governor Davey asking for clemency.

**Four Others In Prison**

Still serving their life terms are Licavoli; English, whose real name was Serafina Sinatra; John Rai, and Ralph Carsello.

Other members of the gang who served time for extortion were Harry (Chalky Red) Leonard, Anthony (Whitey) Besase, Sebastian (Buster) Lupica, Leo Maceo, James

**Lifer Injured  
On Prison Duty**

Jacob (Firetop) Sulkin, 74, a member of the old Licavoli gang in Toledo, serving a life sentence in the Ohio Penitentiary for murder conspiracy, has been hospitalized with a hip fracture.

Warden Ernest L. Maxwell said Sulkin, a penitentiary trusty, was injured when he fell on ice-covered steps near the State Office Building in Columbus while on a regular message route he has covered for 20 years. He lay unnoticed more than 30 minutes after his fall, the warden said.

Sulkin was sentenced to death in April, 1935, after his conviction by Lucas County Common Pleas Court jury but this penalty was commuted to life imprisonment. He is scheduled to undergo surgery tomorrow.

COLUMBUS, May 20—Freedom from prison may come early in June for Jacob (Firetop) Sulkin, once a member of the notorious Licavoli gang which operated across northern Ohio during the prohibition days.

Governor Rhodes has commuted the hospitalized Sulkin's first-degree murder conviction to second-degree, and that will make him eligible for parole soon.

**Scheduled For Hearing**

Sulkin is scheduled for a hearing before the state parole board early in June, and decisions in the June hearings are expected on June 8. Sulkin's case may be included in the list on that date.

Sulkin, 74, and ailing for a long time, has been in prison for 30 years. The parole board, in making its recommendation to the governor for commutation, has cited Sulkin as an "outstanding example of rehabilitation." Sulkin was in the prison's honor dormitory for 24 years and he was serving as a messenger between state offices last winter when he slipped on ice at the State Office Bldg. and broke a hip.

**Toledo Man Slain**

Sulkin entered the penitentiary April 27, 1935, sentenced to the electric chair in the slaying of Jack Kennedy, Toledo. The late Gov. Martin L. Davey commuted his sentence to life imprisonment a year later. Convicted with him and also sentenced to death was Safrino (Wop) English, whose sentence was commuted to life by the late Gov. George White.

Sulkin was a member of the gang led by Thomas (Yonnie) Licavoli which had connections with the old Purple Gang in Detroit. Last December Gov. Rhodes re-

**Sulkin Wins  
Parole After  
30 Years**

Onetime Gangster  
Going Free July 8

COLUMBUS, June 8—A onetime gangster described by parole authorities as "an outstanding example of rehabilitation," goes free July 8 after 30 years in prison.

The Ohio Parole Board today granted freedom to 75-year-old ailing Jacob (Firetop) Sulkin, once a member of the notorious Licavoli gang of Toledo.

He had entered prison in the wake of a gang blowup in Toledo which led to the indictment of 13 men and the end of the prohibition-era gang, which police said had connections with the old Purple gang of Detroit and Capone mobsters in Chicago.

Sulkin for many years has been a trusty, used as a messenger between state offices. Last winter on a messenger trip he fell on ice and broke a hip, and has been hospitalized since that time. For the last 24 years he had been in the Penitentiary's honor dormitory.

His freedom was made possible recently when Governor Rhodes commuted his life term on first-degree murder to second-degree murder.

**Sentence Commuted**

His case had touched off an Ohio Supreme Court hearing in which the court was asked to rule if Sulkin's conviction of conspiracy to commit murder was possible under Ohio law. The court ruled that it was.

Sulkin entered the penitentiary April 27, 1935, sentenced to death in the electric chair for the slaying of Jack Kennedy of Toledo. The late Gov. Martin L. Davey commuted the sentence to life imprisonment a year later.

Sulkin was a member of a gang led by Thomas (Yonnie) Licavoli.

Last December, Governor Rhodes rejected a commutation plea from Licavoli.

**Gangster, 74,  
Given Parole**

JUN 8 1965  
Sulkin Belonged  
To Licavoli Mob

Ailing Jacob (Firetop) Sulkin, 74, one-time member of the notorious Licavoli gang and inmate of the Ohio Penitentiary 30 years, was granted a parole today, effective July 8, by the Ohio Adult Parole Authority.

Convicted of first-degree murder conspiracy in the July 7, 1933, slaying of Jack Kennedy during a power struggle among Toledo bootleggers, Sulkin entered the penitentiary under sentence to be executed.

The late Gov. Martin L. Davey commuted the sentence to life imprisonment a year later, and a few weeks ago Governor Rhodes commuted that sentence to second-degree murder, making the parole possible.

Sulkin was described by the parole authority as an "outstanding example of rehabilitation."

For 24 years he was in the penitentiary's honor dormitory, serving as a messenger for state offices until he slipped on the ice at the state office building a year ago and broke his hip. He has been hospitalized since.

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Licavoli, and Ernest Lasalle. Lupica has since died. John Mirabella and Russell Syracuse, who had been indicted on the extortion charges never were arrested. Mirabella died some time ago in Youngstown.

# Sulkin Case Studied

JAN 7 1936

## DAVEY TAKES NO ACTION

Gov. Martin L. Davey yesterday considered again the case of Jacob (Firetop) Sulkin, whose 60-day reprieve from death expires Monday. The governor did not indicate what, if anything he will do about the Sulkin case, however.

Sulkin has left only the hope of commutation of the death sentence to life imprisonment. The high court refused to reverse the finding of a common pleas court jury which found Sulkin guilty of first degree murder conspiracy without a recommendation of mercy.

Many Toledo citizens recently signed petitions to the governor, asking commutation.

# SULKIN GIVEN 60-DAY STAY

JAN 13 1936

## Davey Grants Reprieve to "Firetop" To Await Other Trials Here

COLUMBUS, Jan. 13.—For the fourth time since July 13, Jacob "Firetop" Sulkin, fixer for the Licavoli gang in Toledo, was snatched from the electric chair today.

Governor Davey gave him his fourth reprieve today, this one postponing the death sentence 60 days, to March 13.

In announcing the reprieve, Governor Davey said:

"There are two or three cases involving members of the same gang that are to come up for trial late this month. I have decided to give a 60-day reprieve to Sulkin in order that my decision on this case will have no prejudicial effect in these

# Bonus Application Filed by Sulkin

COLUMBUS, Feb. 10 (AP)—A hundred World War veteran inmates at Ohio penitentiary have filed applications for soldiers' bonus and Warden James C. Woodard said today there are 250 others eligible for payments.

Among those who filed applications was Jacob (Firetop) Sulkin, convicted of complicity in four Toledo gang killings and sentenced to die in the electric chair March 14.

# SULKIN DECISION MAY BE MONDAY

JAN 11 1936

## Governor Says Authority Lacking for Report of Reprieve.

Decision of Gov. Martin L. Davey in the case of Jacob (Firetop) Sulkin probably will not be made until Monday, the day set for Sulkin's execution in the Ohio penitentiary, the governor said today.

The governor said that there was no authority for a report that Sulkin will be given another reprieve as he has not indicated his intention to anyone. The case still is under consideration.

Sulkin, a fixer for the Thomas (Yonnie) Licavoli gang, was sentenced to die after he was convicted of conspiracy in four murders attributed to the gang.

Thousands of appeals for commutation of sentence to one of life imprisonment were sent to the governor by Toledo citizens, who feel that Sulkin's punishment should be the same as that of Licavoli, the gang leader, who was given a life term following his conviction under the same indictment on which Sulkin was tried.

# DAVEY GIVES GANG 'FIXER' LIFE IN PRISON

MAR 7 1936

## Acts After Thousands Plead To Prevent Execution of Former Newsboy

Gov. Martin L. Davey today saved Jacob (Firetop) Sulkin from death in the electric chair by commuting his sentence to life imprisonment.

Sulkin, former Toledo newsboy, was doomed to die March 13. He was convicted a year ago of the

gang murders of Jack Kennedy, Louise Bell, Norman Blatt and Abe Lubitsky.

Following a flood of telegrams and petitions from Lucas County residents asking clemency for the Licavoli gang "fixer," Gov. Davey two months ago granted Sulkin a reprieve.

**Davey Gives Reasons.**

Explaining his reason for the commutation, Governor Davey issued a statement reading in part: "The chief conspirator and head of this crime gang was given a life sentence by the jury. The actual trigger man was given a death sentence by the jury, which later was commuted to life by my predecessor. No doubt he acted conscientiously and according to his best judgment. Since that time two other members of the same gang have come to trial and been given life sentences.

"This leaves Sulkin as the only one to face a death sentence. While there is no doubt about his guilt, nor his active participation in this conspiracy and in other lawless activities of the gang, yet it does seem it bit unfair that he alone should have to pay the supreme penalty.

**Point to Other Terms.**

Sulkin's friends pointed out that both Thomas (Yonnie) Licavoli, gang chieftain, and Joe (Wop) English, triggerman for the gang, are serving life sentences, and they asked the same leniency for Sulkin, whom they characterized as merely an errand boy for the gang.

Life sentences imposed by a Common Pleas Court jury on two others indicted in connection with the same murders, John Rai and Ralph Carsello, is believed to have influenced the governor in deciding to extend executive clemency to Sulkin.

Sulkin, one of 13 members of the notorious Licavoli gang, originally was sentenced to die in the electric chair July 8.

**Secret Hearing Held.**

As the execution date approached, hundreds of Toledoans began an intensive campaign to save him.

Legion posts and various other

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# SULKIN SAVED FROM DEATH

MAR 7 1936

## Governor Davey Commutes Sentence to Life Imprisonment

Continued From Page 1.

organizations passed resolutions urging clemency. Petitions addressed to the governor were circulated on the city's streets, and thousands of signatures were obtained.

The parole board held a secret hearing Nov. 7 and gave its secret recommendations to the governor.

Two days later he gave the condemned gangster a 60-day reprieve, postponing the execution date until Jan. 13. Early in January, he granted a second reprieve.

**Give Ballots Required.**

The trial, in which Sulkin was branded by state's witnesses as the gang's "fix man," came to a close March 22, 1935.

The jurors reached an unanimous verdict of guilty on the first ballot. It required five more ballots to obtain 12 votes for the death penalty.

An appeal was taken by Sulkin's attorneys to the Court of Appeals, which affirmed the decision. An appeal then was presented to the Ohio Supreme Court. Two stays of execution, one until Aug. 8 and the other until Nov. 13, were granted pending ruling of the high court. In October the court confirmed the death sentence.

**Several Still Free.**

Besides Yonnie Licavoli and "Wop" English, others indicted with Sulkin were Leo Mocerri, John Mirabella, Russell Syracuse, Ernest LaSalle, Jimmy Licavoli, Harry Leonard, alias "Chalky Red" Yarnowski; Sebastian (Buster) Lupica, Anthony (Whitey) Besase, Rai and Carsello.

Several of those indicted have not been apprehended. Lupica and Besase pleaded guilty to extortion charges and were sentenced to serve one to five years in the Ohio State Reformatory.

# DOZING SULKIN HEARS TIDINGS

MAR 7 1936

## Firetop Grateful as He Is Awakened by Blade Man.

**BY CARROLL M'CREA**  
Toledo Blade Bureau,  
COLUMBUS, March 7.

Jacob (Firetop) Sulkin awakened from a nap in his cell at the Ohio penitentiary death house annex today to learn that he had escaped the electric chair.

Relaxed by the bath which he has been permitted twice a week as a death house inmate, Sulkin had fallen asleep on his cot when a representative of The Blade called to give him the news for which he had waited 10 months.

Sulkin trembled with relief as he received assurance that Gov. Martin L. Davey had commuted his sentence to life imprisonment.

Sulkin said he was glad that his wife and three sisters had been spared the strain of waiting.

"It was the toughest spot I was ever in," Sulkin said.

He expressed gratitude to the many Toledoans who interceded for him in petitions, communications and personal appeals to Gov. Davey.

Sulkin displayed a box of 1,000 letters he said he had received from friends and well wishers during the months he had waited for disposition of his case. One letter from a friend living abroad bore a Spanish postmark.

Sulkin said his wife and sisters had visited him in regular rotation since he entered the death house April 27, 1935.

He said he has filed application for a \$1,400 bonus as a World War veteran and that the money, representing adjusted compensation for 28 months of military service, will be paid to his wife.



JACOB SULKIN

**Escapes Chair**

After a sensational trial in 1935, Sulkin and Joseph (Wop) English were sentenced to death for their part in the murders. Their sentences were commuted to life imprisonment after Thomas (Yonnie) Licavoli, gang leader, was given a life sentence. John Rai and Ralph Carsello, also members of the gang, are serving life terms for the murders.

The Sulkins were married July 25, 1925. They have no children.

Imprisonment is grounds for divorce in Ohio, and Max Britz, Mrs. Sulkin's attorney, announced her action is based on those grounds solely.

# 'Firetop' Sulkin Sued by Wife

MAR 8 1945

## Divorce Is Sought From Lifer

Mrs. Lillian N. Sulkin, 2311 Putnam street, yesterday filed a petition in Domestic Relations court, asking a divorce from Jacob (Firetop) Sulkin, serving a life sentence in Ohio State penitentiary, in connection with four murders attributed to the Licavoli gang in 1931 and 1932.

# The "Firetop" Case

THE action of Governor Davey in commuting the death sentence of "Firetop" Sulkin to life imprisonment will appeal to the majority of Toledo people as a reasonable and proper thing to do.

Few question the guilt of Sulkin, in some degree, in the conspiracies of the Licavoli gang. Frazier Reams, county prosecutor, and his staff have done a magnificent piece of work in bringing about convictions in the case of every man indicted. Whether all the members of the gang should have been sent to the electric chair remains a matter for the endless discussion of those who believe in capital punishment and those who do not believe in it.

The main fact in this case is that Licavoli, leader of the organization, and "Wop" English, trigger man, will not be executed. In view of that situation, the majority opinion in Toledo is that "Firetop," the office boy and political fixer of the outfit, should not be the single one to pay the death penalty. Perhaps all should have been sent to the chair but since the leaders were not, it would have been a matter of definite injustice to have sent Sulkin there.

The governor's reasoning is sound and his action is commendable.

# SULKIN, SINATRA MADE TRUSTIES

NOV 21 1941

## Toledo Gang Members Had Been Sentenced to Die In Kennedy Killing.

Two life termers from Toledo have been made trustees at the Ohio penitentiary in Columbus, Warden Frank D. Henderson has revealed.

They are Jacob "Firetop" Sulkin and Serafino Sinatra, alias Wop English and the Buffalo Wop, sentenced to death in the killing of Jackie Kennedy, Toledo night spot operator, who was ambushed near his cottage at Point Place July 7, 1933. The two were members of the Licavoli gang.

The death sentence given English was commuted to life imprisonment by former Governor George White and Sulkin's sentence was commuted to life by former Governor Martin L. Davey.

English, made a trusty July 21 was assigned to work in the prison lawn. Sulkin received the trusty privilege last June and now is driving a service truck between the penitentiary, the London Prison Farm and other points, the warden said.

Yonnie Licavoli, gang leader, is serving a life sentence for the Kennedy murder.

English was admitted to the penitentiary Jan. 5, 1934, and Sulkin, April 27, 1935.

## SULKIN FRIENDS OPEN OFFICE



The vigorous drive of Jacob (Firetop) Sulkin sympathizers to obtain a commutation of the sentence which would send him to the electric chair Nov. 13 took on a new phase recently when desks were installed at busy downtown corners to facilitate the signing of petitions addressed to Gov. Martin L. Davey. Miss Jerry Limblie, Hamlin hotel, is shown here as she presided over a desk at Adams and Superior streets. Norman Smith, 514 Adams street, is shown as he added his signature to a petition sheet.

## SULKIN HEARING THIS AFTERNOON

### Leniency Pleas Continue to Reach Office of Governor.

Pleas for leniency for Jacob (Firetop) Sulkin, Toledoan under sentence to die in the electric chair Nov. 13, continued to reach the office of Gov. Martin L. Davey as preparations were made for a hearing on the Sulkin case before the state board of paroles in Columbus this afternoon.

Petitions signed by approximately 25,000 Toledoans asking the governor to commute Sulkin's sentence to one of life imprisonment have been forwarded to Columbus. More than 5,000 names were sent Wednesday in addition to a large number of telegrams and letters. Pleas in Sulkin's behalf also were sent by citizens of Cleveland, Cincinnati, Columbus and other Ohio cities.

Friends of Sulkin here plan to continue their campaign for leniency on his behalf until the governor takes action in the case. The hearing before the parole board will be attended by Cornell Schreiber, Sulkin's defense attorney, and Frazier Reams, Lucas county prosecutor, both of whom participated in the trial which resulted in Sulkin's conviction for conspiracy in four murders attributed to the gang headed by Thomas (Yonnie) Licavoli during the prohibition era.

## SULKIN CASE TAKEN UNDER ADVISEMENT

### Parole Board Ends Hearing on Death Commutation; Plea Is Sounded

News-Bee State Service.

COLUMBUS, Nov. 8.—The recommendation of the State Board of Paroles in the fight to save Jacob (Firetop) Sulkin from the electric chair is expected to be handed to Governor Davey within the next few days.

The board took the case under advisement yesterday afternoon after Prosecutor Frazier Reams of Lucas County had demanded that the death penalty be carried out and Cornell Schreiber, counsel for the condemned Licavoli gangster, had pleaded that his life be spared. Governor Davey, if he follows custom, will reserve his announcement as to whether he is granting Sulkin a commutation to life imprisonment until the morning of next Wednesday, the day set for Sulkin's commutation.

"There is no suggestion here," Mr. Reams told the Board of Paroles, "nor has there been any suggestion in this entire proceeding that there is any new evidence or anything to change the situation which was presented to the jury."

"It seems to be that the verdict of a jury which has followed the law and the evidence cannot be overturned and disregarded. It was not an easy thing that the members of this jury did. It is encouraging to find a jury that is willing to do its duty in a difficult situation."

#### "No Change in Facts."

"It is these great thinking and courageous men and women who serve upon juries who constitute the last barrier between the people's government and the organized gangs and underworld. The spirit of the Constitution interprets the governor's power to mean that the verdicts of the jury and the sanctions of the court are to be overturned only where it is obvious that the one convicted did not secure a fair trial or where some new fact has arisen which changes the situation. Neither of these conditions has arisen here. There has been no change in the facts as presented to the jury and reviewed by the courts."

#### Schreiber Appears.

In urging that Sulkin's sentence be commuted to life imprisonment, Mr. Schreiber said he would make no attempt to dispute the decisions of the court, but would base his plea on the "inequality of justice" that will exist if Sulkin is electrocuted.

He pointed out that Joe (Wop) English, convicted triggerman in the Kennedy slaying, and Thomas (Yonnie) Licavoli, leader of the murderous gang, had escaped with life terms.

"If the alleged killer and the alleged leader are serving life sentences," Mr. Schreiber demanded, "is it compatible with our sense of justice that Jacob Sulkin should be electrocuted?"

#### Presents Editorial Clippings.

Mr. Schreiber emphasized that all three newspapers in Toledo joined the fight to gain a commutation of sentence for Sulkin. He presented to the board editorials and news items on this subject clipped from the Toledo papers.

"There, I have finished," Mr. Schreiber then said. "Now let me give you a personal message. I was up there to see his sister the other day. She is ill and is gradually slipping away."

"There is an old slogan, 'Do your Christmas shopping early.' I beseech you members of the board to do your Christmas giving early so that she may receive the gift."

W. J. McCloskey, president of the McCloskey Torch Co. of Toledo, and John Myers, Jewish chaplain at Ohio State Penitentiary, also spoke on behalf of Sulkin. Sulkin has been a model prisoner, the chaplain said, and "deserves anything you can do for him."

Petitions requesting clemency for Sulkin signed by 14,500 Toledoans so far have been presented to Governor Davey. In addition he has received 175 telegrams and 60 letters on Sulkin's behalf.

#### Continued From First Page

usual questions as to the guilt or innocence of Firetop or his co-defendants, now serving life terms in the penitentiary, was not raised. Schreiber said that this question was closed by the verdict of the jury. He said he hoped to prevent what he said would be a sad and distressing public mistake.

The position of Prosecutor Frazier Reams was revealed in a prepared statement of perhaps 500 words, which he read to the board, confining his remarks to it. The substance of the statement was that intervention by the governor is justified only in case of unfair trial or new evidence, and that neither of these conditions had arisen in the Sulkin case. He offered no strenuous opposition to commutation.

#### Checked By Cuff

Prefacing his prepared statement, Reams referred to the commutation of the sentence of Joseph "Wop" English, trigger man in the Jack Kennedy murder by the Licavoli gang, as an error, but was checked by W. A. Cuff, Toledo member of the board, who said that the record of the actions of the executive speaks for itself.

Schreiber quoted the charge of Judge John M. McCabe, trial judge, stating that the outcome of the trials of English and Yonnie Licavoli was no concern of the jury and was not to be considered by it.

"Under the proper and legal instructions of the court, the trial jury could not consider a recommendation of mercy based upon in-

equality of justice" he said. "That proposition is offered here for the first time. We must assume that the conviction of English, the trigger man, and of Licavoli, the leader in unlawful activities, was final and conclusive. But while they are serving life, it is incompatible with human justice that Sulkin should be electrocuted."

#### Record Reviewed

Reviewing Firetop's previous record, Schreiber said: "He lived in Toledo all his life. He never before had been convicted of an offense. As a newsboy he had the quality of making friends, who remained staunch in his later years. He was welcome in many of the

offices of the city. He was perhaps too popular for his own good, likable chap that he was."

"Firetop was one of the favorites, if not the favorite, of the beloved John Gunckel. He was described lovingly in Gunckel's book, Boyville. There never was an hour when he was not willing to do a kind act. He was one of the first to enlist in the World war, receiving a wound from the effects of which he never fully recovered. He never thereafter was able to do hard work. He received a pension until it was abolished by the President in 1933."

Schreiber read editorials in the Toledo Blade and other daily and weekly newspapers, including those of various nationalities in Toledo, all favoring commutation, an excerpt from the Among the Folks column by Chub DeWolfe in the Toledo Blade, published interviews from city and county officials and citizens of various strata, to show the city-wide public sentiment in favor of commutation.

Jack Myers, Jewish chaplain at the penitentiary, told the board when Chairman Dougan said that anyone who wished would be heard, that in all his experience he had never known anyone under similar circumstances who was more of a real man than Firetop. W. J. McCloskey, Toledo, also volunteered a statement in his favor.

Prosecutor Reams' statement follows:

"Jacob Firetop Sulkin was one of 13 indicted for conspiring to bring about the death of four people and of causing their deaths. The first of these, Wop English, was tried on a straight murder indictment and was convicted without a recommendation of mercy. Governor White commuted this to life imprisonment without any justifiable reason. The second was Yonnie Licavoli, who was convicted on

all four counts but was given a recommendation of mercy. The third to be tried was Jacob Firetop Sulkin, who was convicted on all four counts without a recommendation of mercy.

#### Evidence Similar

"The evidence was similar in the Sulkin case to that presented in the Licavoli case except that the evidence in the Sulkin case showed that this man furnished one of the two guns that were used to kill Jack Kennedy."

"The trial judge in the Licavoli case in passing sentence stated that the evidence would have, in his opinion, been sufficient to sustain the verdict even though the jury had not recommended mercy. The same trial judge in the Sulkin case overruled a motion for a new trial and the record in this case was reviewed by the court of appeals for the Fifth district. The court in a carefully prepared opinion, which I feel should be read by this board, agreed unanimously that this man had a fair trial and that the verdict was warranted by the evidence."

"The court of appeals for the First district heard the Licavoli case upon practically the same evidence and came to a similar conclusion in that case. That opinion also should be read by this board."

#### No New Evidence

"The Sulkin case was taken to the supreme court on a motion for writ of certiorari. The court, deciding that there had been a fair trial and a fair review of the case and that there was no constitutional question involved, declined to hear the case further."

"There is no suggestion here nor has there been any suggestion anywhere through the entire proceeding that there is any new evidence or anything to change the situation which was presented to the jury."

"It seems to me that the verdict of a jury which has followed the law and the evidence, as the court of appeals has declared this jury did, cannot be lightly overturned and disregarded. It was not the easy thing that the members of this jury did. It was a very difficult and courageous position that they took. In this day when so many people feel that they cannot spare the time for the important work of jury duty, it is encouraging to find a jury that is willing to do its duty in a difficult situation. It is these straight-thinking and courageous men and women who serve upon juries who constitute the last barrier between the

people's government and the organized gangs and underworld. I think that the finding of the jury in this case cannot be lightly overruled."

#### Unlimited Power

"While the chief executive of the state of Ohio has unlimited pardoning power with or without the recommendation of this board, yet the spirit of the constitution and the law undoubtedly interprets that power to mean that the verdict of the juries and the sanction of the courts is to be overturned and reversed only where it is obvious for some reason that the one convicted did not secure a fair trial or where some new fact has arisen or evidence discovered which changes the situation which was presented to the jury. Neither of these conditions has arisen here. There has been no change in the facts as presented to the jury and reviewed by the courts."

## Council Petitions Davey To Save Sulkin's Life

NEWS-BEE NOV 19 1935

A resolution asking Gov. Martin L. Davey to commute the sentence of Jacob (Firetop) Sulkin from death to life imprisonment was sent to Columbus today by members of City Council.

The resolution was introduced in Council last night by Councilman Earl Caton and adopted by a vote of 16 to 5. The negative votes were cast by Councilmen Charles Rhodes, Willis Ruppel, William Waller, Michael Kujawa and Fred Reid.

Councilman James Beckett, supporting the legislation, noted that

the procedure was unusual but said he felt it was justified in view of the fact that Sulkin has been given a more severe penalty than Thomas (Yonnie) Licavoli and Joe (Wop) English.

All of the three were tried for conspiracy to murder Jack Kennedy and three other persons. English, sentenced to die, was given a commutation to life imprisonment and Licavoli was given a life term. Sulkin recently was given a 60-day reprieve while the Governor studies his case.

## SULKIN APPEAL BEFORE GOVERNOR

### Davey Due To Make Decision Next Monday

The appeal for a commutation of the death sentence facing Jacob (Firetop) Sulkin, Licavoli gangster, will be considered by Governor Davey when he returns to Columbus Monday from his holiday trip to his home in Kent.

Charles Lesauere, secretary of the governor, said the Sulkin case would come up in the routine of the office.

A 60-day reprieve granted Sulkin expires Jan. 13. The reprieve was announced after thousands of Toledoans had signed petitions urging that "Firetop's" sentence be commuted to life imprisonment.

The petitions based their plea on the thesis that Sulkin, a minor member of the Licavoli gang, should not be executed because Thomas (Yonnie) Licavoli, leader of the gang, escaped with a life sentence and the death sentence imposed on Joe (Wop) English, convicted triggerman in the gang killings, was also commuted.

## DAVEY'S ACTION GIVES 'FIRETOP' 'NEW CHANCE'

### Governor Decrees Stay in Order To Study Pleas for Commutation

By HAL CONEFREY.

News-Bee Staff Correspondent.

COLUMBUS, Nov. 9.—Governor Davey today granted a 60-day reprieve to Jacob (Firetop) Sulkin, former Toledo newsboy who was facing death in the electric chair next Wednesday for complicity in four gang murders.

The reprieve, granted to give the chief executive additional time to study the case, followed a hearing by the State Parole Board Thursday during which a delegation of friends of Sulkin, backed up by clemency petitions bearing thousands of signatures, pleaded that the sentence be commuted to life imprisonment.

In the last 10 days Governor Davey has been flooded with petitions, telegrams and letters from Toledoans in all walks of life urging that as "comparative justice" he should commute Sulkin's sentence to life imprisonment.

#### Postponed to Jan. 13.

They pointed out that Sulkin, the "fixer" for the Licavoli gang, was sentenced to death in the chair, whereas Licavoli, head of the gang, escaped with a life sentence, and "Wop" English, alleged trigger man for the mob, was spared from execution by former Governor White.

The reprieve postpones until Jan. 13 the date of Sulkin's execution, unless the governor's action today is followed by another reprieve or the granting of a commutation.

In announcing his reprieve, the governor said:

"Regarding the case of Jacob (Firetop) Sulkin, for reasons which I consider good and sufficient, I am this day granting a 60-day reprieve during which time this matter will receive serious consideration."

"This action must not be interpreted as indicating in any manner whatsoever the final decision."

#### Supreme Court Refuses Case.

Sulkin was indicted with a dozen other members of the gang for conspiracy to murder Abe Lubitsky and Norman Blatt, Oct. 6, 1931; Louise Bell, Nov. 30, 1932, and Jack Kennedy, July 7, 1933.

The Court of Appeals denied Sulkin's appeal from the verdict of a jury last March and the Ohio Supreme Court last month refused to review the case.

At the parole board hearing, Prosecutor Frazier Reams demanded that the death penalty be carried out. Cornell Schreiber, counsel for Sulkin, made a plea for commutation as a "premature Christmas gift."

# NEWSIES WAGE FIGHT FOR HERO OF 'BOYVILLE'

OCT 29 1935

## Nin Over Thousands to Cause of Friend of Lads "on the Corner"

On the street corners where "Firetop" Sulkin sold newspapers 30 and more years ago, newsboys were waging a campaign today to save Sulkin from death in the electric chair Nov. 13.

The newsboys were armed with petitions asking Governor Davey to commute Sulkin's sentence to life imprisonment. To passersby, the youngsters put this plea:

"Help me save a man's life." And to those who stopped, the newsboys hurriedly explained that "Firetop" Sulkin, condemned to die as a Licavoli gangster, had been a newsboy himself in the years before he became a racketeer—that he had been an honest and upstanding "newsie," a friend of the younger lads "on the corner" and a prime mover in the building up of the Toledo Newsboys' Association.

### Thousands Sign Pleas.

And then they added that they couldn't regard it as justice that "Firetop" should be electrocuted while "Yonnie" Licavoli, the gang's leader, and "Wop" English, his trigger man, escape with life sentences.

Thousands thus approached signed the petitions, which state: "We believe that it would be a gross inequality of justice to permit the execution of the extreme penalty and that the purpose of justice will be fulfilled by your commutation of his sentence to life imprisonment."

### Business Men Rally.

Circulation of petitions—50,000 signatures is the goal—is being carried on also by hundreds of prominent business and professional men in Toledo, all former newsboys. The drive for signatures is being sponsored by the Toledo Newsboys' Association and the Old Newsboys' Goodfellows Association.

The petitions were distributed to newsboys last night in the Newsboys' Building. Speakers included men who head some of Toledo's largest businesses. They outlined Sulkin's life, dealing on the characteristics that as a boy made him the hero of the late John E. Gunkel's book, "Boyville."

As the meeting ended, the newsboys began their campaign for signatures with a house-to-house canvass in the rain.

### Young Men's Club Acts.

The same business leaders addressed the Young Men's Annex Club last night and a resolution was passed by the club urging Governor Davey to show executive clemency for "Firetop." Many individual members of the club sent telegrams to the governor.

# DAVEY RECEIVES PLEA FOR SULKIN

OCT 30 1935

## Attorneys Ask Commutation of Death Sentence

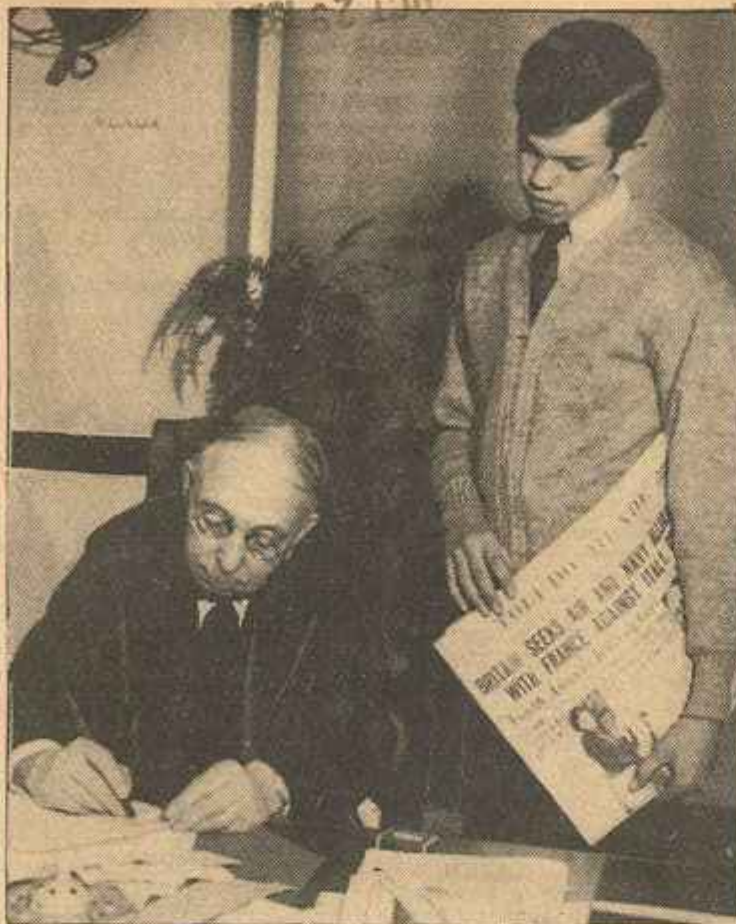
Commutation of the death sentence facing Jacob (Firetop) Sulkin was asked of Governor Davey today by Cornell Schreiber and Paul Ragan, attorneys for the condemned Toledoan.

Their plea that Sulkin's sentence be commuted to life imprisonment was made in Columbus while a drive was under way here to gain 50,000 signatures to petitions requesting a commutation. The petitions are being circulated by newsboys and by the Old Newsboys Association.

The attorneys pointed out to Governor Davey that Thomas (Yonnie) Licavoli, leader of the gang for which Sulkin was "messenger boy," escaped with a life sentence at the hands of a jury here, and that the death sentence imposed upon "Wop" English, the gang's "trigger man," was commuted to life imprisonment by former Governor White.

Sulkin is scheduled to die in the electric chair at Ohio State Penitentiary Nov. 13.

# KLOTZ SIGNS SULKIN PLEA



Mayor Solon T. Klotz is shown here as he added his signature to petitions asking Gov. Martin L. Davey to commute the death sentence of Jacob (Firetop) Sulkin to life imprisonment. Members of the Old Newsboys' association, present newspaper boys, and business men are circulating the petitions. Mayor Klotz gave his signature at the request of Mike Rzadecki, 419 East Park street, a downtown newspaper boy, also shown.

# Parole Board to Study Firetop Commutation Plea

OCT 31 1935

## Circulation of Petitions Asking Governor to Save Toledoan Continues Here; Davey to Get Part of Appeals Soon.

The state board of paroles will conduct a hearing next week on a proposed commutation for Jacob (Firetop) Sulkin, Toledoan sentenced to die Nov. 13 in the electric chair at the Ohio state penitentiary. Leland Dougan, board chairman, today informed Charles S. Leasure, executive clerk to Gov. Martin L. Davey, that he will confer with other members of the board to set a definite date for the hearing. Governor Davey, it thus became

evident, is following official tradition of considering the recommendation of the paroles board before exercising his right of executive clemency.

Circulation of petitions asking the governor to commute Sulkin's sentence to life imprisonment continued in Toledo today.

The first of the petitions are to be mailed late today or Friday to Governor Davey.

Sulkin sympathizers who are circulating the petitions plan to dispatch at least 5,000 signatures in the first consignment.

The present plan is to deliver other petitions next week through a committee of five newspaper boys, who will make a personal plea for Sulkin's life.

The petitions will remain in circulation at least until the middle of next week. A goal of 50,000 signatures has been set.

Plans were under consideration today for installing desks in the downtown district and making a

Continued on Page Ten, First Col.

Continued From First Page

direct appeal to passersby for signatures.

Many Toledoans today expressed sympathy with the move to obtain a commutation, arguing that the Sulkin death penalty is unfair considering that Thomas (Yonnie) Licavoli, leader of the gang charged with the murders, and Joe (Wop) English, a Licavoli henchman, had been given only life sentences.

Sympathy Expressed

Expressions follow:

Mrs. Joseph Emmenecker, 826 Baker street: "If Licavoli and English are serving life terms, that is what Sulkin should be doing."

Max Fehser, 1506 Front street: "I would like to see Firetop escape the chair. He is no more guilty than the rest of the gang."

Mrs. C. J. Files, 3161 Detroit avenue: "I do not think that Sulkin deserves to be electrocuted."

Mrs. H. E. Fitkin, 3605 Garrison road: "If Sulkin is sent to the electric chair, so should the rest of the men convicted for the murders."

Mrs. C. Roy Studer, 218 Frederick street: "If one of the gang is to be electrocuted, I can't see why the rest should not be punished the same way."

Mrs. Ernest Mueller, 1059 West Woodruff avenue: "Sulkin does not deserve a worse fate than the rest of his gang. His sentence should be commuted as long as the others are not going to the chair."

Ernie E. Smith, 2537 Fulton street: "Firetop Sulkin's sentence should be commuted. I have formed my opinion from the sentence the leader, Licavoli, received. As long as the leader got a life sentence, it is not a fair decision to give Firetop the chair."

Mrs. Ernest J. Schultz, 2837 Goddard road: "It doesn't seem fair for Sulkin to get the death sentence when Licavoli got life imprisonment. He should have the same chance and have his sentence commuted to life."

C. F. Durrant, 3432 Middlesex drive: "As long as the other two members of the gang got life sentences, Sulkin should too. He is not any more guilty than they, I think, and his sentence should be commuted to life."

Mrs. R. M. Knapp, 705 1/2 Adams street: "Firetop should get the same sentence the others received. I don't think he should be electrocuted, when the others got life. His sentence should be commuted."

Dr. W. S. Holley, 1406 Dorr street: "If the other gang members are allowed to live, Sulkin should live too. His sentence should be commuted, for I believe he was one of the lesser ones in the mob."

Mrs. Harry Oliver, 1931 Calumet avenue: "Licavoli did not get the chair. English did not get the chair. I don't think Sulkin should pay that severe a penalty, either."

Mrs. William Draper, 712 Collins Park avenue: "Firetop deserves a life sentence as long as Licavoli got life. His sentence should be commuted."

Wilbur G. Shinkle, 210 Linden place: "Firetop should have his

sentence commuted. I signed a petition to that effect."

George High, 1148 Prospect avenue: "Firetop doesn't deserve any more severe punishment than any other of the gang members. His sentence should be commuted to life."

Mrs. Donna Drummer, 3763 Woodhaven drive: "If Sulkin is made to die in the chair I think that Licavoli and English should suffer in the same manner."

The Rev. John Paterson, 3211 144th street: "I'm not strong for capital punishment at any time, and I certainly don't know why Firetop should get the chair when Licavoli and English didn't."

Mrs. Mike Pell, 1700 Indiana avenue: "I think he should be given a fair chance. Why should he be sent to the chair when the others were not?"

Earl Bankey, grocer, 2163 Ashland avenue: "Probably all of them ought to be sent to the chair, but if Licavoli and English don't go, why should Sulkin?"

Dudley Skeels, 1752 Pilgrim road, mail carrier: "I believe the death sentence on Sulkin should be commuted to life imprisonment, in the face of what happened to those two other fellows."

Mrs. John Preece, 1535 West Central avenue: "Criminals should be punished but I would hate to see Sulkin electrocuted. He should be imprisoned for life without hope of pardon."

Miss Florence Feldman, 2270 Warren street: "Firetop's sentence should be commuted to life imprisonment."

Mrs. C. V. Swinehart, 1957 Summit street: "Life imprisonment. I don't want to see Sulkin go to the chair."

Mrs. Joseph Ziegler, 310 Winthrop street: "He should not be electrocuted. He is no more guilty than the rest of the gang."

Mrs. Arthur L. Baker, 2515 Glenwood avenue: "I don't think Sulkin is as guilty as others involved. He did not seem to be the murderous type of person."

Mrs. C. M. Davis, 2844 Scottwood avenue: "I think Sulkin's sentence should be commuted."

Mrs. R. E. Connelly, 340 Irving

street: "The sentence should be charged to life."

Mrs. A. E. Young, 1908 Vermont avenue: "I can't see why Sulkin should go to the chair and not the rest of the gang."

L. E. Ross, 2537 Portsmouth avenue: "As long as Licavoli and Wop English were given life sentences, I don't think it is fair to give Sulkin the chair. He should have his sentence commuted to life imprisonment, or even farther than that. I think he was their victim."

Mrs. J. W. Tobias, 538 Jervis street: "Inasmuch as other members of the gang did not get the chair, I do not think that Sulkin should pay with his life."

Mrs. Raymond E. Dix, 2136 Brookdale road: "I think he is guilty all right, but I think he should get life imprisonment rather than the chair. I don't believe that he is more guilty than others in the gang."

Mrs. William Young, 2701 Fremont street: "I don't think any one should pay for a crime by being sent to the chair. Sulkin should have his sentence commuted to life. I don't think he is any more guilty than the other men in the same gang."

Mrs. E. L. Kirkman, 1907 Fernwood avenue: "Sulkin's sentence should be commuted to life imprisonment. I don't think he is any more guilty than other gang members."

Mrs. Nelly G. Blake, 807 Oakwood avenue: "In view of the fact that other gang members escaped the chair, I see no reason why Sulkin should have to pay the extreme penalty. I don't believe he is any more guilty than they."

Edward F. Wernert, 2414 Walnut street: "I think Firetop should have life imprisonment as long as the others did not get the chair. I don't think Sulkin is more guilty than the others."

### JOURNAL ENTRY IS RECEIVED HERE

Official confirmation of the state supreme court's finding in the case of Jacob (Firetop) Sulkin, condemned to die in the electric chair Nov. 13, was received today in the office of William F. Renz, clerk of courts.

The journal entry of the court's refusal to review the case on the grounds that no constitutional points were involved was forwarded from Columbus with the notation fixing the date of execution.

The action is the customary mandate from the supreme court to the Lucas county common pleas court to put the sentence in the case into effect.

# DAVEY TO CONSIDER SULKIN PLEA MONDAY

## Licavoli Aide Sentenced to Die in Chair Jan. 13.

The case of Jacob (Firetop) Sulkin, who is awaiting electrocution Jan. 13 in the Ohio penitentiary, will be considered by Gov. Martin L. Davey Monday.

The governor instructed a secretary to call the case to his attention when he returns to Columbus.

Sulkin, a member of the Thomas (Yonnie) Licavoli gang, was sentenced to death for his connection with four gangster murders committed here during the prohibition era. Hundreds of Toledoans have appealed for leniency in his behalf.

# Firetop, Facing Execution in 13 Days, Says Friends' Hopes 'Mean Everything'

Sulkin, in Penitentiary Interview, Expresses Gratitude for Campaign Toledoans Are Making To Have Sentence Commuted to Life Term

By ROBERT S. BROWN, News-Bee Staff Correspondent.

COLUMBUS, Nov. 1.—Thirteen days to live. That is all that remains to Jacob (Firetop) Sulkin, former Toledo newsboy—unless the thousands of friends who have rallied to his aid are successful in their campaign to win a commutation of his death sentence.

I have just spent an hour with Firetop. "What," I asked him, "would you like to have me tell the folks in Toledo?"

"Tell them," Firetop responded, "that I am grateful for all the interest they are taking in me. Tell them that the letters and messages of hope mean everything. Tell them that I am all right physically, and mentally, too."

Not a word did Firetop speak about the unequal justice that sees Thomas (Yonnie) Licavoli, gang leader, and Joe (Wop) English, convicted as a trigger-man, serving life sentences while Sulkin faces death in the electric chair—although all three were tried on the same murder conspiracy indictment, the same evidence.

FIRETOP, who occupies a second-tier cell in the Ohio Penitentiary death row, talked mostly of his life in Toledo prior to the time that he was convicted and condemned to death by a Lucas County jury. The red-haired Jewish boy whose early home was in the Canton Avenue district and who grew to manhood in the streets of Toledo expressed no bitterness at his fate.

He is fully aware of the efforts being made by hundreds of Toledoans to spare his life as an offering at the shrine of capital punishment—of the thousands of citizens who are signing petitions praying Governor Davey to commute his sentence to life imprisonment. But his

Please Turn To Page 2, Column 5.

# LEGION BUDDIES BACK FIRETOP

Davis Post Wires Governor Plea for Commutation of Death Sentence

Officers of the Edward N. Davis Post of the American Legion last night telegraphed Gov. Martin L. Davey asking him to commute the death sentence of the post's former commander, Jacob (Firetop) Sulkin.

A resolution adopted by the post membership at a meeting in the Jewish Educational League Building, and dispatched to the governor, bore the signatures of Arthur P. Feinberg, post commander, and Abraham Bame, adjutant.

"We are mindful of our former commander's misdeeds," said Mr. Feinberg in addressing the post, "but we believe in justice evenly administered. We are merely doing what any other American Legion Post would do."

Mr. Feinberg urged the post members to sign petitions asking that Sulkin's sentence be commuted to life imprisonment in the Ohio Penitentiary where the ex-newsboy awaits execution Nov. 13. Sulkin was condemned to die after he was convicted of complicity in four gang slayings here.

The resolution read:

"We as members of the Edward N. Davis Post No. 546 of the American Legion, knew Jacob Sulkin as a good soldier in the United States Army, one of the first to enlist during the World War, as a comrade fighting for the principles of the American Legion, and as an individual who was ever ready to aid the sick and the needy.

"Our knowledge of these good qualities does not alone move us to offer our aid to our comrade, for we are also mindful of his misdeeds. We believe in fairness and justice. Justice evenly administered. We send you an earnest and sincere plea of the complete membership of this post, beseeching you to be just and merciful and spare the life of one of our comrades."

# 150 'Newsies' Join Crusade To Save Sulkin From Chair

New Recruits To Seek 20,000 Additional Names to Petitions; Harold Talburt, Noted Cartoonist, Wires His Plea

One hundred and fifty new recruits to the "Save Firetop" cause scattered through the city today bent on tripling the estimated 10,000 signatures now reported on petitions seeking commutation of the death sentence against Jacob Sulkin.

The new recruits are newsboys who attended a general meeting of Firetop enthusiasts last night in the Roi Davis Building.

At the meeting new petitions were distributed to add to those which will be laid before Gov. Martin Davey and the State Board of Pardons and Paroles at a hearing Thursday.

The governor will be asked to commute to life imprisonment the sentence of the red-headed former Toledo newsboy, who is to die within two weeks unless a stay or commutation is granted.

Sulkin was sentenced to the electric chair for complicity in the same four gang murders which sent his chief, Yonnie Licavoli, to prison for life. Joe (Wop) English, trigger man in the killings, also is serving life following a commutation granted by former Gov. George White.

Meanwhile, Harold Talburt, Pulitzer Prize cartoonist of the Scripps-Howard papers and one-time cartoonist for The News-Bee, added his voice to those of thousands of Toledoans in urging that Firetop's sentence be commuted.

"Please see that my name is on the Firetop petition," he wired Carlton K. Matson, editor of The News-Bee. "As a youngster carrying papers in Toledo and later as an employe of The News-Bee, I knew Firetop well, and know that he is incapable of the crime he is charged with. I am confident your campaign to prevent an irreparable wrong from being done will meet with the success it so surely deserves."

# SULKIN'S HOPES REST ON FRIENDS

Firetop, Facing Death in 13 Days, Is Grateful for Fight To Save His Life

Continued From Page 1.

experiences during the last few months have taught him to curb any expressed feeling of optimism.

If he is to die in the electric chair, Firetop is as ready to pay the price today as he will be Nov. 13. His hope is placed wholly in his friends. He believes in them and is sure they are doing everything humanly possible to help. Unable to help himself—the days of prosperity before October, 1929, which saw him living well and buying a home are gone, and in the slang of the street he is "broke"—Firetop is counting on his friends.

FIRETOP does not want to die. Few do.

He wants to live, even if it is behind the bars of steel and the walls of concrete which house some 4000 other men who at some stage of the game disobeyed the rules.

His stake in life is a slender thread, which in the next 13 days either will be woven into a skein strong enough to save him, or break, dropping him into the same Unknown with those more fortunate souls who meet a natural death.

Sulkin served as commander of the Davis Post in 1930. He enlisted in the U. S. Army May 18, 1917, and was honorably discharged Aug. 21, 1919, a first-class private.

# FORMER TOLEDOAN WOULD SAVE SULKIN

Ex-Newspaper Boy Joins in Movement Here.

Joe E. Schwartz, former Toledo newspaper boy, now a resident of Elkhart, Ind., joined in efforts to save Jacob (Firetop) Sulkin from death in the electric chair Nov. 13, in the following letter received by The Blade today:

"As a reader of your newspaper, I am very much impressed with

your efforts and writeups regarding Jacob (Firetop) Sulkin's case.

"At this time, I would like my name added to the petition being circulated to commute Firetop's sentence. Although I have not been a resident of Toledo for some time and have not seen Firetop since I was a youngster, I cannot help but try to help him in a little way, if possible. I was a newsboy as a youngster and many a time Firetop, on a cold winter day, would take a handful of papers that I had left and send me home.

"As stated above, I have been a reader of The Toledo Blade since leaving Toledo and have read about the trials of the others convicted and I do not think that Firetop should receive any more punishment than the others."

# Reams to Attend Sulkin Hearing

Frazier Reams, Lucas county prosecutor, announced today that he will attend the hearing before the Ohio board of paroles in Columbus Thursday when the case of Jacob (Firetop) Sulkin, who is seeking a commutation of his death sentence, will be discussed.

Mr. Reams said he would be present in his capacity as prosecutor, which is usual in such cases. He did not say whether he will make any recommendations. Sulkin is under sentence to die Nov. 13 as the result of his conviction for conspiracy in connection with four gangster murders here.

Gov. Martin L. Davey has received thousands of letters, telegrams and petitions requesting him to commute Sulkin's sentence to one of life imprisonment.

# Council Aids Sulkin TO PLEAD TO GOVERNOR

Council last night joined the plea of many Toledoans to Gov. Martin L. Davey to commute the sentence of Jacob (Firetop) Sulkin from death to life imprisonment.

The action was taken on suggestion of Councilman Earl Caton, who urged council to petition the governor to commute Sulkin's sentence in view of the fact that Sulkin's associates had escaped the chair.

Five councilmen voted against the motion, explaining they were not adverse to Sulkin's life being spared, but that they did not regard the proposal as one that coun-

# JUDGES DENY NEW TRIAL TO LICAVOLI AID

**Serve Warning of 'No Mercy' to Murder Mobs; Defense Plans New Plea**

Jacob (Firetop) Sulkin received a fair trial and must die in the electric chair July 18, the Fifth Ohio District Court of Appeals ruled today.

Upholding the verdict of the Common Pleas jury which convicted the Licavoli gangster here last March, the decision served warning to the underworld that no mercy will be shown murder mobs in the future.

"It is high time for gangsters and gunmen to realize that there are sufficient laws in this country to protect society, if properly enforced," the court stated. "It is time that they should be taught that they cannot go on and violate these laws with impunity."

### Public Is Forgotten.

"Too long have we been administering our criminal laws to protect the rights of the accused, and in our zeal to see that his rights are protected, we forget the public and its rights. As a result, lawlessness is rampant in our land and the police and other law enforcement agencies have been unable to cope successfully with the criminal element."

The 11-page opinion was written by Judge Charles C. Lemmert of Zanesville, and concurred in by Judges Charles A. Montgomery of Newark and Clyde C. Sherick of Ashland, O.

Sulkin, known here for many years as a "fixer," became involved with the gang headed by Yonnie Licavoli in 1931. With Licavoli and 11 others, he was indicted for first degree murder following the slaying of Jack Kennedy, Louise Bell, Abe Lubitsky and Norman Blatt.

# SULKIN GETS MORE TIME

**Defense Will Use 3 Weeks Stay to Perfect Appeal.**

Three more weeks of life were granted to Jacob (Firetop) Sulkin, gangster, Monday by the fifth district court of appeals which set the new execution date as Aug. 9.

The stay of execution which was to have taken place July 19 in the Ohio penitentiary was granted by the appeals court after Cornell Schreiber, defense counsel, made the request.

Mr. Schreiber obtained a certified copy of the journal entry of the court's decision which affirmed the verdict of the jury finding Sulkin guilty of the murders of Jack Kennedy, Louise Bell, Norman Blatt and Abe Lubitsky.

He will take the entry which orders the delay to the penitentiary Wednesday when he will present it to Warden James Woodard to forestall errors or mistakes in the execution order.

This delay will give Mr. Schreiber another three weeks in which to perfect his plans to carry the case to the state supreme court. It is expected that Sulkin will be given another stay when the case is filed in the supreme court.

Due to Sulkin's death sentence his case will be decided by the supreme court before the case of his leader, Thomas (Yonnie) Licavoli, who is serving a life sentence in the penitentiary. No appeal action has been filed on behalf of Licavoli.

# SULKIN WILL CARRY FIGHT TO HIGH COURT

Jacob (Firetop) Sulkin, Licavoli gangster facing execution Aug. 9 for four gang murders, will carry his fight for life to the Ohio Supreme Court, it was assured Friday when his attorneys filed with the county prosecutor notice of intention to appeal.

The attorneys, Cornell Schreiber and Paul Ragan, are understood to be planning to go to Columbus Monday to attempt to obtain a stay of execution until the Supreme Court, which now is in vacation, can hear the appeal.

# COURT PONDERERS SULKIN'S PLEA

**Reams Brands Slayer as Link in Crime Syndicate.**

Jacob (Firetop) Sulkin, awaiting execution in the Ohio state penitentiary, was branded as a most important cog in the crime syndicate of Thomas (Yonnie) Licavoli by Frazier Reams, Lucas county prosecutor, before the supreme court in Columbus today.

The prosecutor spoke for the state on a defense motion to have the case certified for review by the high court and on a counter plea by the state to dismiss the defense motion. The supreme court took the case under consideration after hearing oral arguments.

Evidence on which Sulkin was convicted for taking part in four gangster murders here during the days of prohibition, Mr. Reams said, revealed a complete conspiracy to commit the four capital crimes alleged.

The Licavoli gang, he asserted, was a crime syndicate of which Sulkin was the home town talent, the indispensable fixer. The prosecutor pointed out also that Sulkin provided one of the guns with which Jackie Kennedy, bootleg rival of the Licavolis, was shot to death in Point Place on July 7, 1933.

Attorney Cornell Schreiber, who presented the defense argument, attacked testimony of Sam Stein, pawnbroker's clerk, who testified he sold the weapon to Sulkin, as being uncertain. Mr. Schreiber objected also to testimony concerning other crimes, particularly the testimony of Mrs. Chester Marks, whose husband, a night club operator, was shot to death at the garage of his home in Broadway.

The defense attorney objected also to what he termed the requirement of character witnesses to become expert witnesses and answer a hypothetical question. The arguments were short and the case was submitted largely on briefs.

Should the high court decline to review the case, a date for execution of Sulkin will be set.

Sulkin was convicted on an indictment charging him and 12 other members of the Licavoli gang with conspiracy in connection with the murders of Kennedy, Louise Bell, Abe Lubitsky and Norman

Blatt. Licavoli also was convicted on the same charge, but the jury in his case recommended mercy and he drew a life sentence.

Another member of the gang now in the penitentiary is Joseph (Wop) English, who was sentenced to death after a jury found him guilty in the murder of Kennedy. His sentence was commuted to one of life imprisonment by George White, former governor, just before the governor's term of office expired.

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Blatt, Licavoli also was convicted on the same charge, but the jury in his case recommended mercy and he drew a life sentence.

### Will Continue Fight.

The state based its case on evidence indicating that while Sulkin was active in the gang's affairs, he was not an actual participant in the murders. It charged that Sulkin purchased one of the two guns used in the Kennedy killing and that he was aware of the plot.

It is expected that Cornell Schreiber, Sulkin's attorney, will carry his fight to save his client's life to the Supreme Court.

Licavoli, also convicted, is serving a life term in Ohio Penitentiary, as is Wop English, one of the triggermen. Ralph Carsello, John Rai and Whitey Besase, other members of the mob, are in County Jail, awaiting trial. The others who were indicted are fugitives.

# SULKIN SEEKS High Court Appeal

Jacob (Firetop) Sulkin, sentenced to die Aug. 9 in the electric chair for four gangster murders committed during the Licavoli regime here, will carry his fight for life to the Ohio Supreme court, Cornell Schreiber, his attorney, will go to Columbus either today or Monday to attempt to obtain a stay of execution until the Supreme court, which will not sit until September, can hear the appeal.

# Sulkin Granted Execution Stay

Jacob (Firetop) Sulkin, Toledoan under sentence of death for four gangland murders, was granted an automatic stay of execution today when his attorney, Cornell Schreiber, filed a petition in error with the Ohio supreme court in Columbus.

Sulkin had been under sentence to die Aug. 9. His counsel's action today means that the high court will set a new date of execution after it resumes sessions Sept. 17. Sulkin's petition, it was indicated, will be heard during the first week of the new session.

# Delay Is Granted on Sulkin Appeal

The state supreme court today postponed until Oct. 10 or 11, its review of the case of Jacob (Firetop) Sulkin, who is awaiting electrocution in the Ohio penitentiary for complicity in four gangster murders perpetrated by the Yonnie Licavoli mob. The hearing had been set for Thursday.

The postponement was granted at the request of Attorney Cornell Schreiber, counsel for Sulkin, who presented an affidavit of a physician declaring the attorney to be a victim of pharyngitis. Frazier Reams, prosecutor, made no objection to the short delay.

# SULKIN'S LAST CHANGE RESTS WITH DAVEY

**Attorneys Confer on Clemency Plea as Court Rules He Must Die Nov. 13**

A final effort to save Jacob (Firetop) Sulkin from death in the electric chair was to be planned today at a conference of his attorneys, Cornell Schreiber and Paul Ragan.

The Ohio Supreme Court yesterday denied Sulkin's plea for a new trial and ruled he must die Nov. 13 for his part in four murders attributed to the Licavoli gang.

It was expected that the attorneys would call upon Gov. Martin L. Davey for executive clemency.

Turn to Page 6 for an editorial: "LIFE FOR FIRETOP"

such as was granted Joe (Wop) English, another member of the gang whose sentence was commuted to life imprisonment by former Gov. George White after conviction on a charge of first degree murder conspiracy.

### Court Is Unanimous.

Thomas (Yonnie) Licavoli, leader of the gang, also was convicted on the same murder indictment, but a Lucas County Common Pleas jury recommended mercy and he joined English as a "lifer" in Ohio State

# Life for "Firetop"

**WE JUST can't stomach the idea that "Firetop" Sulkin is to die in the electric chair while Yonnie Licavoli is permitted to live.**

Licavoli was head of the gang. Whatever Firetop did—and we are not raising a question of guilt upon which the courts have passed—he did it under the leadership of the man who is allowed by the state to serve out a life sentence instead of dying in the chair.

There is an unevenness of justice about this which is abhorrent to this newspaper. Furthermore, it is not good for the people of the commonwealth to feel that there is a seeming malice about the law, which chooses between man and man, which takes the life of one and allows another to live without good reason for the choice.

We do not believe that the purposes of justice will be defeated if the governor of Ohio commutes the sentence of Firetop Sulkin to life. We do believe that there will be a hurtful sense of unfairness in the hearts of many people if Firetop is electrocuted while Yonnie Licavoli lives.

Those reasons which were advanced against the commutation of the sentence of "Wop" English no longer have the force they had last year. Since the English commutation by Governor White, the head of the gang with which both English and Firetop were associated has been given life instead of the chair. The precedent of leniency, which was opposed in the English commutation hearings, has already been established by a jury in the case of Licavoli, the boss of the gang.

We now urge that justice be evened up. We urge that Prosecutor Reams himself join with other influential Toledoans in going to Governor Davey with a plea that the sentence of Firetop Sulkin be commuted to a parity with that of Yonnie Licavoli—to a life sentence.

# PLEA FOR NEW TRIAL SENT TO SUPREME COURT

**Doom Postponed Indefinitely by Motion, To Be Heard After Sept. 17**

COLUMBUS, Aug. 3.—The execution date of Jacob "Firetop" Sulkin, Toledo gangster, was postponed indefinitely today when his attorney, Cornell Schreiber, filed a motion for a new trial in the Supreme Court.

Sulkin, convicted of conspiracy to commit a murder was to have been electrocuted Aug. 9 in Ohio Penitentiary.

The filing of a petition in error in the Supreme Court today automatically suspends execution of the sentence. The motion probably will be heard by the court shortly after it reconvenes after the summer recess, Sept. 17.

# Negley Cochran Pens Plea for 'Firetop,' the Young Leader of Boys He Once Knew

"It Isn't Justice and Doesn't Make Sense," Says Editor of Sulkin's Death "Rap"

BACK around the turn of the century when Negley D. Cochran was building up a newspaper that he had bought at a receivers' sale, he sometimes took time out from his executive cares to regard a little red-headed, ragamuffin newsboy. Cochran found surcease from his cares in the industry and resourcefulness of the youngster known on the street corners of Toledo as "Firetop."

Today Mr. Cochran, from his desk in the general offices of the Scripps-Howard Newspapers in New York, wrote a plea that the death sentence passed on this ex-newsboy—Jacob (Firetop) Sulkin—might be commuted to life imprisonment.

"I have just seen the editorial in The News-Bee of Oct. 24 entitled 'Life for Firetop.' Mr. Cochran wrote to Carlton K. Matson, editor of The News-Bee. "When I read it I was much pleased. I am sure many people in Toledo were pleased—many who knew him from the time he was a little red-headed Jewish newsboy; many who had seen him grow up from the most obscure beginnings and conquer the many obstacles that stand in the way



Jacob (Firetop) Sulkin.  
The electric chair awaits him.



Negley D. Cochran.

"I can forgive some of the evil."

of a boy with the very humblest and poverty-stricken beginnings"

And here Mr. Cochran must have paused and reflected about the boy who, at the age of 9, had "punked" a corner roustabout of 15 because he had "swearred at a lady." And he must have tried to piece together the incidents that led to this boy's becoming a member of the murderous Licavoli gang. To Mr. Matson he continued:

"I THINK I can understand how the influence of Licavoli and the gangsters, with easy money in sight, threw him off balance. When I was in Toledo in January, 1934, I saw him frequently. With his big fur coat, he swelled around thinking he was a big shot.

"But so did Sam Insull and other more respectable racketeers. Insull patronized grand opera but he injured more people than a thousand Firetops ever did. Millions have suffered from the essential crookedness of bankers—and big ones—who gambled with other people's money, went broke and wiped out the life savings of those millions. After all, they aroused the envy and the greed of the petty racketeers.

"In New York what could you expect of messenger boys and others who saw the Arnold Rothsteins and other big shots in the underworld, buying the best foods and wines at the expensive restaurants—

Please Turn To Page 2, Column 5.

# Friends Launch Campaign to Save Sulkin From Chair

Petitions Are Circulated Asking Governor Davey to Commute Firetop's Death Sentence to Life Imprisonment. OCT 28 1935

The friends of Jacob (Firetop) Sulkin, marked for death in the electric chair Nov. 13 by a ruling of the Ohio supreme court last week, rallied to his defense today.

Downtown newspaper boys have begun the circulation of petitions asking Gov. Martin L. Davey to commute Sulkin's sentence from death to life imprisonment.

The campaign to save Sulkin from the extreme penalty is being led by Toledo business and professional men who, as former newspaper boys, remember Sulkin as a comrade of past years.

Sulkin in his youth and early manhood sold newspapers on To-

ledo streets and made scores of enduring friendships.

The petitions declare that Sulkin's execution would constitute a gross inequality of justice and that commutation of sentence to life imprisonment will serve the ends of justice.

Former newboys and business men who are friendly to Sulkin will make a systematic drive for many thousands of signatures to demonstrate to Governor Davey the depth of Toledo sentiment for a more merciful sentence.

Sulkin was convicted of complicity in Thomas (Yonnie) Licavoli gang conspiracies which led to four murders. The Ohio supreme court Wednesday declined to interfere.

NEWS-BEE

## A WEAPON IN FIGHT TO SAVE 'FIRETOP'

PETITION

To HONORABLE MARTIN L. DAVEY,  
Governor of The State of Ohio

OCT 29 1935

We, residents of Lucas County, respectfully petition your Excellency to commute the sentence of Jacob Sulkin to life imprisonment. We believe that it would be a gross inequality of justice to permit the execution of the extreme penalty, and that the purpose of justice will be fulfilled by your commutation of his sentence to life imprisonment.

NAME	ADDRESS	CITY OR COUNTY

Here is a facsimile of the petition being circulated by newspaper boys on downtown corners in an effort to have Jacob (Firetop) Sulkin's death sentence commuted to life imprisonment.

### 'Life for Firetop'

Negley D. Cochran Pens  
Plea for Boy Leader  
He Once Knew

Continued From Page 1.

riding in expensive cars and flaunting their women decked with jewels and furs?"

SO MUCH for the temptations that might have lured Firetop from the exemplary life of his boyhood. And now for the young man who was the big brother of every youngster selling papers in downtown Toledo in the days before the war—who was known to hundreds of business men as "Firetop—a good fellow—"

"I know little or nothing of Firetop's life after he got in with the Licavoli mob. But always I think of him as I knew as an unusually bright newsboy and later as a promoter of street sales. I remember him as a leader of newboys when The News-Bee, under my editorship, was backing John Gunckel in building up his Newboys' Association—a leader who was trying to lead younger and less intelligent newsboys along the path.

"I remember so much that was

good in him that I can forgive some of the evil."

And then Cochran turned to the quirk of justice that would send a minor member of a killer's gang to the electric chair while the lives of the leader of that gang and one of his "trigger men" are spared.

"AT ANY rate, if Licavoli and English escaped the chair, certainly society shouldn't demand a more severe penalty than life for Firetop. It simply isn't justice and doesn't make sense.

"If Firetop's friends are getting up a petition, somebody besides a lawyer should draw it up and it should be along the lines of your editorial. It would be a mistake to attempt to excuse or condone Firetop's activities with Licavoli. Nothing should be done in the petition except to save him from the chair.

"I will sign such a petition, and lead off if they want me to. And I think you will be surprised by the number of prominent men who will sign it."



# Sulkin Camera-Shy Entering Pen



## SULKIN HEARING SET FOR JUNE 11

MAY 30 1935

Three Visiting Judges To Air Convicted "Fixer's" Plea on Error Petition

Three visiting Court of Appeals judges will hear the petition-in-error filed by attorneys for Jacob (Firetop) Sulkin in an effort to save the one-time Toledo "fixer" from the electric chair. Hearing has been set for June 11.

The Court of Appeals for the local district late Wednesday granted, only a few minutes after it had been filed, an application by Prosecutor Frazier Reams for a visiting court.

Reams' action anticipated similar action by Sulkin's attorneys, the prosecutor said, and was taken as a means of assuring that the petition-in-error will be heard in this term of court.

The state has been allowed a 13-day extension, from May 21 to June 3, in which to file briefs with the Court of Appeals.

## SULKIN'S APPEAL HEARING CERTAIN

Visiting Court of Appeals To Hear Case, Judge Lloyd Reveals.

Although refusing to reveal its identity, Judge Harry W. Lloyd of the Court of Appeals Friday informed Prosecutor Frazier Reams that a visiting Court of Appeals has agreed to hear the petition-in-error filed by attorneys for Jacob (Firetop) Sulkin on June 11.

The information removed the last doubt that the hearing might not be held during the current term of court. Prosecutor Reams, anticipating similar action by Sulkin's attorneys near the end of the term which would delay hearing until the next term, beginning in September, Wednesday filed application for the visiting court. The local judges granted the application immediately.

Sulkin, sentenced to be electrocuted July 18 for conspiracy in connection with four gangland murders, is in the Ohio Penitentiary. The petition-in-error filed by his attorneys represents a final attempt to avert or at least postpone execution of the death sentence.

## SULKIN APPEAL TAKEN UNDER ADVISEMENT

JUN 11 1935

Incompetent Testimony Charged by Defense Counsel.

Judges of the fifth district court of appeals today took under advisement the appeal of Jacob (Firetop) Sulkin, under sentence to die July 19 in the electric chair at the Ohio state penitentiary for four Toledo murders charged against himself

## Sulkin Transferred To Penitentiary

Put in Death Row Near English, Licavoli

Jacob (Firetop) Sulkin, convicted of conspiracy in four Toledo gangland murders, was taken from the county jail yesterday to the Ohio penitentiary by Sheriff James O'Reilly.

He was lodged in death row at the penitentiary, near the quarters where Joe (Wop) English and Thomas (Yonnie) Licavoli, indicted jointly with Sulkin, are serving life sentences.

Sulkin is sentenced to die in the electric chair July 19, having been convicted without recommendation of mercy. Licavoli was convicted with mercy; and the death sentence of English was commuted to life imprisonment by George White, former governor.

English, when he saw Sulkin pass his cell, called to a newspaper man and told him he hoped the warden would permit him to talk to Sulkin. English said he has information that will help Sulkin's case.

Sulkin brought a number of changes of clothes with him. In death row the men are permitted to wear their own clothes. He also brought a large supply of cigarettes.



These pictures of Jacob (Firetop) Sulkin, under death sentence for conspiracy in four Toledo gang murders, were taken at the Ohio penitentiary in Columbus where the doomed Toledoan was taken yesterday. The upper picture shows Sulkin with the same camera shyness he displayed on leaving the county jail yesterday morning. On sight of the cameraman he ducked as he entered the penitentiary with Sheriff James O'Reilly, left, and Deputy Sheriff Jay Gilday. The lower picture, taken in the penitentiary bull pen with the prison bars visible, was taken during an unguarded moment by Sulkin.

and other members of the Thomas (Yonnie) Licavoli gang.

The argument for Sulkin was presented by Attorney Cornell Schreiber. Frazier Reams, county prosecutor, and Joel S. Rhinefort, his assistant, spoke for the state.

Mr. Schreiber, lashing out at many phases of the case the state made against his client, charged that the trial record is loaded with numerous instances of incompetent testimony offered purely to prejudice the jurors against Sulkin.

### Cites Testimony

He cited in specific instance the testimony of Mrs. Edith Marks, widow of the slain Chet Marks, night club proprietor; of Mrs. Sadie Gromintz, mother of Jack Kennedy, victim of one of the four murders; of Detective Merle Uankie and Capt. George Timiney, police hoodlum specialists, and of John M. Brown, former gardener at the Licavoli home in Old Orchard.

State tactics in the cross-examination of Sulkin's character witnesses also came under Mr. Schreiber's fire, and he struck at what he called the misconduct of the prosecutor and his trial assistants, branding them "unsworn witnesses."

The function of the jury, Mr. Schreiber said was invaded; the trial was replete with prejudicial error and misconduct, and error existed in the charge of the court.

Mr. Rhinefort, threw a general defense around the state's conduct of the Sulkin trial.

### Says Tactics Unusual

"Sulkin," he said, "was one of the most dangerous characters in this locality." The prosecutors at times, he admitted, were forced to adopt unusual tactics, but this course was taken only against unwilling or unfriendly witnesses.

Mr. Schreiber's attacks, Mr. Rhinefort said, were aimed at unfairly isolated places in the trial record, and his brief today was written "catchy," and without reference to the entire trial picture.

Mr. Rhinefort made much of the appeals court decision which upheld the life sentence imposed upon Licavoli himself for the four murders. The Licavoli appeals opinion is attached to the state's brief in the Sulkin case, Mr. Rhinefort said. A comparison of the two trials, he said, shows that the evidence against Sulkin in his trial was even stronger than that presented against Licavoli in his trial.

Mr. Reams devoted his period to a defense of his methods and those of his assistants in the trial room.

# From 'Big Shot' to the Chair's Shadow

By WILLIAM CROWELL 3-22-35 *Rev*

"HAS the jury reached a verdict in the Sulkin case?"

"Yes, guilty, without mercy."

"The chair!"

That conversation was repeated over and over scores of times last night as scores of citizens phoned The News-Bee to learn the fate of the "Firetop" they had known so long.

Thousands had known him since he was a pugnacious newsboy on the streets of the city.

Many of those who phoned rank in the high walks of life.

Many of them, at some time or other, came into his debt, through "fixing" of one kind or another.

Others who called, unknowns in the by-ways of a great city, were equally solicitous.

They, too, are in his debt. Not because he had skirted the fringes of the law to "put the fix" on something, but because

Please Turn to Page 8, Column 2.



—Staff Photos by Clarence Bailey.

"Firetop" smiled after the jury returned the verdict that condemned him to death, flipped up his hat brim and strutted out of the courtroom, chained to a deputy, as this picture shows. The other picture (inset) shows "Fire" and one of his defense attorneys. Firetop appears nonchalant. Paul Ragat, his lawyer, seems to be in the depths of despondency.

# SULKIN TRIAL EXCEEDS COST OF ANY OTHER

3-27-35 *Blade*  
Total Expense of \$3,291.32  
Is Found Greatest  
in Lucas County  
History.

Trial of Jacob (Firetop) Sulkin, which ended Thursday when the jury brought in a verdict finding him guilty of first degree murder, was the most costly in the history of Lucas county, J. F. Daly, cost clerk, announced today.

The costs, which must be paid by the state, total \$3,291.32, which consists in transcript charges of \$2,635.42; clerk charges, \$62.50; sheriff costs, \$197.75, and witness fees, \$395.55.

The cost of the trial of Thomas (Yonnie) Licavoli, which ended Nov. 26 with a verdict of guilty with a recommendation of mercy, totaled \$2,710.80, of which \$2,251.92 was for transcript costs; \$45.50 for clerk charges; \$120.35 for sheriff costs, and \$285.50 for witness' fees.

The Sulkin case exceeded the trial of Charles Hoppe, convicted of the murder of 7-year-old Dorothy Sie-lagowski, in 1928, by several hundred dollars.

Subpenas were issued for 190 witnesses in the Sulkin case, with only 111 taking the stand. Eleven additional witnesses who were subpoenaed, but did not testify, collected fees.

It is estimated that the actual cost of the Sulkin trial, which includes both state and county charges, will total more than \$5,000. Fees of jurors, which averaged \$39 a day for almost a month, salaries of judges, clerks and bailiffs, which are not included in the state costs, are paid by the county.

# FIRETOP SULKIN RESENTENCED; TO DIE JULY 19

4-4-35 *Blade*  
Action Necessitated by  
Jurisdiction Challenge  
Gives Him 11 More  
Days to Live.

Jacob (Firetop) Sulkin, Licavoli fixer, convicted March 21 on a first degree murder charge, was resentenced to death in the electric chair by Judge John M. McCabe today.

The new date set for Sulkin's execution is July 19, 11 days beyond the date originally set March 22 when he was first sentenced.

The defendant was resentenced because Cornell Schreiber, defense counsel, had challenged the jurisdiction of the court since a motion for a new trial was pending.

Judge McCabe vacated the sentence and judgment imposed March 22 and pronounced the new sentence after the motion for a new trial was overruled.

Mr. Schreiber informed the court that he did not care to argue the motion. "The motion has 20 grounds with which the court is familiar and regarding which the court has already indicated his attitude. Therefore I do not think it necessary to burden the court with further details" Mr. Schreiber said.

"Is there anything particular that you wish to call to the attention of the court?" Judge McCabe asked.

"Nothing. The case in its entirety will be taken to a higher court and what we have to say we will say there," Mr. Schreiber replied.

The new sentence grants Sulkin another 30 days in which he may be kept at the county jail before being taken to the Ohio penitentiary.

# SULKIN IS TAKEN TO DEATH HOUSE

4-27-35 *Blade*  
Extra Guard Provided  
for Motor Trip to  
Penitentiary.

Jacob (Firetop) Sulkin, fixer for the Thomas (Yonnie) Licavoli gang, was taken on his last long ride from the county jail here to the death house in the Ohio penitentiary today.

Under sentence to die in the electric chair July 19 for complicity in four gangster murders, Firetop ducked his head behind the shoulders of Sheriff James O'Reilly as newspaper photographers aimed their cameras at him as he jumped hastily into an automobile.

The trip to the penitentiary began at 8:25 A. M. One car was occupied by Firetop, the sheriff and Jay Gilday and Don Cochran, deputy sheriffs. In a second car were Deputies Charles Sharkey, Andy Carr and Emmet O'Reilly, son of the sheriff.

Firetop had nothing to say for publication as he was taken away to pay the extreme penalty for the murders of Jackie Kennedy, Louise Bell, Abe (The Punk) Lubitsky and Norman (Big Agate) Blatt during the bootleg warfare of the days before repeal.

The sheriff's group reached the penitentiary in Columbus before noon and Firetop was placed in a cell in the death house.

Joseph (Wop) English, another member of the Licavoli gang, who is confined in an upper range cell in a block through which Firetop was escorted to the death house, saw his erstwhile companion pass.

# Sulkin Faces Accusation of Conspiracy in Gang Deaths

Dapper, red-headed Jacob (Firetop) Sulkin, gambler, minor politician and professional "fixer," went on trial for his life in Common Pleas Court today.

Sulkin is one of the dozen lieutenants of Thomas (Yonnie) Licavoli who allegedly conspired to murder four enemies of the notorious gang.

He is charged with having a part in the plotting that led to the slaying of Jack Kennedy, Licavoli's arch enemy; Louise Bell, Kennedy's sweetheart, and Norman Blatt and Abe Lubitsky, minor underworld characters.

## Death Sentence Sought

It is not believed the state will seek to show that Sulkin was an active participant in the actual killings, but rather that he was an important member of the gang whose triggermen fired the fatal shots.

The task of selecting a jury will require the greater part of today and tomorrow, according to Joel Rhinefort, chief assistant county prosecutor, who will seek to send Sulkin to the death chair.

Cornell Schreiber, who defended Sulkin's gang chieftain, Licavoli, in his recent murder trial, and Paul J. Ragan of Maumee, are attorneys for the defense.

## To Claim Alibi

One of the most damaging pieces of evidence the state has to produce against Sulkin is the testimony of Samuel Stein, former pawnbroker's clerk, that he sold him the gun that later was identified as one of the weapons used in the Kennedy murder.

Firetop's defense will hinge on an alibi—that he was at home when each of the four murders occurred.

Judge John McCabe will preside at the trial.

## Always a Fighter

Firetop, now in his early forties, has been one of Toledo's best known characters for more than three decades. It is a known fact that hundreds of citizens, many of them in prominent walks of life, are under obligations to him as a result of his "fixing" of one kind and another.

Firetop always has been known as a fighter, but his reputation for honesty never was questioned. He came into pugilistic renown early.

In his book, "Boyville," published 50 years ago, the late John E.

## Gunckel, then president of the Newsboys' Association, records an interesting incident.

**Headed Legion Post.**

He had summoned Firetop, then nine years old and known as one of the most successful newsboys on the street. He confronted him with a towering lad of 15, who was crying and had complained that "Firetop hit me. He hit me with his fist."

"What about it, Firetop?" Mr. Gunckel asked.

"Sure, I hit him," answered the small newsie. "He swore at a lady, so I punked him."

In later years Firetop became a newspaper circulator. He went to war, returned and became commander of an American Legion post. He was active in the Newsboys' Association.

## Prospered in Twenties

He became a "clerk" in gambling houses, a career that continued with only a brief interruption, when he was a taxicab dispatcher, until three years ago, when he became a Licavoli confederate.

Firetop made much money during the flush twenties. For a time he was half owner of La Tabernilla, the roadhouse. He spent his money or gave it away about as quickly as it came to him.

He acquired a passion for fine clothes, and bought a home in Willys Parkway. One of his hobbies was the collection of expensive, limited editions of rare books.

## Glorified "Messenger Boy"

Just how he became entangled with the Licavoli mobsters never has been revealed. He was first seen in the company of members of

Please Turn to Page 2, Column 6.

## Continued From Page 1

the gang in 1931, when Licavoli took possession of the night club known as the Golden Rose.

Evidence produced by the state in the Licavoli trial indicated that Firetop acted as sort of a glorified "messenger boy" for the gang. It is believed they sought his services because of his intimate knowledge of the city and his wide acquaintance with persons in public and private life.

## In Jail Inquiry

He surrendered to police Aug. 8, 1933, about a month after Jack Kennedy was slain at Point Place. He steadfastly denied complicity in the crime. He has never changed his story, and today appeared certain he would convince a jury of his innocence.

In the spring of 1934, an inmate

in County Jail. He was the subject of an official inquiry. Report had it that he had been permitted to leave the jail to attend a party at the Welfare Farm in Whitehouse, O., and that he had been seen twice in Chicken Charlie's night club.

Sheriff David Krieger denied this, as did "Firetop," and the affair blew over.

## Hair Causes Row

A dramatic highlight at the start of the trial today came when Mr. Rhinefort, examining a prospective juror, inferred that "Firetop" had changed the color of his hair.

"Did you ever see a person resembling his defendant whose hair was more sandy and not so dark as it is today?" the prosecutor asked Mrs. Ethel Aselyne, 1439 South Avenue.

Mr. Schreiber was on his feet in an instant, objecting. He demanded a poll of all prospective jurors present to learn how many of them had heard the question, and when this was denied he demanded the entire panel be discharged.

## Sulkin, Attorneys Tense

He described the question as "highly improper and unethical." Judge McCabe denied his requests.

Both Mr. Schreiber and Mr. Rhinefort appeared to be in a state of nervous tension. At the beginning of the examination the prosecutor stopped to complain that a clerk was making a noise with a pencil sharpener.

Sulkin, also, was far from calm. White of face, in contrast to his usual ruddiness, and unsmiling, he took his seat in the crowded courtroom. He wore a dark suit and

## rimless glasses.

When Mrs. Margaret Evans, 634 S. Westwood Avenue, was being examined, however, he smiled once.

## Met Mr. Reams

This was when Mr. Schreiber asked her if any member of her family worked for the city of Toledo.

"No," she replied, "but once I met Mr. Reams."

"Mr. Reams seems to be employed by everybody but the city of Toledo," Mr. Schreiber commented sharply.

Mrs. Evans and Mrs. Aselyne were seated tentatively in the jury box. Two men, Joseph L. Bick, 3520 Drexel Drive, and Louis Centgraf, 3919 Burton Avenue, were excused when they said they were opposed to capital punishment.

Mr. Rhinefort has promised startling new evidence that will link "Firetop" to numerous rackets in which Licavoli was interested.

## Phone Wire Tapped

Mr. Rhinefort will be assisted throughout the trial by Harry Friberg, assistant prosecutor. Mr. Friberg has been assisting Mr. Rhinefort and Detectives Harry Manson and Merle Unkle, special investigators assigned to the prosecutor's office by Police Chief Daniel Wolfe, in preparations for the trial.

The detectives spent all day Monday rounding up witnesses and taking them to the prosecutor's office, where they were interviewed by Mr. Rhinefort and Mr. Friberg.

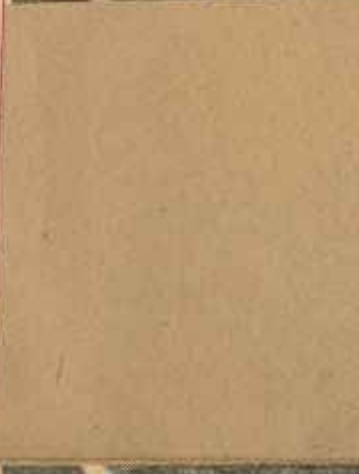
One of the highlights of the trial will be introduction of conversations overheard by detectives on the Sulkin telephone. Wires on the phone in Sulkin's home were tapped and the detectives listened in and recorded the conversations.

## State To Call 85

The state will call 85 witnesses in all. Seventy-five of the number testified in the Licavoli trial.

A number of the witnesses also testified in the trial of Joe (Wop) English. English was convicted of first degree murder without mercy and was sentenced to die. His sentence was commuted to life imprisonment by former Governor White.

Two other of the indicted men have been captured. One, Ralph Carsello, is in the County Jail awaiting trial. The other is John Rai, alleged trigger man in one of the killings. Rai is held in Buffalo, N. Y., and is fighting extradition into Ohio.



—Staff Photo by Clarence Bailey.

Jacob (Firetop) Sulkin, minus the fiery hair which gave him his nickname, is shown here in several poses as he appeared in court this morning at the opening of his trial.



"He swore at a lady and I punked him."



"Firetop," in foreground, as a newsboy.

# RHINEFORT SEEKS SULKIN'S HAIR DYER

Prosecutor To Ask Ex-Sheriff If Color Changed in Jail

FEB 1 1935

What happened to the hair that gave Jacob Sulkin the nickname of "Firetop?"

Assistant Prosecutor Joel Rhinefort, who says it has been dyed, is to begin soon a hunt for evidence to prove his charges to a jury which will try Sulkin for first degree murder Feb. 26.

Mr. Rhinefort has announced he will ask Dave Krieger, former sheriff, whether the alleged beauty operation took place in the jail. Lovers of good, clean in-fighting are looking forward to this meeting, since the assistant prosecutor and the sheriff tangled during the trial of Yonnie Licavoli, Sulkin's alleged chief.

It was Mr. Rhinefort's inference that Sulkin had tinted his hair which caused the discharge of the first partial jury selected to try the ex-Firetop this week.

Despite this rebuff, the assistant prosecutor declared today he is determined to get that same fact before the next jury in an effort to show that Sulkin wanted to confuse state's witnesses.

# Licavoli Mobster To Stay In Prison

Governor DiSalle refused to commute the life sentence of Jacob (Firetop) Sulkin, a mobster in the onetime Licavoli gang here.

The Ohio Pardon and Parole Commission, on a 3-to-2 vote, had recommended commutation of the sentence. Sulkin, sent up for first-degree murder, has served in honor status for 20 of the 25 years he has been confined to prison.

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The governor said he could not concur in the recommendation because Sulkin was part of "syndicated racketeering." The Licavoli gang was one of the first virtually to dominate a community. The gang's notorious heyday in Toledo was in the early 1930's.

Sulkin's original death sentence was commuted to life.

"It was a tough decision to make," Governor DiSalle said today. "Sulkin is now 70 years old. If it had been a case of isolated crime, a crime of passion, it would have been different."

Recalling that two years ago, he turned down a similar plea for the gang leader, Thomas (Yonnie) Licavoli, the governor added:

"The Licavoli mob was one of the first criminal syndicate groups. I felt, as did the commission minority, that his (Sulkin's) release would be a symbol of encouragement to those criminal groups who practically take over a town."

# SECOND TRIAL WILL BE ASKED FOR 'FIRETOP'

3-22-35  
Fixer for Licavoli Gang Hears  
Verdict With Calm; Wife  
and Sister Faint

Jacob (Firetop) Sulkin stood before Judge John M. McCabe today and heard himself sentenced to die in the electric chair July 5. Actually, the execution, if ever it takes place, will not occur on that date. Appeals to be carried through the higher courts will consume many months.

By BEN MENDOZA.  
Jacob (Firetop) Sulkin, in the shadow of the electric chair, began a new fight for his life today.

After only two hours and 40 minutes of deliberation, a jury in Judge John McCabe's Common Pleas Court condemned the dapper little "fixer" of the crushed Licavoli gang to die for conspiracy in four Toledo gang murders.

The verdict of guilty without mercy was returned last night.

Today "Firetop," who took it on the chin with a grin, reiterated: "I can take it. I can die. I'm a fatalist. . . the only trouble is my family isn't."

At the same time, attorneys for Sulkin were poring over voluminous records for the four-week trial, seeking error.

"Our fight has just begun," declared the attorneys, Cornell Schreiber and Pahl Ragan.

### Carsello's Trial Next.

Prosecutor Frazier Reams, relentless foe of the Licavoli gang, announced that Ralph Carsello, one of the alleged trigger men of the gang, will be the next one placed on trial. Thirteen were indicted and two already are serving life sentences in Ohio Penitentiary. They are Yonnie Licavoli and Joe (Wop) English.

Regarding the Sulkin verdict, the prosecutor said:

"The law-abiding people of Lucas County, as represented by this jury, again have decided that gangsters have no place here. This verdict must be recognized as a triumph of law and order and decency over criminal and gangster rule."

From all that could be learned of jurors reluctant to discuss proceedings in the jury room, this jury believed it was the last defense against gang control.

### Might Regain Freedom.

That was one of the factors that prompted the jury to bring in the death verdict for "Firetop," red-headed man-about-town, and familiar to hundreds of Toledoans in stations high and low.

Of the many other factors that entered into the jury's discussions, it was learned, the following stood out.

A belief if "Firetop" and his former gang chief, Yonnie Licavoli, were united in the Ohio Penitentiary by a life term for Sulkin, they might plan a way to freedom.

The jury believed that if Sulkin received a recommendation for mercy he might gain his freedom in four or five years.

That the judges of the Court of

Please Turn to Page 5, Column 1.

## 3-22-35 "Firetop," Doomed Fixer for Licavoli Gang, Takes Verdict Calmly

Continued From Page 1.

Appeals might be influenced by a lesser verdict in granting Licavoli a new trial. His appeal is pending.

That the state presented an open and shut case.

### Say Stein's Story Holds.

That the defense failed to break down Sam Stein's story that he sold one of the guns that killed Jack Kennedy to Sulkin, Kennedy's murder is one of the four charged to "Firetop."

As soon as the jurors retired to their room at 4:32 p. m., they took a ballot on the indictment alone. All 12, four of them women, voted guilty.

After that it was only a question of granting or refusing mercy.

Two ballots were taken before the jury left for dinner shortly after 6 p. m.

On the first ballot, seven voted for the chair, five for mercy. On

## The Jury

Here is the jury which condemned Jacob Sulkin to death in the electric chair:

Stanley J. Colby, foreman, 1039 Baker Street; James M. Cosgrove, 909 Woodward Avenue; Miss Elizabeth Cranker, 704 Prouty Avenue; B. A. Devere Bailey, 2352 Monroe Street; Mrs. Winifred G. Bowman, Sylvania, O.; John C. Sullivan, 490 Parker Avenue; Mrs. Edith Bender, Sylvania, O.; Gottlieb Grau, 1945 Michigan Street; Mrs. Marjorie A. Wood, 588 Prouty Avenue; Louis W. Thieman, 857 McKinley Avenue; Mrs. Vernill Mercer, 2039 Sherwood Road; Antime J. Marleau, 2132 Maplewood Avenue.

The thirteenth juror, who was excused when deliberations began, was Ben Long, 137 Lakeshore Avenue.

the second ballot, nine wanted to send "Firetop" to his death, three voted to give him mercy.

### Jurors' Return Ends Levity.

Three ballots were cast after the jury returned from dinner. The last was cast at 8:40 p. m. It doomed Sulkin to die. On the third ballot cast, the second one after dinner at the Elks' Club, the vote was 10 to two in favor of the chair; the fourth, 11 to one for death.

The first rap on the jury room door summoned Bailiff Edward Newmark. There had been levity in the court room until the knock came. A small group awaited the jury's decision. In the group were attorneys for the state and defense and some of their wives, friends of court attaches and others—a small crowd in contrast to the throng that had heard the final pleas of attorneys in the afternoon.

### Sulkin Steels Himself.

The jurors gathered in the box. "Firetop," pacing the County Jail corridors, awaited their verdict. His presence was necessary before it could be given. A phone call

brought him to the courtroom, handcuffed to a deputy.

He appeared to steel himself as he walked in. He took a seat at the defense table between Mr. Schreiber and Mr. Ragan. They seemed to sense the worst. So did "Firetop."

Judge McCabe asked:

"Ladies and gentlemen of the jury, have you reached a verdict in the case of the state against Jacob

Sulkin?"

The foreman, Stanley J. Colby, arose and said quietly, "Yes, your honor, we have."

"Firetop" stared straight ahead. Mr. Schreiber leaned over, his face close to Sulkin's. He said something to him.

The judge read the verdict handed to him by the bailiff. It was "Guilty as charged." It carried no recommendation for mercy.

Sulkin tried to smile.

The judge polled the jury. One by one the jurors arose and said, "Yes, your honor," as Judge McCabe asked each one if that was his or her verdict.

The jurors were calm, unruffled. All of the women had held out from the beginning for the chair. Five of the men had fought feebly for mercy.

Two newspaper photographers took flashlight pictures of "Firetop." One flash bulb shattered, fragments tinkling on the floor.

### Smiles for Camera Men.

"Firetop," ever courteous to newspaper men, because, he said, he "was a newspaper man once" (he sold them), smiled in the face of death . . . a forced little smile . . . a pathetic smile.

A woman screamed in the corridor outside the courtroom. The spectators, eager for a thrill, dashed into the corridor.

It wasn't a relative of "Firetop" who screamed. It was a charwoman, cleaning up a courtroom, calling to another.

But "Firetop's" relatives were not in the courtroom. They were in the County Jail—his wife, his three sisters, his aunt, ever present until the final act in the courtroom.

### Sister Faints in Jail.

His sister Rose fainted twice. The second time she fell on her face on the tile floor outside the big new armored door opening into the jail office. Dr. Edouard Lyon, jail physician, revived her. He had testified in "Firetop's" trial that "Firetop" is an invalid who can't exert himself physically without injuring himself.

By this time Judge McCabe had thanked the jurors, Mr. Schreiber had announced the defendant would file a motion for a new trial and "Firetop" had been returned to his cell block.

"Firetop," "Sly Fox," "Brains of the Licavoli gang."

All those things the state had called him. Now he was only "Firetop" separated from a prostrate sister by two steel doors. He didn't know a sister had fainted, but his wife was weeping audibly. She had fainted once in his cell, once in the

corridor where Rose collapsed.

"I don't care for myself," Sulkin had said. "I can take it. I've taken a lot of raps in my life. I don't care about dying if I have to. It's my family I'm thinking about . . . the girl I married . . . my sisters."

Then "Firetop" had laughed and gone into the pop bottle incident brought out in his trial. Once, when he was a kid, he had hit an umpire with a pop bottle.

"I still say that umpire had made a lot of bum decisions."

"Firetop" laughed characteristically out of the corner of his mouth. How the jury reasoned in deliberations can be gathered from typical observations of the jurors after the verdict was announced.

"He was too cocky on the witness stand," one juror said.

"We believed the testimony of Robert Schwaite and Harry Craig that they saw John Mirabella and English shoot Kennedy to death."

"We believe the gang killed Abe Lubitsky and Norman Blatt."

"We believe the gang killed Louise Bell."

"We believe, as Prosecutor Reams said, that 'Firetop's' tracks led to all members of the gang."

"We believe that the gun story was the most convincing evidence."

### "We Have Done Our Duty."

"We feel that we have done our duty as citizens in sending Sulkin to the electric chair. We would have spared his life if we could have been assured he would have to spend his life in prison if we sent him there for life instead of condemning him to death. But he might fix down there, too. Some of us are mothers and fathers. We must think of the future of our children."

"We can't understand why we were asked to show Sulkin any sympathy."

Prosecutors, in their closing argument, made no stirring appeal for the death penalty, a fact which added to the unexpectedness of the verdict. Mr. Reams, in closing, expressed confidence that the jury would find Sulkin guilty as charged in the indictment and declared that because of his role as "brains" of the gang he merited more severe punishment than the actual trigger men.

### "Chair" Not Mentioned.

Joel Rhinefort, assistant prosecutor, had also asked the extreme penalty, but his plea was accompanied with no flight of oratory. Similarly, Assistant Prosecutor Harry Friberg asked the jury to extend the same mercy to Sulkin that the gang had shown its victims. In

none of the state's arguments were the words "electric chair" mentioned.

Mr. Schreiber, in closing for the defense, attacked the circumstantial nature of the state's evidence and analyzed each of the incidents testified to as pointing no finger of guilt at Sulkin.

"By your verdict," he told the

jury, "I am confident you will say that this defendant, by being kept 16 months in jail has paid for all his transgressions."

Sulkin's character and acts as a charitable man had proved him not a killer, Mr. Ragan had said in his summation Wednesday, likening him to the "Great Man of Gallilee who went about doing good."

The final argument was completed by Mr. Reams at 3:20 p. m., and after a brief recess Judge McCabe instructed the jury in the law applicable to the case. At 4:32 p. m. the jury took up its deliberations.

The trial ended in its fourth week and marked the close of the state's third prosecution growing out of the four gang murders. Yonnie Licavoli, former gang leader, is serving a life term on the conspiracy charge and Joe (Wop) English is serving life as the trigger man in the Kennedy slaying. English was sentenced to death, but the sentence was commuted by former Gov. George White.

### Two Others Await Trial.

Two other Licavoli gangsters, John Rai and Carsello, are held in County Jail awaiting trial, while the remainder of the 13 indicted are still at large.

The state marshaled its evidence against Sulkin with the aid of 81 witnesses, including four in rebuttal. Defense attorneys called 29 witnesses, resting their case after a dramatic five-hour appearance of "Firetop" himself on the stand.

The state painted Sulkin as a leader of the gang from the time Yonnie Licavoli came to Toledo in the summer of 1931 until investigation of the Kennedy murder, which occurred July 7, 1933, scattered the gang.

Sulkin was associated with the gang's first two retail liquor outlets—the Golden Rose Supper Club in Point Place and the Show Boat, Superior Street night club, the state showed. A few weeks after police squads visited these places, Abe Lubitsky was murdered at Franklin Avenue and Bancroft Street, Oct. 7, 1933. Norman Blatt, his companion, was mortally wounded. Lubitsky

was supposed to have been a police informer.

Witnesses linked Sulkin with many Licavoli enterprises, branding him as the gang's "fix man" who had friends in high places.

### Stein Was State Ace.

The gang's career of extortion and bootleg wars led to enmity with the rival bootlegger, Kennedy, and the accidental murder of Louise Bell, his sweetheart, at Jackson and Superior Streets in November, 1932.

The high point of the state's case came when Sam Stein testified Stein, a former pawnbroker's clerk, said he sold a pistol used in the Kennedy murder to Sulkin for \$17.50. Under cross-examination he declared he named "Firetop" after a 10-hour third degree session with the "Clark brothers," two Detroit detectives who assisted Prosecutor Reams in investigation of the case Stein had been held in jail 61 days under a first degree murder charge before he made a statement that Sulkin received the gun.

When "Firetop" testified, he denied emphatically that he ever had anything to do with the killing of anybody. He shouted that he never got a gun from Stein, and declared that he had known him only casually. His only role at the Golden Rose and the Show Boat, he said, was as operator of the gambling rooms. Licavoli and other members of the gang he had been seen with were only friends, he declared.

Defiant under cross-examination, he maintained his denials in sharp exchanges with Mr. Rhinefort.

The defense produced a number of character witnesses and members of Sulkin's family established alibis for him and described his frail physical condition, citing two operations he underwent in 1931.

# Sulkin Verdict Is Third Gang Victory for Reams

Prosecutor Faces Eight More Trials To Bring All Licavoli Aids to Justice

3-22-35  
The death verdict returned against Jacob Sulkin marked conviction number three in as many trials in Prosecutor Reams' war on gang killers. Ten indicted persons, eight of whom are still at large, remain to be tried. Chronology:

- Oct. 6, 1931: Abe Lubitsky and Norman Blatt murdered.
- Nov. 30, 1932: Miss Louise Bell murdered.
- July 7, 1933: Jack Kennedy murdered.
- Aug. 8, 1933: Sulkin surrenders.
- Nov. 18, 1933: Joe (Wop) English gets death verdict (later commuted to life imprisonment).
- Nov. 8, 1934: Yonnie Licavoli gets life imprisonment.
- Jan. 29, 1935: Sulkin trial opens, but jury panel is dismissed next day and new date set.
- Feb. 26, 1935: Trial opens.
- March 21, 1935: Death verdict returned.

# SULKIN DECISION DUE WITHIN WEEK

## Ohio Supreme Court To Rule in Motion for Bail

Whether Judge Roy R. Stuart may hear a motion to release Jacob (Firetop) Sulkin on bond from the county jail where he is held on a first degree murder charge, will be determined by the Ohio Supreme court, probably within a week.

Prosecutor Frazier Reams yesterday presented to the high court arguments in support of his request for a writ of prohibition to prevent Judge Stuart's hearing the motion. Attorneys Jack Hackett and Harry Levy, representing Sulkin, opposed granting the writ.

The Supreme court has decided on three previous occasions that persons charged with first degree murder are not eligible to bond. Sulkin is charged with the Jack Kennedy murder.

Prosecutor Reams also presented to the Supreme court a petition of exceptions to the ruling of Judge James Martin which dismissed the case of Stacey L. McNary, president of the defunct Security Home Trust Co., on a demurrer.

# NET FOR MURDER SUSPECTS CLOSING

## Preparations for Trial of Sulkin Made by Reams

While the net spread by police officials and detectives throughout Ohio and nearby states, gives promise of closing in soon upon Russell Syracuse and John Mirabella, charged with the first degree murder of Jack Kennedy, preparations for the trial of Jacob (Firetop) Sulkin, indicted on the same charge, are being made by Prosecutor Frazier Reams.

The physical collapse of Joe (Wop) English, Saturday, after he was convicted of Kennedy's murder, and his subsequent interview with Mr. Reams, appeared to strengthen the prosecutor's hand. Although members of the prosecutor's staff refused to discuss what took place between English and Mr. Reams in the jail interview, it has been intimated that the convicted man told a great deal. It is believed likely that the state will make use of English in the trial of Sulkin, the date of which has not yet been fixed.

A motion for a new trial for English was filed yesterday by his attorneys, A. J. Bianchi, Akron, and DeWitt Fisher. It lists 12 assignments of error.

# 'FIRETOP' WINS FIGHT FOR BAIL COURT HEARING

## Ohio Supreme Bench Decides Judge Must Listen to Evidence in Case

Jacob (Firetop) Sulkin, charged with the first degree murder of Jack Kennedy, bootlegger, in Point Place, July 7, won a round in his fight to be released on bond from the Lucas county jail Wednesday in a decision of the supreme court of Ohio at Columbus.

Sulkin's attorneys were blocked in an effort to have bond hearing before Judge Roy R. Stuart when Prosecutor Reams asked a writ of the supreme court prohibiting Stuart from hearing the application for bond.

The supreme court in its ruling Wednesday decided that a common pleas court has the jurisdiction to hear and determine, before trial on the merits, the application of a person charged with first degree murder to be admitted to bail. The court was unanimous in its decision.

**Judge To Set Date.**  
The contention of many legal authorities has been that the court can only say "yes" or "no" when bail is asked for a person charged with first degree murder and can not hear evidence to help it determine whether to fix bond or not.

Judge Stuart when informed the supreme court ruling said he would set a date for a hearing at which attorneys for Sulkin will be permitted to present evidence to show why he should be admitted to bond.

**In Jail Several Months.**  
Firetop has been in the county jail since a few weeks after the slaying. The state contends that he purchased one of the guns used in the slaying from a pawnbroker's clerk.

No date has been set for trial of Sulkin.

Joe (Wop) English, who also was charged with first-degree murder in the Kennedy killing, has been convicted and faces death in the electric chair. He now is seeking a new trial.

Prosecutor Reams was in Columbus Wednesday to appear before the supreme court in its hearing of this case and a petition in error filed on behalf of Frank Vacchiano, convicted murderer of John J. McLaughlin, Park Lane hotel night clerk, March 29. Vacchiano is awaiting electrocution.

# FIRETOP WINS IN HIGH COURT

## Release Decision Placed in Hands of Common Pleas Judge.

The Ohio supreme court today opened a route of action to Jacob (Firetop) Sulkin in his quest for freedom under bond following his indictment on the charge of first degree murder in connection with the gang slaying of Jack Kennedy July 7 in Point Place.

Sulkin, who has been held in the Lucas county jail since his indictment, has sought admittance to bail, and has been opposed by Prosecutor Frazier Reams.

The supreme court set a legal precedent with a ruling that a common pleas court has jurisdiction to hear applications for admittance to bail in first degree murder cases before trial.

The court's opinion, written by Judge Howard L. Bevis and concurred in by all members, interpreted a constitutional clause which states that all persons shall be available by the pledging of sufficient sureties except when proof

**Stand Reversed**  
Two previous supreme court rulings with regard to bail in first degree murder cases have taken the opposite stand, denying jurisdiction to hear.

When Sulkin's attorneys sought to present evidence in behalf of his application for bond, Prosecutor Reams protested and appealed to the supreme court.

Although the supreme court's ruling largely favored Sulkin, a clause in favor of the prosecution was entered when the court said that upon the institution of the hearing for admittance to bail, the prosecution may rest immediately upon a presumption of the guilt contained in the indictment, and need offer no evidence unless it chooses to do so.

**Conference Planned**  
Prosecutor Reams had objected that the prosecution's case would be weakened if it were obliged to reveal its evidence. The defense in the hearing will be obliged to offer evidence to support its contention that proof of guilt is not evident, nor presumption great.

The common pleas court of Lucas county must set a date for the hearing.

Common Pleas Judge Roy R. Stuart, when informed of the supreme court's decision, announced that he will confer with Prosecutor Reams and defense counsel before setting a date for the hearing.

**'FIRETOP' WINS HEARING ON BAIL**  
Ohio Supreme Bench Decides in Favor of Defendant in Kennedy Murder  
Jacob (Firetop) Sulkin, charged with the first degree murder of Jack Kennedy, bootlegger, in Point Place, July 7, won a round in his fight to be released on bond from the Lucas county jail Wednesday in a decision of the supreme court of Ohio at Columbus.

On the merits, the applicant person charged with first degree murder to be admitted to bail.

Judge Stuart when informed of the supreme court ruling said he would set a date for a hearing at which attorneys for Sulkin will be permitted to present evidence to show why he should be admitted to bond.

Firetop has been in the county jail since a few weeks after the slaying. The state contends that he purchased one of the guns used in the slaying from a pawnbroker's clerk.

Joe (Wop) English, who also was charged with first-degree murder in the Kennedy killing, has been convicted and faces death in the electric chair. He now is seeking a new trial.

# SULKIN IS VICTOR IN SUPREME COURT

## Judge Allowed To Hear Plea for Release From Jail

Jacob (Firetop) Sulkin, indicted on a charge of first degree murder arising from the shooting of Jack Kennedy last July 7, may win his release from jail on bond, as a result of a state supreme court decision returned yesterday.

The brief opinion, written by Judge Howard L. Bevis, denied the request of Prosecutor Frazier Reams for a writ of prohibition preventing Judge Roy R. Stuart from hearing a motion asking Sulkin's release.

Prosecutor Reams fought the hearing on the motion on the grounds that the state's case will be weakened if it is forced to reveal any of its evidence in preliminary hearings.

The state supreme court had previously ruled on two occasions that those indicted on first degree murder charges are not eligible to bond.

No date for the hearing has been set.

# Sulkin's Hearing May Be Monday

Judge Roy R. Stuart will hear, probably Monday, the motion of Jacob (Firetop) Sulkin asking for his release on bond from the county jail where he is held on a charge of first degree murder in the killing of Jack Kennedy.

Judge Stuart will hold court only briefly tomorrow, when he is to sell papers with the Old Newsboys.

# SULKIN WILL GO ON TRIAL JAN. 15

**Bail Motion Is Scheduled for Hearing Dec. 28; Stahl on Bench**  
Jacob (Firetop) Sulkin, who has been held in the county jail several months on a first degree murder indictment charging him with the slaying of Jack Kennedy, in Point Place, July 7, will go to trial before Judge Scott Stahl Jan. 15, Judge Roy R. Stuart announced yesterday.

Judge Stahl will have the criminal docket during the new term of court, which opens Jan. 8.

A venire from which the Sulkin jury will be selected will be drawn today, Judge Stuart asserted.

In a conference yesterday between Judge Stuart, Prosecutor Frazier Reams and defense attorneys Jack Hackett and Harry Levy, the date for the hearing on the motion to admit Sulkin to bail was set at Dec. 28.

# SULKIN TRIAL SET FOR JAN. 15

## Judge Scott Stahl Will Pre- side Over "Firetop" Case

Jacob (Firetop) Sulkin will be tried Jan. 15 for the murder of Jack Kennedy, bootlegger, July 9 in Point Place.

The trial date was fixed late Tuesday by Common Pleas Judge Roy Stuart following a conference with Prosecutor Frazier Reams and Sulkin's attorneys, John W. Hackett and Harry Levy.

The Firetop also will spend Christmas in county jail where he has been held, despite efforts of his attorneys to have him admitted to bail, since his arrest several months ago.

Hearing of Sulkin's motion to be permitted to make bond was set for Dec. 28 by Judge Stuart. The motion was filed by his attorneys Sept. 29. Judge Stuart will hear the motion, but the trial will be before Judge Scott Stahl who will have the criminal docket during the January term of court.

Simultaneously, the motion for a new trial filed by attorneys for Joe (Wop) English, awaiting sentence for the Kennedy murder, was set for hearing Dec. 27.

Three additional affidavits attacking the English motion were filed by Prosecutor Frazier Reams late Tuesday. They were signed by Charles Deegan, Ben Mendoza, News-Bee reporter, and by Prosecutor Reams and Assistant Prosecutors Joel Rhinesfort and Arnold Bunge.

Sulkin was indicted for murder Aug. 10, after Sam Stein, pawnbroker's clerk, had told the grand jury he sold one of the murder guns to Sulkin—a charge which Sulkin has denied. The Firetop pleaded not guilty to the first degree murder charge of the indictment last Sept. 8.

# SULKIN TRIAL DATE IS SET FOR JAN. 15

## Judge Stahl Will Preside Over Jack Kennedy Murder Case Sessions.

Jacob (Firetop) Sulkin will go on trial for his life for the murder of Jack Kennedy, Toledo bootlegger, Jan. 15, before a jury in Judge Scott Stahl's common pleas court.

This decision was reached yesterday in a conference of Judge Roy R. Stuart and Judge Stahl who takes over the criminal docket in the January term. Judge Stuart supervised the drawing of the Sulkin jurors from the jury wheel today.

After a conference with Prosecutor Frazier Reams, and Sulkin's attorneys, John Hackett and Harry Levy, Judge Stuart announced that he will hear the application to free Sulkin on bail Dec. 28. Sulkin recently won a decision in the state supreme court which gives the common pleas court jurisdiction to determine if he is entitled to be freed on bond.

**Contends Evidence Is Faulty**  
Under the arrangement with the court defense council will rest its case on an affidavit signed by Sulkin which was presented to the court when the application was filed Sept. 29.

In this affidavit Sulkin contends that the only evidence the state has is that of Samuel Stein, former pawnbroker's clerk, who testified that he sold one of the murder weapons to the defendant.

This statement of Stein was obtained only after the clerk had named three other men before Sulkin and after he had been subjected to rough treatment at the hands of the Clarke brothers, Detroit investigators, following an all night session in the prosecutor's office, according to Sulkin.

**State May File Affidavit**  
The state will have until Friday to file affidavits it may deem necessary to hold Sulkin in jail. Under the supreme court's ruling the state does not have to produce any evidence except indictment, the return of which has the judicial notice of the court.

Mr. Reams, however, is expected to file the affidavit of Stein in addition to the indictment. It is not known if he will present any additional testimony.

The defense will have until Dec. 28 to file affidavits attracting the evidence of the state. Judge Stuart will hear arguments on the case the same day.

Sulkin was indicted on the first degree murder charge Aug. 10 after Stein named him as the man who purchased the murder weapon. He pleaded not guilty Sept. 8 and has been held in the county jail since.

It was reported that since there will be only two weeks between the time of the hearing of the bail application and the date for trial Prosecutor Reams will object to freeing Sulkin on bail.

Twelve of these jurors will try Sulkin: Ada M. Alvord, 517 Highland avenue; Fred E. Alexander, 215 Garland avenue; Mrs. Jennie M. Brown, 917 Forsythe street; Leona M. Bruns, 3819 Grantley road; Gertrude V. Bauserman, 611 Nicholas avenue; Melford O. Bradley, 526 New York avenue; Jacob L. Beam, 503 Sylvania avenue.

Anna R. Comte, 635 Collins street; Mrs. Julia Callihan, R. D. No. 5, Box 365, Millard avenue; Guy H. Clark, 872 Toronto avenue; Albert Calboun, 362 Avondale avenue; Curtis C. Claffin, 3542 Stickney avenue.

Grace E. Dickerson, 118 22nd street; Thelma Dorcas, R. D. No. 2, Waterville, Ohio; Dell Decker, R. D. No. 1, Colton, O.; Walter P. Doley, 6616 Maplewood avenue, Sylvania, O.; Harry B. Davis, 512 1/2 Galena street; Charles A. Fortress, 1510 Cone street; Edna E. Gilmore, 1940 Linwood avenue; Charles T. Grove, R. D. No. 3, Box 247, Adams township.

Margaret C. Halpin, 341 Eastern

avenue; Arthur C. Hertzsch, 2333 Westbrook drive; Ray Hollister, Sylvania, O.; Louis Holtz, 820 Woodland avenue; W. T. Huntsman, 2033 Summit street; Rowley G. Horen, 741 Brinton drive; James C. Hadden, 3010 Auburn avenue.

Mary H. Jones, 514 Paine avenue; Paul Jones, 1025 Coventry avenue, Adams township; Louis Jeudevine, 2506 Summit street; David L. Jones, 610 Brighton avenue; R. A. Kidney, 2707 Glenwood avenue; Charles L. Kleinhaus, Lucas county Children's home.

Emma McConaughy, 728 Coyne avenue; Ruth H. Miller, 3045 135th street; Gladys M. Milligan, 3928 Revere drive; Stanley J. Milek, 3318 Franklin avenue; Alfred Miller, Oregon Twp.; Patrick T. Martin, 3202 Maple street.

Paul Merker, 2744 Inwood drive; George C. Miller, 1839 Wayne street; Donald E. Morton, 3150 Colingwood avenue; J. T. Morris, 1051 Western avenue; Lida E. Osburn, 2509 Rosedale avenue.

Evelyn Palluch, 3310 Elmwood avenue; John Postlawait, Sr., 1295 Ontario street; Mertie F. Rakestraw, 2224 Lawrence avenue; Clifton J. Ream, 2043 Nevada street; William Rossler, 841 Kingston avenue; Edward N. Riddle, 3215 River road; Eva M. Slavin, 264 Knower street; Beatrice M. Schaefer, 2631 Gunckel boulevard.

Sylvester G. Stacklin, 1227 Superior street; Ernest C. Schatz, 812 Mulberry street; Martin F. Sears, 1438 Jermain drive; Fred M. Smith, 4211 Fairview drive; Walter Schooley, 561 N. Erie street; Austin E. Shaeby, 705 Thayer street; Lorenz J. Schenck, 457 S. Wheeling street; James T. Stewart, 1412 Beecham street.

George B. Schlegel, Holland, O.; Samuel Stout, Maumee; Pauline R. Trepinski, 220 Hausman street; Genevieve Valiquette, 237 Maryland avenue; Lena B. Vradenburg, 3531 Brookside road; Mrs. Ruth White, 1005 Woodside avenue; Irene E. Williams, 1411 Macomber street; Mrs. Mildred Williams, Maumee.

Vera E. Williams, 747 Kipling drive; Antoinette V. Williams 4236 Kingsbury avenue; William J. Wilmington, 729 Superior street; Roland Paul Williams, 1237 Frouty avenue; Crin H. Walters, 1437 Walbridge avenue; Mrs. Bertha L. Zink, 627 Forsythe avenue; Herbert M. Zeluff, 721 Grove place.

# SULKIN TRIAL VENIRE DRAWN

DEC 2 1933  
Prosecutor To File  
Briefs by Friday;  
Date Jan. 15

William F. Renz, county clerk of courts, yesterday drew from the jury wheel the venire from which will be selected the jury to try Jacob (Firetop) Sulkin on the charge of murdering Jack Kennedy in Point Place, July 7.

Trial has been set for Jan. 15 by Judge Roy Stuart and Judge Scott Stahl. Prosecutor Frazier Reams has been given until tomorrow to file affidavits setting forth his reasons for opposing the release of Sulkin on bond. The hearing on the defense motion will be held Dec. 28.

The venire drawn yesterday includes: Ada M. Alvord, 517 Highland avenue; Fred E. Alexander, 215 Garland avenue; Mrs. Jennie M. Brown, 917 Forsythe street; Leona M. Bruns, 3819 Grantley road; Gertrude V. Bauserman, 611 Nicholas avenue; Melford O. Bradley, 526 New York avenue; Jacob L. Beam, 803 Sylvania avenue.

**Names Listed**  
Anna R. Comte, 635 Collins street; Mrs. Julia Callihan, R. D. No. 5, Box 365, Millard avenue; Guy H. Clark, 872 Toronto avenue; Albert Calhoun, 362 Avondale avenue; Curtis C. Clafflin, 3542 Stickney avenue.

Grace E. Dickerson, 118 22nd street; Thelma Dorcas, R. D. No. 2, Waterville, Ohio; Dell Decker, R. D. No. 1, Colton, O.; Walter P. Doley, 6616 Maplewood avenue, Sylvania, O.; Harry B. Davis, 512 1/2 Galena street; Charles A. Fortress, 1610 Cone street; Edna E. Gilmore, 1940 Linwood avenue; Charles T. Grove, R. D. No. 3, Box 247, Adams township.

Margaret C. Halpin, 341 Eastern avenue; Arthur C. Hertzsch, 2333 Westbrook drive; Ray Hollister, Sylvania, O.; Louis Holtz, 820 Woodland avenue; W. T. Huntsman, 2033 Summit street; Rowley G. Horen, 241 Brighton drive; James C. Hauden, 3010 Auburn

Mary H. Jones, 514 Paine avenue; Paul Jones, 1025 Coventry avenue, Adams township; Louis Judevine, 2506 Summit street; David L. Jones, 610 Brighton avenue; R. A. Kidney, 2707 Glenwood avenue; Charles L. Kleinhaus, Lucas county Children's home.

Emma McConaughy, 728 Coyne avenue; Ruth H. Miller, 3045 135th street; Gladys M. Milligan, 3928 Revere drive; Stanley J. Milek, 3318 Franklin avenue; Alfred Miller, Oregon Twp.; Patrick T. Martin, 3202 Maple street.

Paul Merker, 2744 Inwood drive; George C. Miller, 1839 Wayne street; Donald E. Morton, 3150 Colingwood avenue; J. T. Morris, 1051 Western avenue; Lida E. Osburn, 2509 Rosedale avenue.

**Women Chosen**  
Evelyn Palluch, 1310 Elmwood avenue; John Postlewait, Sr., 1209 Ontario street; Mertie F. Rakestraw, 2224 Lawrence avenue; Clifton J. Ream, 2043 Nevada street; William Rossier, 841 Kingston avenue; Edward N. Riddle, 3215 River road; Eva M. Slavin, 284 Knower street; Beatrice M. Schaefer, 2631 Gunckel boulevard.

Sylvester G. Stacklin, 1227 Superior street; Ernest C. Schatz, 812 Mulberry street; Martin F. Sears, 1438 Jermain drive; Fred M. Smith, 4211 Fairview drive; Walter Schooley, 561 N. Erie street; Austin E. Sheehy, 705 Thayer street; Lorenz J. Schenck, 457 S. Wheeling street; James T. Stewart, 1412 Beecham street.

George B. Schlegel, Holland, O.; Samuel Stout, Maumee; Pauline R. Trepinski, 220 Hausman street; Genevieve Vallquette, 237 Maryland avenue; Lena B. Vradenburg, 3531 Brookside road; Mrs. Ruth White, 1005 Woodside avenue; Irene E. Williams, 1411 Macomber street; Mrs. Mildred Williams, Maumee.

Vera E. Williams, 747 Kipling drive; Antoinette V. Williams 4226 Kingsbury avenue; William J. Wilmington, 729 Superior street; Roland Paul Williams, 1237 Prouty avenue; Crin H. Walters, 1437 Walbridge avenue; Mrs. Bertha L. Zink, 627 Forsythe avenue; Herbert M. Zeluff, 721 Grove place.

## Sulkin Bond Plea Is Set for Friday

The hearing before Common Pleas Judge Roy R. Stuart on Jacob (Firetop) Sulkin's application for admission to bond in the first degree murder of Jack Kennedy has been postponed from Thursday to Friday.

Assistant Prosecutors Arnold Bunge and Joel Rhinefort will be in Columbus Thursday for a state parole board hearing in the case of Frank Vacchiano, under sentence of death for the murder of John J. McLaughlin, Park Lane hotel night clerk.

Attorney Dan McCullough, Vacchiano's counsel, had prepared to carry his client's appeal to the United States supreme court, but now plans to accept the parole board's decision on a plea for clemency as final.

## SULKIN BAIL HEARING IS SET FOR FRIDAY

Motion Argument Postponed One Day; Held in Kennedy Case.

Hearing on a motion to admit Jacob (Firetop) Sulkin to bail, originally scheduled for Thursday, has been postponed until Friday to permit Assistant Prosecutors Joel Rhinefort and Arnold Bunge to attend the Columbus hearing of the state board of pardons and paroles, on a clemency plea for Frank Vacchiano.

Sulkin is held in county jail without bond under a first-degree murder indictment in the killing of Jack Kennedy. Vacchiano is awaiting execution Friday for the slaying of John J. McLaughlin, Park Lane hotel night clerk.

## SULKIN HEARING SET TOMORROW

Delay Is Granted So Prosecutor, Assistants May Attend Parole Meeting

To permit Prosecutor Frazier Reams and his assistants Joel Rhinefort and Arnold Bunge, to attend the hearing of the state parole board in Columbus today, Judge Roy R. Stuart has postponed the hearing on the plea of Jacob (Firetop) Sulkin for bond until tomorrow.

The Sulkin motion, hearing on which was originally set for today, is supported by Attorneys

Harry Levy and Jack Hackett. His trial on a first degree murder charge arising from the slaying of Jack Kennedy in Point Place, July 7, is set for Jan. 15.

The parole board tomorrow will decide the fate of Frank Vacchiano, convicted of the first degree murder of John J. McLaughlin, Park Lane hotel clerk, here, March 28. Vacchiano is scheduled to die in the electric chair tomorrow.

## SULKIN PLEA FOR FREEDOM IS STUDIED

Effort to Establish Bond in First Degree Murder Charge Is Begun for Firetop.

SAYS MAN'S WORD IS SOLE EVIDENCE

Rhinefort Declares Flight From City Reveals Guilt in Kennedy Slaying.

A motion to have bond established for the release of Jacob (Firetop) Sulkin from the county jail where he is being held under first degree murder indictment for the gangster killing of Jackie Kennedy in Point Place, July 7, was taken under advisement by Judge Roy R. Stuart in common pleas court today.

The judge said that he wished to study citations of law quoted by the attorneys and may reach his decision late today.

**Argues for Bail**

Attorney John Hackett, arguing in behalf of a motion to have bail fixed, asserted that the only question before the court was whether the proof in support of the indictment is evident or the presumption great. If this is not so, he contended, Sulkin is entitled to release on bond.

A statement by Sam Stein, former pawnbroker's clerk, is all of the evidence the state has, Mr. Hackett said.

Stein, who admitted that he sold to Sulkin one of the guns used in the Kennedy murder, does not say that Sulkin committed the murder or was present at the scene of the crime or conspired with others to commit the crime.

**Indictment Nulled**

Stein's own admission makes him just as guilty as Sulkin, the attorney contended. Records in the prosecutor's office will show that on the day after Stein made his statement a first degree murder indictment against him was nulled, Mr. Hackett stated.

Joel S. Rhinefort, assistant prosecutor, said an affidavit by Sulkin showed that he does not know what went before the grand jury which indicted him and does not know what evidence was considered be-

fore the indictment was returned. The prisoner cannot come into court and say "I am not guilty" and remove an assumption raised by the indictment, the prosecutor asserted.

Sulkin, he contended, should be treated the same as any other person charged with first degree murder and his flight from the city after the killing was evidence of guilt.

**Says He Did Not Flee**

Harry Levy, defense counsel, said that Sulkin did not flee from the city and gave himself up voluntarily when he knew that the state wanted him. His absence from the city, the attorney stated, could be explained easily.

There was general information in downtown streets, Mr. Levy said, that the "Clark brothers," investigators for the prosecutor, had beaten Stein. The pawnbroker's clerk had been kept in the prosecutor's office all night, he asserted, and finally called for a department of justice man of Detroit, informing this official that he was being beaten.

**Could Do Nothing**

"I can't do anything about it," the attorney quoted the government official as saying.

Then, Mr. Levy said, Stein called for help and his attorney, Harold Green, entered the prosecutor's office. Mr. Green was told to get out or he would receive the same treatment, Mr. Levy charged.

When Sulkin surrendered, Mr. Levy said, he was slugged by the "Clark brothers."

Sulkin was present at the hearing.

## SULKIN WAITS ANOTHER WEEK

Judge Delays Ruling on Motion To Get Out of Jail

Judge Roy R. Stuart probably will not decide until next week whether Jacob (Firetop) Sulkin, charged with the murder of Jack Kennedy, should be released from the county jail on bond. Sulkin's trial is set for Jan. 15.

Attorneys Jack Hackett and Harry Levy represented Sulkin at the hearing yesterday on the motion for release on bond.

They pointed out that the state has no evidence against Sulkin to connect him with the crime, other than the testimony of Samuel Stein, pawn shop clerk, who confessed that he sold one of the murder guns to Sulkin several weeks before the shooting.

The defense attorneys pointed out that Stein had involved two other men before he named Sulkin. They claimed further, that Stein's confession was gained by using third degree methods.

Assistant Prosecutor Joel Rhinefort pointed out that Sulkin's denial of guilt is not sufficient reason for considering him innocent.

Judge Stuart also said yesterday that he will need additional time to consider the motion of attorneys for Joe (Wop) English, who are seeking a retrial. English was convicted of the Kennedy murder.

## COURT TO RULE TODAY ON SULKIN BAIL MOVE

Judge Stuart To Decide On Murder Charge Bail Motion.

Common Pleas Judge Roy Stuart was expected to rule Saturday on the question of admitting Jacob (Firetop) Sulkin to bail and of granting a new trial for Joe (Wop) English.

English has been convicted and Sulkin indicted for first degree murder in the killing of Jack Kennedy, bootlegger, July 7 in Point Place.

Motion for a new trial for English, sought by his attorneys on the grounds of newly-discovered evidence, was argued Wednesday and the motion to admit Sulkin to bail was heard Friday.

## Sulkin Bail Plea Is Being Studied

A ruling on whether Jacob (Firetop) Sulkin, indicted for the first degree murder of Jackie Kennedy, Toledo bootlegger, is to be admitted to bail will be made next week by Judge Roy R. Stuart.

The judge spent Friday afternoon checking citations offered by Attorney John Hackett and Harry Levy, counsel for Sulkin, and by Joel T. Rhinefort, assistant county prosecutor.

Judge Stuart also will rule next week on the motion for a new trial for Joseph (Wop) English, convicted recently of the first degree murder of Kennedy. If the court overrules the motion he must sentence English to die in the electric chair.

# JUDGE TO CONFER WITH REAMS, SET EXECUTION DATE

Attorneys for Licavoli Aid Not in Court for Decision; 'Firetop' Expected To Post

\$20,000 Bond

Joe (Wop) English, convicted of the murder of Jack Kennedy, July 7, last, at Point Place was refused a new trial and Jacob (Firetop) Sulkin, indicted for first degree murder in connection with the same slaying, was admitted to \$10,000 bail in two rulings Tuesday by Common Pleas Judge Roy Stuart.

The English decision means that the convicted Licavoli henchman within a few days will be sentenced to death in the electric chair for the murder of Kennedy.

Attorneys for English sought a new trial on the grounds the prosecutor's office had suppressed evidence and intimidated witnesses. Hearings on the new trial motion were completed Wednesday. Both the defense and the prosecution filed numerous affidavits supporting and opposing the motion for a rehearing of "Wop's" case. In the trial that resulted in English's conviction, the gangster was identified as one of the slayers by two witnesses.

**Sulkin To Make Bond.**

Judge Stuart said he would set a date for sentencing English after conferring with Prosecutor Reams, who is expected back Wednesday from his New Year holiday trip. Neither DeWitt Fisher nor A. J. Bianci, attorneys for English, were in court when Judge Stuart announced his ruling.

"Firetop" Sulkin, who has been in the county jail since Aug. 9, expects to post a \$20,000 property bond some time Tuesday thru Attorney Harry Levy, co-counsel with Attorney Jack Hackett for Sulkin. A \$20,000 property bond is equivalent to a \$10,000 cash bond.

Sulkin's trial date already has been set for Jan. 15 in Judge Scott Stahl's court. Judge Stuart gave no opinion in either decision.

**Judge's Statement.**

In commenting on the Sulkin case, Judge Stuart said:

"To refuse Sulkin bail would be to nullify the Constitution provision which guarantees every man a right to be released on bond and a recent ruling of the supreme court which holds that common pleas court has jurisdiction to fix bail in all criminal cases.

"If Sulkin, in view of his conduct so far, the fact that he is widely known here and has lived here all his life, and in view of the evidence apparent against him, is not eligible to bond, I cannot conceive of any first degree murder case in which the defendant is eligible to bond."

# EX-PAWN SHOP CLERK SAYS HE SOLD ONE OF DEATH GUNS TO SULKIN

## Deposition Called Life Assurance by Defense Attorney; 'Firetop' Pleads Not Guilty

Sam Stein, 26, of 120 West Bancroft street, former clerk in the pawnshop at 822 Monroe street, late yesterday walked out of the courthouse a free man, the first degree murder indictment against him nolle prossed.

Stein was released with the consent of the prosecutor's office by Judge John M. McCabe after he had made depositions that he sold one of the guns used in the Jack Kennedy murder to Jacob (Firetop) Sulkin for \$17.50.

He was ordered released on \$5,000 bond as a material witness in the first degree murder case of Sulkin. Surety qualifications were waived and, at the request of Assistant Prosecutor Arnold Bunge, Detective Walter Bielefeldt was assigned to serve as Stein's guard until after the Sulkin trial. Neither Stein nor his attorneys, John Cochrane and Harry Green, requested the guard.

**Best Life Insurance**  
"That deposition is the best life insurance Stein could have," Mr. Cochrane explained. Stein asserted that he expects to leave the state, but will be available whenever he is needed as a witness.

Previously, Stein had said that he loaned the gun to Sulkin in return for an advance of five dollars which he wished to place on a horse race.

Asked by Mr. Bunge why he had told a different story at the first examination, Stein said "Firetop is too popular with the toughs around this town." Asked if the story he told yesterday is the truth, Stein replied, "Yes, this story is true."

**Pleads Not Guilty**  
Before the deposition was taken, Attorney Harry Levy brought Sulkin before Judge McCabe, where he entered a not guilty plea to the first degree murder charge. Sulkin's brother, Chertax (Sholeky) Sulkin, was also present in the court room, awaiting arraignment on a charge of pocket picking. He too pleaded not guilty. Sulkin asked that he be tried as soon as possible.

Against his will, Sulkin was ordered to be present at the taking of the deposition from Stein. Much legal wrangling was put through before Mr. Bunge pointed out that since the judge had ordered Sulkin brought to the place where the deposition was to be taken, he obviously had intended the indicted man to remain for the proceedings.

After Stein had been questioned at length by Mr. Bunge and Joel Rhinefort, Sulkin was given an opportunity to cross-examine him, but declined the opportunity.

Stein identified the murder gun positively. The serial number of the Colt revolver, 541,282, was found to be engraved on the inside of the handle, although the number on the frame of the gun had been obliterated by filing.

The number was the same as that which Stein had recorded March 17, 1933, on the identification card kept in the pawn shop for police inspection.

The former pawn clerk, when questioned by Mr. Levy, asserted that even without the numbers inside the handle he would be reasonably sure the gun in the prosecutor's possession is the same as the one which he sold to "Firetop."

**Mother Present**  
Stein testified that he waited until the gun had been in the shop 30 days, and when it was not redeemed then, he determined to sell it. Meeting "Firetop" on a downtown street, he told him he had a good revolver for sale. Sulkin came to inspect the gun and paid \$17.50 for it. The date of the transaction was some time between April 17 and May 17, when Stein left the employ of the Monroe Merchandise & Loan Co., he testified.

Mr. Levy, in his cross examination of Stein, tried to make it appear that Stein had been forced into making a confession involving "Firetop."

The attorney asked insistently whether it was not true that the "Clarke brothers," special investigators working out of the office of Prosecutor Harry Toy, Detroit, had so harassed him that he involved "Firetop" to gain rest from the ordeal.

**Stein Kisses Mother**  
Stein denied that he had been forced to involve "Firetop." He admitted that the Clarke brothers questioned him from 6:30 to midnight and from 2 to 4 a. m. once about a month ago.

# REAMS MUSTERING DATA REVEALED BY HIS STAR WITNESS

## Prosecutor Guards Carefully Pawn Clerk Who Says He Sold Gun to "Firetop" as Case Is Prepared for Speedy Trial

With his case strengthened against Jacob (Firetop) Sulkin by additional facts obtained Friday from Sam Stein, who bolstered his story that Sulkin was the recipient of the gun that killed Jack Kennedy, Prosecutor Reams Saturday was mustering evidence against Sulkin, charged with first-degree murder in the killing.

At the same time, Stein, who was freed under \$5000 bond Friday after he had faced and accused Sulkin, was under a close police guard as insurance of protecting the case against Sulkin and preventing Stein's death in retaliation for his story.

Sulkin probably will be tried for the Kennedy murder some time this month. The 26-year-old pawnbroker's clerk was indicted with Sulkin and spent 62 days in the county jail.

**Stein at His Home.**  
Returned to the arms of his mother late Friday afternoon by an order of Common Pleas Judge John McCabe completely dismissing the murder charge, Stein went to his home at 120 W. Bancroft street, under guard of a city police officer.

At the request of the county prosecutor's office, Stein will continue to remain under a police guard for an indefinite period, because of fears that underworld enemies may seek revenge.

**Deposition Is Protection.**  
The guard was accorded Stein, over the objection of John Cochrane, his attorney. Mr. Cochrane insisted that a deposition with Stein's declaration, at a long hearing in the prosecutor's office Friday afternoon, that he sold the Kennedy murder gun to Sulkin was Stein's best insurance policy. Sulkin was forced to hear Stein's story.

"No harm will befall Stein while that deposition is resting in the hands of county prosecutors," Mr. Cochrane said. "Stein's enemies could not afford to have the deposition introduced as evidence in someone else's trial if Stein should come to an untimely end."

**Silent About Guard.**  
Detective Inspector Louis Haas, who agreed to furnish police protection for Stein, was hazy and uncertain Saturday as to who was guarding the state witness or if anyone was guarding him.

Inquiry about the Safety building, however, showed Detective Walter Bielefeldt had been assigned to protect Stein by night and Patrolman Robert Braunschweiger had the job by day.

Stein's story in the deposition confirms in some points a confession he made some time ago implicating Sulkin as the man to whom he sold the gun with which police say Kennedy was murdered.

**Stein Changes Story.**  
The story related Friday differed from the original confession in a number of details.

Stein admitted that his new story, in which he says he sold the murder weapon to Sulkin for \$17.50 at his former place of employment, the Monroe Merchandise & Loan Co., was at variance with a former story in which he said he gave the gun to Sulkin at the Buckeye cigar store as security for a loan of \$5.

The battle of looks reached a dramatic climax when Mr. Bunge asked Stein to point out Sulkin. Stein pointed a finger at "Firetop."

**Denies Murder Knowledge.**  
At the conclusion of the deposition taking, Stein, in answer to questions by his attorneys, Mr. Cochrane and Harold Green, said he didn't know at the time he sold the revolver to Sulkin that it was to be used for any illegal purpose. He said he had no part in the killing of Kennedy and that he had no part in planning the killing. He said he was at his home on the night of the murder and first learned of it thru a newspaper extra.

The order to dismiss the murder indictment on a nolle prosequi request by the prosecutor's office was given by Judge McCabe in his courtroom immediately after the deposition taking was completed.

**Bond Placed at \$5000.**  
Mr. Bunge told the judge his office was satisfied it lacked sufficient evidence to convict Stein. Stein's mother and one of his brothers were in the courtroom. His mother embraced Stein warmly when he was led into the room by Deputy Sheriff Louis Gramling.

At the request of prosecutors, Judge McCabe placed a \$5000 bond on Stein to guarantee his appearance as a material witness. His mother and brother, Phillip Stein, 3319 Lombard avenue, signed the surety, his mother affixing her signature in Hebrew script.

Stein said he planned to leave the city but he said he would be available when his testimony was required in court.

# FIRETOP SULKIN IS REFUSED BOND

## Judge Stuart Recalls Ohio Supreme Court Decision

Jacob (Firetop) Sulkin was refused bail by Judge Roy R. Stuart in common pleas court yesterday, on the grounds of an Ohio supreme court decision that those indicted on a charge of first degree murder may not be released on bond.

Sulkin has been held in the county jail here since his indictment, eight weeks ago, on a charge of first degree murder arising from the fatal shooting of Jack Kennedy in Point Place, July 7.

Judge Stuart pointed out that as long as the supreme court decision stands, he must be bound by it. He declared, however, that he will cooperate with defense attorneys, Jack Hackett and Harry Levy, if they determine to appeal to the high court.

In an affidavit presented to Judge Stuart, Sulkin averred that he knows nothing about the Kennedy killing; that he gave himself up to the sheriff; and that he has a home and family in Toledo and will be available for questioning whenever the prosecutor wants him.

# Writ Is Sought in Sulkin Case

A writ of prohibition to prevent the common pleas court here from releasing Jacob (Firetop) Sulkin on bond was requested in the state supreme court Monday by Arnold Bunge, assistant prosecutor. Sulkin is charged with first degree murder in the Jack Kennedy slaying.

In the prosecutor's request, it is contended that the killing grew out of gang warfare, and that Sulkin's release would have a demoralizing effect on prospective trial witnesses.

# Sulkin Suit Accepted By Supreme Court

The state supreme court has informed Prosecutor Frazier Reams that it will hear arguments on the demurrer to his application for a writ of prohibition in the Jacob (Firetop) Sulkin murder case, Friday, Oct. 27.

The prosecutor seeks to prevent Sulkin's release from the county jail on bond by obtaining a writ of prohibition to prevent Judge Roy R. Stuart from hearing the motion for Sulkin's release.

# SULKIN'S BOND CASE DEFERRED

Judge Suggests Question Be Placed Before Supreme Court of Ohio

Whether Jacob "Firetop" Sulkin, Llavoll errand-boy, must stay in county jail without bond until he is tried on the first degree murder indictment pending against him may be decided by the Ohio supreme court.

Testing the case in the supreme court was suggested by Common Pleas Judge Roy Stuart at the conclusion of a hearing Friday marked by an attack on the present ruling by John W. Hackett, attorney for Sulkin.

The hearing was on a motion filed by Sulkin's attorneys, Hackett and Harry Levy, asking the court to admit the prisoner to bail and to fix the amount of bail.

In support of the motion, the prisoner's attorneys filed an affidavit by Sulkin denying any knowledge of the murder of Jack Kennedy, bootlegger, with which he is charged.

Release of Sulkin on bail was opposed by Arnold Bunge, one of Prosecutor Reams' assistants, on the ground the supreme court has ruled that one charged with a capital offense may not be admitted to bond.

Judge Stuart suspended action on the motion and promised to assist Sulkin's attorneys in getting the question before the supreme court if they choose.

# Argue Sulkin Case in Supreme Court

Arguments on a motion to prevent the release of Jacob (Firetop) Sulkin on bond from the county jail where he is held on the charge of first degree murder in connection with the death of Jackie Kennedy in Point Place July 7 were made before the supreme court in Columbus Friday.

Prosecutor Frazier Reams spoke in support of his motion for a writ of prohibition to prevent Judge Roy R. Stuart of common pleas court from taking testimony on a motion to admit Sulkin to bail. Attorneys John H. Hackett and Harry Levy represented Sulkin.

The supreme court has ruled three times that a person charged with first degree murder cannot be released on bond. When the last ruling was made, Judges Jones and Mathias of the court dissented.

SEP 9 1933

OCT 16 1933

SEP 30 1933



# "A Kiss in the Moonlight—Then Death," Story Too Much for Audrey—She Faints

Kennedy's Companion on the  
Night of Murder Reads  
Rehash of Crime

A story in the American Weekly, profusely illustrated with pictures of Audrey Ralls and her former sweetheart, Jackie Kennedy, night club operator, who was killed by gangsters at Point Place July 7 so agitated Miss Ralls at her home at 2428 Fulton street Friday that she collapsed.

While the 20-year-old winner of innumerable beauty contests was under the care of a physician who is treating her for nervous breakdown, her mother, Mrs. Claire Ralls, roundly denounced what she termed scandalous stories about her daughter.

"A Kiss in the Moonlight—Then Death" is the title of the story which unnerved Miss Ralls. It describes her erstwhile sweetheart as a racketeer and recounts in minute detail, incidents, real or imaginary, preceding the slaying of the young night club proprietor.

"The newspapers keep on writing stuff about Audrey that's nothing but fabrication," Mrs. Ralls declared. "It's no wonder she couldn't stand it."

Mrs. Ralls objects particularly to any reference to young Kennedy which describes him in anything but respectful terms.

"Why do they always have to refer to Jack as a beer baron or a racketeer?" she inquired. "Why can't he be called a night club operator?"

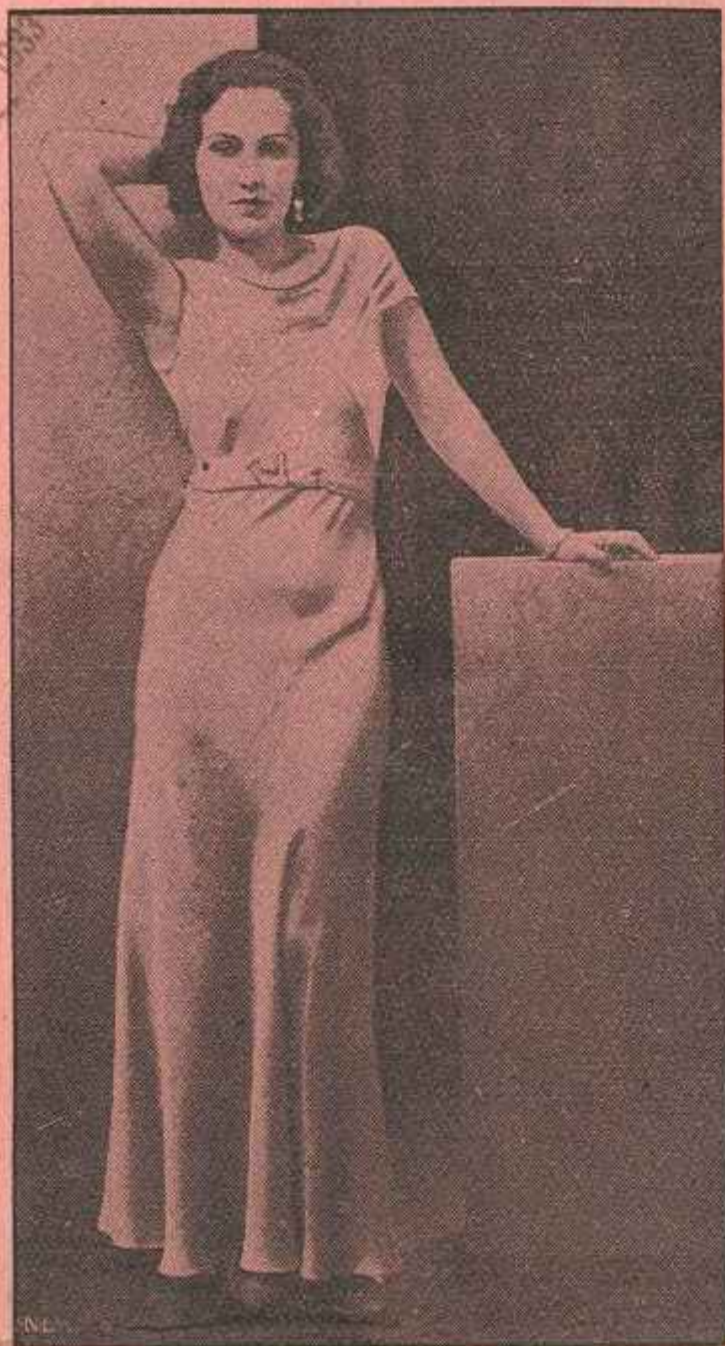
Miss Ralls was with Kennedy at Point Place on the night of the fatal shooting and she was saved from death only because one of the assassins roughly pushed her out of the center of the shooting melee.

She was held 48 hours at the county jail after the shooting and was released only on the promise of her attorney, Dan McCullough, to produce her for questioning at any time. She has since been in seclusion and her name has not appeared in stories in connection with the Kennedy case.

Pictures in the American Weekly story show Miss Ralls in pajamas and in a favorite of her hundreds of photographs.

Other pictures in the article are of Kennedy and Miss Louise Bell, one of his former sweethearts who was killed in a previous attempt on Kennedy's life.

"Jack Kennedy, aged 25, victim of prohibition," was suggested in the article as a fitting inscription for



Audrey Ralls.

the tombstone on his grave, which Miss Ralls visits frequently each week.

"I miss Jack so much," Miss Ralls sobbed after her breakdown. "We were together so much, and it hurts me to see him dragged thru a mire of indecent names in the public

prints. I'm going to go all to pieces if this thing keeps up."

Audrey's mother said she would try to arrange to send her away for a rest.

"Audrey needs companionship," Mrs. Ralls said. "She is alone most of the day while I am at work."

rather than across Jackson street, as he was leaving the courtroom handcuffed to Deputy Sheriff Louis Gramling.

Bystanders heard the request and remembered rumors that Sulkin has been put on the spot by the Licavoli gang as a result of his arrest in the Kennedy case. Sulkin was "contact" man for the Licavolis and could tell much that could be used against them.

## DISHEVELED BUT HAPPY AT BEING FREE



Here is Sammy Stein after the ordeal of repeating the story of the Kennedy murder gun in the presence of Jacob (Firetop) Sulkin Friday in Prosecutor Reams' office. Stein was released after he named Sulkin as the man who bought the gun from him. He had been held 62 days in jail on a first-degree murder charge. Arnold Bunge, assistant prosecutor, is visible in the background.

## STEIN QUIZZED ON DEATH GUN

SEP 7 1933  
Clerk Indicted in Murder  
of Kennedy Called  
by Prosecutors.

Samuel Stein, former pawnbroker's clerk being held under a first degree murder indictment in connection with the killing of Jackie Kennedy in Point Place, July 7, was taken from the county jail to the office of Prosecutor Frazier Reams for questioning Thursday.

He refused to talk until his attorneys, John Cochran and Harold Green, were summoned. In their presence, he was questioned by Joel Rhinefort and Arnold Bunge, assistant prosecutors.

Mr. Bunge said that Stein would not talk on advice from his attorneys. The defense lawyers, he said, discussed the probability of filing a motion for an immediate trial of the case.

Mr. Bunge said that his office sought more information about a gun used in the Kennedy murder which Stein said that he gave to Jacob (Firetop) Sulkin, contact man for the Yonnie Licavoli gang, for \$5. Stein also was to have been asked about other transactions involving weapons, Mr. Bunge said.

# FIRETOP DEMANDS TRIAL AT ONCE FOR KENNEDY MURDER

SEP 8 1933  
Brief Arraignment Brings Suggestion Pawnbroker's Clerk May Be Released and That Gang Has Put Sulkin on Spot

Jacob (Firetop) Sulkin, under indictment for first degree murder in the slaying of Jack Kennedy, pleaded not guilty thru Attorney Harry Levy, Friday, when he was arraigned before Judge John McCabe in common pleas.

The prosecutor's office obtained permission of the court at the arraignment to take a deposition at 2 p. m. Friday from Sam Stein, pawnbroker's clerk, who also is held on a

first degree murder charge. Levy's objections were overruled.

"Firetop," in striking contrast to his brother, Charles (Sholkey) Sulkin, who was in the line of other prisoners to be arraigned on a pocketpicking charge, was dressed fashionably in a brown suit, sport oxfords, white shirt and blue tie.

Wants Trial at Once.

"Firetop" and "Sholkey" glanced at each other with no sign of recognition when they were brought into the courtroom. They have been confined on separate floors at the jail since "Sholkey" was arrested two weeks ago when he took a basket of food to "Firetop."

"Sholkey," dressed in a blue denim prisoner's suit, pleaded not guilty. He was remanded to jail.

"Firetop" stood mute when his name, the last on the list, was called. Levy, from the other side of the courtroom, waived reading of the indictment and entered a not guilty plea.

Judge McCabe granted the request of Mr. Levy that an application be accepted to try "Firetop" within 30 days, under an Ohio law. The court made no comment.

Stein May Be Tried.

Levy objected when Arnold Bunge, assistant prosecutor, entered a request for permission to take a deposition from Stein.

"Stein is a material witness in the state's case against Sulkin," Bunge said, "and he may leave the state."

"But Stein is in jail," Levy pointed out. "There is little chance of a man leaving the state when he is in jail."

"I understand that Stein's attorneys are going to apply for his release," Judge McCabe said. "If their application is granted, I can see where Stein might leave Ohio." He granted the request for the deposition.

Sounds Like Something.

"Firetop" asked to be taken back to the county jail thru the tunnel.

## REAMS REFUSES TO FREE SULKIN

Attorneys for Suspect in Murder Confer With Prosecutor On Bond

SEP 9 1933  
Prosecutor Frazier Reams yesterday denied the privilege of release on bond to Jacob (Firetop) Sulkin, who is held in the county jail on a first degree murder charge arising from the fatal shooting of Jack Kennedy.

Sulkin's attorneys, Jack Hackett and Harry Levy, conferred with the prosecutor in an attempt to get Sulkin's release. The prosecutor pointed out a man indicted on a first degree murder charge is not eligible to bond.

Friends and relatives of Anthony (Whitey) Bease, who is held as a material witness in the Sulkin case, yesterday failed to furnish the \$5,000 bond which had been set for him by the common pleas court. They were not able to offer as security \$10,000 worth of unencumbered property, as the law requires for a \$5,000 bond.

## Writ To Balk Bond Hearing Is Sought

SEP 10 1933  
Assistant Prosecuting Attorney Arnold Bunge yesterday filed in the state supreme court an application for a writ of prohibition to prevent Judge Roy R. Stuart in common pleas court here from hearing a motion to free Jacob (Firetop) Sulkin on bond.

Sulkin is charged with the first degree murder of Jack Kennedy, night club operator, in Point Place, July 7. His attorneys seek to free him on bond in spite of a supreme court decision rendering those indicted on first degree murder charges ineligible to bond.

## Release on Bond Pushed by Sulkin

County Prosecutor Frazier Reams was informed late Wednesday by Attorney Harry Levy, counsel for Jacob (Firetop) Sulkin, that a demurrer to an application for a writ of prohibition to prevent Judge Roy R. Stuart from hearing a motion to release Sulkin on bond, will be filed soon in the state supreme court.

Sulkin is held in the county jail under indictment for the first degree murder of Jack Kennedy and the prosecutor's office contends Judge Stuart has no jurisdiction in the matter of releasing him on bond because of the nature of the offense.

## Demurrer Is Filed By Sulkin's Lawyer

A demurrer to the application for a writ of prohibition in the case of Jacob (Firetop) Sulkin, was filed in the state supreme court yesterday by Harry Levy, Sulkin's attorney. The application, filed Monday by Arnold Bunge, assistant prosecutor, seeks to prevent Judge R. Stuart from hearing a motion of Sulkin's attorneys by which they seek his release from jail on bond. Sulkin is charged with the first degree murder of Jack Kennedy, July 7, in Point Place. The state supreme court ruled several years ago that those indicted on first degree murder charges were not eligible to bond.

place and said that he managed the restaurant at that address. He admitted that a room in the rear is occupied by the Jovial club, where 350 members are permitted to play cards, toss dice and indulge in other games. He said he had no connection with the club.

Warnke denied that he had ever been asked by members of the Licavoli gang to pay tribute. Hayes is said to be in Havana.

#### Quiz John Rose

John Rose, former Licavoli aide, who managed the Golden Rose, Point Place dine and dance club, and the Show Boat, downtown night club, was questioned Monday afternoon. He had been quizzed previously by the prosecutor.

Capt. George Timiney continued his search for Licavoli and other members of his gang, going on a lone search Monday afternoon. He and Mr. Bunge spent several days last week in a fruitless hunt for the gangsters.

Mr. Reams refused to comment on the explanation made Monday by Sheriff David Krieger of the mysterious "fix" note which was found in the grand jury room torn into pieces. Mr. Bunge admitted that Sheriff Krieger had given him the same explanation as was given to reporters by Krieger, who contended that the note was from Jacob (Firetop) Sulkin and concerned arrangements for broadcasting the sheriff's calls.

Sulkin is held in the county jail on a first degree murder charge in connection with the gangster killing of Jackie Kennedy, Toledo beer dealer. He was named by Samuel Stein, also indicted on the same charge, as the man to whom he gave the murder weapon.

Police made visits at 15 minute intervals to race betting centers in the business district Monday and reported them almost deserted.

Prospective patrons were dissuaded from entering the places on the threat that anyone found loitering would be held for Prosecutor Reams.

## MURDER QUIZ

### Arrest of Kennedy Slayers Seen Near; Many Volunteer Information

With the arrest of the slayers of Jack Kennedy expected soon, Assistant Prosecutor Arnold Bunge Saturday continued questioning a number of men believed by the prosecutor to know something of the Kennedy, Louise Bell and Abe Lubitsky murders, all of which are said to be the work of a hoodlum gang that has preyed on Toledo business men for the last two years.

Mr. Bunge said many persons, finding that the prosecutor's office is in earnest in its fight to rid the city of hoodlums, are volunteering information.

Since county commissioners Friday granted Mr. Reams' request for \$5000 to help solve the murders and continue other investigations, it is likely the mysterious "Clarke brothers" will start on the trail of the gangsters sought as material witnesses in the case.

Detective George Timiney and Mr. Bunge also have made several recent out-of-town trips which they admit were on "hot tips."

## QUIZ IS PUSHED

### Hoodlums and Point Place Witnesses Examined By Reams and Aid

Prosecutor Reams Tuesday began to concentrate on the Kennedy murder, questioning two Toledo hoodlums and several Point Place witnesses to the slaying. He avoided a meeting between the Point Place residents and the hoodlums.

The hoodlums are Tony (Whitey) Besese and Manuel Lacati. They are said to ride around in a maroon Ford V-8 coach, the type and color of the car described as the one in which the killers fled from the Point.

Besese and brother have been questioned by police in several gang slayings, including the Annarino and the Incovavia murders. Besese and Lacati were questioned by Arnold Bunge, assistant prosecutor, in Mr. Reams' office in the courthouse.

At the same time, Mr. Reams questioned the Point Placers in his private law office in the Board of Trade building. His purpose in separating the investigation, he said, is to shield Point residents who have been giving valuable information.

The latest valuable clue, furnished by a resident of the village, is a .45-caliber bullet found imbedded in a telephone pole and presented to the prosecutor Monday.

## IS QUESTIONED

### Quizzed by Reams as to Whereabouts of Husband

Mrs. Thomas (Yonnie) Licavoli appeared at the office of Prosecutor Frazier Reams yesterday, with her attorney, Harry Levy, for questioning as to the whereabouts of her husband.

Despite encouragements to recollection furnished by Mr. Reams, his assistant Arnold Bunge, and Detective Captain Timiney, Mrs. Licavoli persisted in her statement that she "couldn't remember" the nature of her husband's business or where he was going when he left town several weeks ago.

Mrs. Licavoli is the daughter of Joseph Mocerri, Detroit, whose wife several of the suspected hoodlum allies of her husband said they were attending on the night of the murder of Jack Kennedy July 7 in Point Place. She is the sister of "Black Leo" Mocerri who is sought with Licavoli, Ralph Carsello, John Mirabella and Joe (Wop) English in connection with the slaying.

Mrs. Licavoli remembered she received \$500 from her family as a wedding present.

Licavoli, who conferred with Prosecutor Reams twice after the Kennedy killing, and offered his "assistance" in solving the mystery of the crime, disappeared from Toledo shortly after the arrest of Jacob (Fire Top) Sulkin, who is held in the county jail on a first degree murder indictment in connection with the Kennedy death.

## CHECKS KENNEDY CASE EVIDENCE

### Bunge Interviews New Witnesses; Search for Licavoli Goes On.

Rechecking of evidence uncovered in the investigation of the murder of Jackie Kennedy, Toledo beer baron, is being conducted by Arnold Bunge, assistant county prosecutor, while Frazier Reams, prosecutor, is devoting his time to the city food inquiry.

Mr. Bunge interviewed several witnesses Thursday afternoon whose names were brought out in the Kennedy investigation by other witnesses. Among them was a man whose name had been given as a reference for one of the members of the Yonnie Licavoli gang.

This witness told Mr. Bunge that he did not know his name had been used and had not given anyone permission to use it. He admitted having done some work for the Licavolis but said he had been paid for it.

Search for Licavoli and other members of his gang is being continued by the hoodlum squad while Capt. George Timiney of the police department is attending the trial of three Toledo dry cleaners in Bowling Green.

Mr. Bunge said he is watching the Bowling Green case so that evidence uncovered in that trial against Licavoli may be used here in a Lucas county prosecution.

On orders of Captain Timiney the hoodlum squad picked up Samuel Haddad, 35, of 441 Palmwood avenue, Thursday night as he was leaving the Coliseum after attending a wrestling match.

Haddad is wanted for questioning in the Kennedy investigation, officers report. He probably will be questioned by Mr. Bunge Friday.

## SULKIN'S BROTHER ARRESTED AT JAIL

### Sholky Is Indicted on Pocket Picking Charge

Secretly indicted yesterday by the county grand jury on a charge of pocket-picking, Charles (Sulkin) Sholky, 38, of Warren street, was arrested late yesterday when he called at the county jail with a dinner for his brother, Jacob (Firetop) Sulkin, under indictment on a first degree murder charge in connection with the Jack Kennedy slaying.

The visitor at the jail was taken into custody by Jailer Harry Locke. He was indicted on a charge of taking \$90 in cash and \$25 in checks from Walter Vogel, 818 Cherry street, on Aug. 7.

Sholky was one of the heroes during the fire which claimed more than 300 lives at the Ohio penitentiary. He was credited with saving the lives of several prisoners and guards during the fire.

## BROTHER IS HELD

### Firetop's Kin Accused As Pocket-pick in Secret Bill.

Charles (Sholky) Sulkin, 38, of 2445 Warren street, was held in the county jail Monday on a secret indictment returned by the grand jury charging him with pocket-picking. He was arrested Saturday night when he brought a basket of food to the jail for his brother, Jacob (Firetop) Sulkin, who is under indictment for first degree murder in connection with the slaying of Jack Kennedy.

The indictment charges Sholky with robbing Walter Vogel, of 818 Cherry street, of \$90 cash and \$25 in checks on Scott street Aug. 7. Sholky was supposed to appear in police court next Saturday to answer a charge of larceny from the person on the same case.

## NEW ANGLES IN KENNEDY MURDER FOUND

### Prosecutor Confers With New Investigator From Detroit; Pleased With Arrests.

Important new angles in the investigation of the murder of Jackie Kennedy, Toledo beer baron, have been uncovered by Detroit investigators, Prosecutor Frazier Reams announced Wednesday.

The prosecutor, who has been conducting a starvation campaign against organized gangsters, conferred Tuesday afternoon with "Little Clarke," Detroit investigator, and a new investigator who has been working on the case during the last four days. This latter investigator has been responsible for uncovering the new developments, the prosecutor said.

#### Pleased With Arrests

Mr. Reams was well pleased with the arrest of Tony (Whitey) Besese and Manuel (Monk) Licati, admitted bootleggers, who told authorities Tuesday that the automobile which they had been operating bearing the license plates of Sebastian (Buster) Lupica actually belonged to Ralph Carsello, sought in the Kennedy killing investigation. They are held under \$5,000 bond each.

The prosecutor said that this was valuable information. This automobile is said by authorities to resemble a machine seen at Point Place the night that Kennedy met his death in that district.

Besese and Licati, who told reporters they were fruit salesmen, may be indicted by the grand jury on charges of forgery in connection with the obtaining of a license for the Carsello car, officials said. They are bootlegger henchmen of Yonnie Licavoli, wanted here for quizzing in the Kennedy murder.

#### Manager Questioned

Lupica, manager of the State Sales Co., Licavoli slot machine outfit, was questioned by Mr. Reams several weeks ago.

Besese was active in making arrangements to obtain bond for Licavoli when the gang leader was convicted of conspiracy to violate the federal liquor laws in federal court last spring.

Arnold Bunge, assistant prosecutor, said he intended to question a Point Place resident Wednesday.

Clarence Holmes, a slot machine operator for the Fretti brothers, was questioned by Assistant Prosecutor Arnold Bunge Wednesday. Holmes was the only one of 12 men working for the Frettis who failed to appear for questioning Saturday. He telephoned Mr. Bunge Wednesday that he would be in.

# REAMS TO QUIZ LICAVOLI KIN

AUG 18 1933  
**Cousin of Yonnie Held in Detroit With Two Others.**

Jimmie Licavoli, first cousin of Thomas (Yonnie) Licavoli, Toledo gang leader, was under arrest in Detroit Wednesday and is to be questioned by Prosecutor Frazier Reams and his investigators in connection with activities of the gang here.

Jimmie was picked up by the Detroit homicide squad with Tony Ahate and Gust Chanzero. When the three tried to get out of jail on writs of habeas corpus proceedings, Detroit police telephoned to Toledo to learn whether the men are wanted here.

Arnold Bunge, assistant prosecutor, asked to have Licavoli held for questioning and to have records of the other two men examined. If they are members of the Licavoli gang, Mr. Bunge said they also will be questioned about underworld activities here.

### Jury to Get Evidence

Jimmie Licavoli was arrested here last summer when he was found disguised with grease paint at the ball park by Detective Capt. George Timiney. He was taken across the state line and released at a point where a few Detroit policemen happened to be standing. Taken to Detroit, Jimmie was

found not guilty of the murder of Henry Tupancey.

Evidence of the entire gambling set-up in Toledo and Lucas county which has been gathered by Prosecutor Frazier Reams during the Kennedy murder investigation is expected to be presented to the grand jury late in the week.

It is understood that Mr. Reams and his assistants, Joel T. Rhinefort and Mr. Bunge, assisted by special investigators from the office of Harry S. Toy, Wayne county prosecutor, have gathered evidence which will make a complete picture of gambling and slot machine activity in this district.

### Investigator Here

One of the "Clark brothers," known as "Little Clark," special investigator from Detroit, spent Tuesday afternoon here and conferred with the prosecutor and his assistants in the Board of Trade building. Prosecutor Reams also intends to get additional statements from slot machine operators and parking lot owners relative to practices of extortion on the part of professional hoodlums.

The attention of the grand jury will be directed to the recent questioning of Joe and Ben Fretti, large operators of slot machines in the city, and to Tom Worland, reputed to have control of such devices in the county. Statements of minor slot machine operators will also be examined by the jurors, it is reported.

While Mr. Reams has refused to express his stand on the matter it is believed that he will ask the grand jury to return indictments against so-called big shots of the criminal element of the city and county.

### Report Irks Reams

The prosecutor has been exceedingly irritated over confirmed reports that proprietors of stores in the county have been told that they may operate the machines. Mr. Reams has stated emphatically to reporters that this is not the case, insisting that slot machines and other forms of gambling have been permanently banned.

Although it is not known what evidence the prosecutor uncovered during his investigation of slot machine activities it is known that he is well satisfied with what he has found. Virtually every slot machine operator has been questioned.

Mr. Reams announced late Tuesday that mechanics repairing the automobile of Jackie Kennedy, who was slain at Point Place July 7, had discovered several .32 caliber slugs in the cab. It is believed these were fired after Kennedy gave John Mirabella, Licavoli aide, a beating in Michigan street, several months before he was killed.

These bullets will be sent to Detroit for examination by ballistics experts of the Detroit police department and for comparison with more than a score of gangster weapons seized here by authorities.

### Tribute Payment Denied

Although Prosecutor Reams announced Monday that he had definite information that operators of parking lots were forced to pay tribute to the Yonnie Licavoli gang and had a description of the collectors, six operators made a general denial of that report Tuesday afternoon.

The prosecutor planned Wednesday to question several proprietors of restaurants who have been approached by Licavoli henchmen.

who are making a desperate battle against the starvation campaign of the prosecutor. It is known that these restaurant proprietors have been informed that they had to pay or it would be too bad for them.

Mr. Reams announced that the chairman of the house committee of a local organization informed him Tuesday that the club's privately owned slot machines will be barred from the clubrooms. This is in conformity with the prosecutor's request that private clubs, fraternal organizations and similar groups discontinue operation of the devices.

Mr. Bunge questioned James Ross, barber, at whose home John Mirabella is reported to have lived for six weeks. Ross is said to have barbered for hoodlums who lived in the vicinity of Michigan and Monroe streets. He is reported as having informed the prosecutor that he knew nothing of the operation of these gangsters.

It was said at the federal building Wednesday that the rumor that 12 government men were investigating income tax reports of gangsters here was based on the fact that two federal agents have been working between here and Cleveland since Licavoli was convicted on a prohibition charge several months ago.

Lee N. Murlin, assistant U. S. district attorney, who returned to his office Wednesday, said that he will begin work on a brief in connection with the appeal of Ralph Carsello, Licavoli henchman, also convicted on liquor charges. The appeal is to be heard early in September and may bring Carsello, wanted in connection with the Jackie Kennedy murder, from hiding.

# LEGALIZING LAW SOUGHT BY SENATOR

Lid Must Stay On, Says Prosecutor, Drawing Dragnet on Gangs

Senator Frederick McManus, Democrat, Toledo, and Prosecutor Reams were engaged Thursday in a tug o' war over the slot machine racket.

As the prosecutor, with the arrest in Detroit of James Licavoli, arrayed himself even more strongly against the operation of machines in the county, Senator McManus introduced a bill in the special session of the Ohio legislature to license and tax machines, thus making them legal.

Altho Senator McManus said in Columbus that his bill would not license machines devoted "entirely to gambling," he did not specify where the line would be drawn.

### Machines Must Go.

On the other hand, Prosecutor Reams reaffirmed his position that slot machines, distributed and maintained by persons on the fringe of decent society, contributed to the funds of gangsters and racketeers and supported them in the community.

A similar bill, introduced in the regular session by Senator McManus, was vetoed by Gov. White.

The arrest of Licavoli in Detroit has renewed the assurance of the prosecutor that gangsters cannot remain under cover forever and attend to their business.

### Expects Surrender.

Reasoning from this, the prosecutor expects that Joseph (Wop) English, John Mirabella and Ralph Carsello, fugitive Licavoli gangsters, sooner or later will present themselves in Toledo, be seen by the wrong people, and finally be arrested and charged with the murder of Jack Kennedy.

The gang killing of Kennedy

prompted Reams' sweeping attack on the Licavolis in particular and all slot machine operators, gamblers and petty racketeers in general.

### May Accuse Jimmy.

Mr. Reams indicated he would not hesitate to accuse James Licavoli if he sought a habeas corpus, and the charge probably would be first degree murder in the Kennedy case, for which two others, Firetop Sulkin, Licavoli business agent, and Samuel Stein, who had a murder gun, already are charged.

However, the prosecutor feels Licavoli will consent to come to Toledo for questioning rather than have a charge placed against him.

Wednesday night, Licavoli was interviewed at Detroit by the "Clarke brothers" of the Detroit prosecutor's office, who have assisted Mr. Reams in the investigation.

The rumor spread by slot machine racketeers that the "heat will be off" slot machines as soon as the racketeers raise a \$30,000 fund was labeled "disgusting" by the prosecutor.

"You can say that the earliest possible date for the free and open operation of slot machines is the day after I leave this office," Mr. Reams responded, when informed of the rumor.

No witnesses in the Kennedy murder or the racket investigation were questioned by the grand jury Wednesday. The jury had a full day questioning witnesses in routine cases.

### "Little Cicero" Deserted.

Mr. Reams, however, talked to witnesses. At least one restaurant owner told a story of attempted extortion; at least one slot machine operator was grilled, but the prosecutor refused to tell what, if anything, the slot machine man had to say.

Meantime "Little Cicero," that part of the city near Monroe and Michigan streets, was deserted by the racketeers and minor hoodlums who usually hold court on the curbs there. The racketeers are in hiding and the minor hoodlums are keeping out of sight to avoid a trip to the prosecutor's office.

There has been a noticeable exodus from the city of undesirable characters.

The murder in Monroe of Quintillo Pochini, alias H. Serafini, brought another request from the prosecutor that law-abiding citizens refrain from patronizing racketeers.

Mr. Reams feels that if respectable people would not buy alcohol there would be stopped another source of revenue for the racketeers who murder their competitors. He has asked that all decent citizens refrain from buying illegal alcohol from anyone whether known hoodlum or not.

# COZY CELL

Firetop Sulkin Has Cot, Pink Comforter

Jacob (Firetop) Sulkin, contact man for the Yonnie Licavoli gang, received members of the Lucas county grand jury at an impromptu reception in his cozy cell at the county jail Thursday.

The jurors made their regular inspection of the jail at 11 A. M. and came upon the cell of Firetop, who shook hands with several of the jurors and talked affably with them. The cell was provided with an army cot, a clean white sheet and a pink comforter to keep its occupant warm on chilly nights. There was a vacuum bottle in the cell also, but none sampled its contents. Other prisoners at the jail are provided with hammocks suspended from bars and ordinary jail blankets.

# TORN UP MESSAGE JUST AN OFFER TO DEAL WITH MAYOR

Deputy Wrote Memo After Phone Call From Sulkin and It All Referred To City Radio System

Breaking a silence of four weeks, Sheriff Krieger Monday explained the mysterious note from Jacob (Firetop) Sulkin, found in the grand jury room of the courthouse just four weeks ago, the day following the questing of Samuel Stein.

Sheriff Krieger admitted owning the note, tearing it up and throwing the pieces in the waste basket in the grand jury room. He says Rolland Staggemeier, office deputy, wrote the note, following a telephone conversation with Firetop.

Samuel Stein, pawn broker's clerk, is charged with first degree murder in the Jack Kennedy case because he says he rented the murder gun to "Firetop." Sulkin is charged with first degree murder because he denies ever having the gun and refuses to tell to whom he passed it after receiving it from Stein.

The mysterious "Clarke brothers" questioned Stein all night and until the early hours of Sunday, July 23. The next day, the torn note was found in the waste paper basket in the grand jury room.

This is the sheriff's explanation of the origin of the note: Sheriff Krieger had tried, thru William Mack, clerk of council, to reach Mayor Thacher's ear in regard to a contract between the city and county for the county use of the city's radio broadcasting station. He failed thru this channel.

### Got Firetop's Aid.

Sheriff Krieger then appealed to "Firetop" Sulkin to use his influence with the mayor to arrange the contract. It

was while awaiting this connection that "Firetop" phoned the strange message to Staggemeier, to be relayed to the sheriff. The message read: "Fire said: Making a fix for tonight with that fellow."

Mr. Krieger said this message was received after the Kennedy murder, but before any arrests had been made. He said it followed a conversation with Firetop in which Firetop said "Oh, I can fix that with the mayor for you."

Sheriff Krieger said he carried the note in his pocket for some time an done day, while waiting in the grand jury room to speak with the prosecutor, he happened to find the message in his pocket, tore it into pieces and tossed the pieces in the waste basket.

### Recalled the Message.

Deputy Staggemeier admitted the handwriting in the note was his. He said he often received phone messages for the sheriff and generally wrote them out so he would not forget them. He recalled the message. He said the sheriff often read such notes, stuffed them in his pocket, either for future reference or by habit.

Mayor Thacher, told of Sheriff Krieger's explanation, said he has not spoken to Firetop Sulkin in two years.

"Sulkin never arranged any meeting with me, nor could he," the mayor said. "I haven't spoken to him in two years," he added.

When questioned three weeks ago by a News-Bee reporter about his ownership of the note and its meaning Sheriff Krieger denied indignantly that he had any connection with it, and threatened to throw the reporter out of his office. Dared o, he took no action.

Prosecutor Reams, whose office holds the reconstructed note pasted on another sheet of paper, made no comment on Sheriff Krieger's explanation.

The prosecutor thought the message was torn up and dropped in the waste basket by Sammy Stein.

Mr. Reams expected to question Monday Ed Baranke, operator of the Jovial club, 631 St. Clair street, and Jacob Romanoff, of the R. & K. cigar store, 433 Superior street, about horse race betting in Toledo.

From other reports, Mr. Reams believes gamblers pay tribute to the Licavoli gang and is striving to uncover every source of income in an effort to stop it and drive them out of town.

# SLOT MACHINE BAN IS FOUGHT

Devices Being Changed to Vend Mints to Escape Regulations.

An effort to combat the order of Prosecutor Frazier Reams banning slot machines is being made by operators who are equipping their machines to vend mints, it was reported Tuesday.

This is the first attempt of slot machine operators to legalize the machines which heretofore have paid nickels, dimes and quarters and a few slugs. Contending that these machines were keeping the pocketbook of Yonnie Licavoli, Toledo gangland leader, well filled, Mr. Reams ordered them confiscated.

Several slot machine operators have asked the prosecutor to rule on the legality of their reconstructed devices. Mr. Reams, however, has refused to give a ruling and has instructed them to employ attorneys.

### Ruling for Officials

He said if the police or the sheriff ask him for such a ruling it will be given. If it is found the

devices are built chiefly for gambling purposes they will be ordered seized, the prosecutor said.

Several years ago during a campaign against the machines they were provided with mints which the player could have if he wished. The operators provided a poor quality of mint and most players refused the candy. It was contended that this additional equipment made the machines legal and did away with the gambling element. In a short time the "slots" were running as usual, without mints.

A new type of machine called a baseball gum game which provides the player with a ball of gum and a fortune was on display in the prosecutor's office Monday afternoon. It calls for a penny play, but does not pay money. Certain number combinations form a code for the fortune.

### Ed Warne Questioned

Renewing Mr. Reams' campaign against gamblers Monday afternoon, Arnold Bunge, assistant prosecutor, questioned Ed Warne, said to be the operator of a gam-

# SLOT MACHINE HIDING PLACES TO BE RAIDED

**AUG 12 1933**  
**Prosecutor Reveals Four Secret Men Are on Job**

## TIPS ARE TRACED

**Reams Tells Business Men Not To Allow Gaming Devices**

**AUG 12 1933**  
 Police and county authorities probably will be asked today by County Prosecutor Frazier Reams to search for the storage places of the 3,500 to 5,000 locally-owned slot machines which have disappeared as a result of the prosecutor's permanent order banning them for the tenure of his office.

This was viewed as the next move in Mr. Reams' active campaign to deprive hoodlums of their sources of revenue.

Meanwhile the investigation of the Jack Kennedy case lagged when there were few developments of much importance, with the exception of the fact that Capt. George Timiney was tracing several purportedly valuable "tips" concerning the whereabouts of the fugitive Toledo gangsters.

### Officials Silent

These "tips" were believed to have been the subject discussed by Mr. Reams, Capt. Timiney and County Detectives James O'Reilly at a conference in Mr. Reams' office late Thursday, although none of the participants in the discussion would divulge what transpired.

Mr. Reams, however, pepped up his edict barring the gaming machines by announcing that hereafter all operators of business places in which slot machine are found in operation in defiance of his orders, will be subject to arrest and indictment.

### Cash Boxes Emptied

This move was greeted with consternation on the part of persons who were "cheating" a trifle and resulted in hurried and mysterious activities by both owners of business establishments and owners of the slot machines which have helped to pay the business men's rent for so many years.

Rather mysterious appearing persons equipped with small satchels made the rounds of many places presumably emptying the cash boxes of the machines still in hiding in the business places.

These men were followed by other men who drove trucks up to the rear doors of several places, entered and re-appeared again with bulky objects carefully hooded with canvas covers. Some of the covers slipped revealing portions of slot machines.

Business men, and slot machine owners, too, who heretofore had believed the whole business would blow over within a few days—as so many similar drives have blown up

in the past—now appear convinced that Mr. Reams really means business.

Police and county agents prior to Thursday night had seized about 24 machines and Thursday night they added about 14 more to the score.

### Reports Scouted

**AUG 12 1933**  
 There were scattered reports to the prosecutor's office yesterday of machines having been in operation openly in Point Place but when Mr. Reams mentioned this to Sheriff David Krieger the sheriff said he had received similar reports but had been able to find only two, the others apparently having been removed.

Having successfully driven the machines from the open Mr. Reams now is vitally interested in finding where they are stored and confiscating them so that they won't swallow any more nickels, dimes, quarters and half-dollars. Each machine costs approximately \$100.

Mr. Reams did reveal that there have been four agents of the Detroit prosecutor's office assisting him in the murder investigation and racketeer drive instead of only two, as was heretofore supposed.

The two mysterious men, known here only as the Clark brothers, have been aided by two undercover operatives who have never been seen even by Mr. Reams himself, it was learned.

### Identity Guarded

The quartet is said to have been unusually successful in smashing gangs and racketeers in several states and their identity always is guarded jealously.

The prosecutor also asked police to search for Kenneth (Punkins) Francis, body-guard for Kennedy.

Francis was questioned the day after the murder and then released on his promise to be available for further questioning anytime he was wanted. He hasn't been seen in town, however, since the Kennedy funeral, at which he officiated as pallbearer. Associates of the body-

guard said he left the city soon after the funeral after vaguely speaking about going to visit a pal.

Attorney Harry Levy, counsel for Jacob (Firetop) Sulkin, who is under indictment for first degree murder in the Kennedy killing, visited Mr. Reams and obtained permission for his client's relatives to visit him in the county jail.

Sulkin was named by Sam Stein, former pawnbroker's clerk, who also is under indictment for first degree murder in the case, as the man to whom he sold one of the guns used in the killing, for \$5.

Veteran detectives have reported that the racketeer campaign has driven Yonnie Licavoli and his band out of the city.

It is believed they are in hiding either in Detroit or Cleveland. It is known that Sulkin journeyed to Toledo from the latter city to surrender.

# Takes Immediate Steps in Threat of Shakedown.

**AUG 12 1933**  
 Immediate steps were taken by Prosecutor Frazier Reams Saturday to combat gangland's latest effort to remain alive in Toledo by levying tribute from operators of beer resorts and small business places, even to the extent of involving those who submit to extortion.

The prosecutor said that he had received several telephone calls and other information from personal sources that small business houses, particularly restaurants handling beer, have been visited and told that now that slot machines are out they will have to kick in or it will be too bad for them.

### Development Is Quick

This development, Mr. Reams said, was not unexpected but he had thought that it would not come quite so soon. The prosecutor has information about and a description of at least two of the gangsters making the threats and is working now toward their arrests.

To operators of these businesses the prosecutor had this to say:

"When they conduct an honest, legitimate business they do not have to put up with this racketeering. If they accede to demands of racketeers and pay they thereby become accessories to the crime and will be punished accordingly.

"On the other hand, if they will get in touch with the police, the sheriff or the prosecutor immediately after threats are made protection will be afforded them and they will assist as good citizens in choking off the last gasp of Lucas county gangland.

### Asks for Descriptions

"They are requested to get descriptions of the party making demands or threats, the license numbers of their automobiles and also to obtain corroboration of other witnesses in the vicinity as to particulars of identification."

It has been reported that gangsters have invaded small places of business in the county and demanded an immediate payment for protection from criminal raids. They have even gone so far as to demand money in cash registers or in pockets of the persons accosted.

# U. S. Checks Income Tax Of Gangsters Here

**Federal Investigators Co-operate With Reams' Campaign to Drive Racketeers From City; Legion Backs Move**

Twelve federal investigators were reported in Toledo Monday checking income tax reports of known gangsters and racketeers in co-operation with the campaign of Prosecutor Frazier Reams to stamp out organized extortion in the city.

This action is along the line of attack used in other cities in combatting racketeers, notably in Chicago where Al Capone, gang leader, received a prison sentence for income tax dodging. Benny Aronoff, who operates a race track betting center here, also was caught up by income tax investigators and forced to pay a heavy fine more than a year ago.

It was believed that attention of the federal men has been directed to slot machine operators and others called in for questioning by Mr. Reams and his assistants.

### Legion Lends Support

American Legion members also are lending their support to the prosecutor, who is a member of the legion. A rumor persists among war veterans that a group of Legionnaires has been in contact with leaders of various rackets in the county and warned them that if Mr. Reams or any member of his family is injured, vigorous retaliation will be resorted to immediately by the legion men.

Members of Lucas County Council, American Legion, at a recent meeting, adopted a resolution presented by a member of Baker post commending Mr. Reams for his determined and persistent campaign against local gangsters and racketeers, citing the pride of fellow

Legionnaires in his courageous fight for public security and pledging their assistance if needed to rid the locality of hoodlums.

While county and federal authorities said they did not know that the government officers are in Toledo, it is understood that the men have been dispatched immediately out of Washington in connection with President Roosevelt's campaign against gangsters.

### Admits Hearing Rumors

Joel T. Rhinefort, assistant county prosecutor, said that he had heard rumors that the federal men were in Toledo. Herman Krueger, assistant U. S. district attorney, said that he had no information about the federal investigators and believed that the men might be directly out of Washington.

Mr. Reams who has attacked the pocketbook of the gangster by ordering slot machines confiscated and gambling houses closed is in Lima attending the annual state convention of the American Legion. He was expected to return to his desk Monday.

### Bunge Expected Back

Arnold Bunge, assistant county prosecutor, who has been on a mysterious "fishing" trip, also is expected to resume the investigation of the gangland slaying of Jackie Kennedy, Toledo beer baron, at Point Place July 7.

Investigators announced Monday that they believed that Jacob (Firetop) Sulkin, who is held at the county jail on a first degree murder charge in connection with Kennedy's death, was, before his arrest, hiding in Cleveland and a nearby city while authorities sought to question him about the gun which Samuel Stein admitted he gave to Sulkin. It was this weapon that ended Kennedy's life.

He announced possession of definite information that the Licavoli gang, headed by Thomas (Yonnie) Licavoli, has been levying an extortion tribute of 5 cents a car parked in certain Toledo parking lots.

### Appeals to Clubmen.

Reams issued his appeal to the fraternal organizations and social clubs when he heard these organizations felt themselves outside his earlier edict against slot machines. Unless they co-operate voluntarily, the prosecutor probably will take his information of violation before the grand jury in the same manner threatened against business houses.

Reams would not announce his plans concerning the operators of slot machines, but it was indicated the grand jury will get full information concerning all gambling violations heretofore taken for granted by the citizens and law enforcement agencies of Toledo and Lucas county.

Ben and Joe Pretti long have been known as the chief operators of slot machines in Toledo and Tom Worland is recognized as the owner of the machine concession in other parts of Lucas county.

### After the "Big Shots."

The three have been questioned by Reams and his assistants in the preliminary investigation of gambling and racketeering. Under the county-wide ban against the machines, agents of the machine owners have been picking the machines up and presumably storing them in warehouses until the bars are let down again.

It is within the realm of possibility for Reams to order confiscation of the concentrated machines and the indictment of the machine owners under Ohio gambling laws. The Pretti brothers and Worland would not be alone as targets in such possible action. All smaller operators and their agents would be equally liable under such charges.

Of course, the big quarry in the present activity is Yonnie Licavoli, himself. Reams has not announced possession of any evidence of the gang leader's direct connection with the murder of Kennedy, but Reams has suspicions against several members of his gang.

### Suspects in Killing.

Jacob "Firetop" Sulkin, Licavoli's "front" and right hand man as a business contact for the last two years, is in the county jail under a charge of first degree murder. Sammy Stein, pawnbroker's clerk, also charged with murder, said he lent Sulkin one of the pistols used to kill Kennedy.

Reams wants John Mirabella, Ralph Carsello and Joseph "Wop" English as suspects in the actual killing.

Reams also wants Yonnie for additional questioning, but police and Sheriff Krieger have been unable to pick up the gang chief.

The county has information that Licavoli has been seen on the streets three times in the last 10 days, but has been unmolested by police.

### Probes Parking Racket.

Full force of the investigation into Licavoli's parking lot racket was to get under way Tuesday afternoon. Prosecutor Reams issued instructions to County Detective James O'Reilly to start bringing in parking lot operators for questioning.

This racket is believed to have been organized about a year ago, when it was rumored cars in certain lots had been slashed and defaced with acid until the operators were intimidated sufficiently to pay "protection." No police reports of these outrages ever were made.

Mr. Reams is known to have an accurate description of at least one collector of this tribute.

His investigation of the parking lot extortion racket is not to be considered as a hindrance to business but rather as a help, he stated.

"The purpose of all these moves is primarily to oust Yonnie Licavoli and his gang of hoodlums so that gangdom will learn once and for all that it cannot levy tribute on Toledo business."

"These clubs are now being asked to get in line with a clean-up made necessary by hoodlums and murderers getting into the rackets in

Toledo," said Mr. Reams in his appeal to clubs and fraternal organizations. "It is disappointing to me that these people, supposed to be the highest type of good citizens, are not showing their loyalty to their city when the patriotic co-operation of every citizen is necessary to accomplish this clean-up."

### Few Machines Found.

A check of some of the fraternal and social clubs by The News-Bee Tuesday failed to show any machines in operation.

Officials of the Eagles lodge said they had removed slot machines but none of the executives could give any reason for the removal.

"We had two," Charles Fletcher, president, said, "and we have taken them out. There's no reason except that we wanted them out."

There have been none at the Elks club for the last two years at least, an attache said.

There never were any at Bayview Yacht club, an employe said. Other reports included:

Ottawa park golf course: Never had any.

Sunningdale golf course: Had three. Ordered them taken out 10 days ago when Reams' edict appeared in the papers.

Toledo club: Never had any.

Toledo Yacht club: Hasn't had any for a long time. Were removed long before Reams' fight began.

University club: Had a couple for a party last Christmas. None since.

### Praised by Council.

Council Monday night "extended its heartiest co-operation" to Prosecutor Reams in his drive against Toledo gangsters and organized racketeering.

A resolution introduced by Councilman Landon E. Hall and unanimously passed commended the prosecutor for his stand and efforts to "abate the gangster element."

"Toledo has suffered greatly," the resolution read, "at the hands of the so-called racketeers, who have levied assessments on legitimate business men and, whereas slot machines have been very degrading, city council hereby commends Prosecutor Reams for the splendid manner in which he has striven to rid Toledo of its undesirable so-called gangster-racketeer element and extend its heartiest co-operation toward this end."

### Gambling Boards Seized.

Police Monday inspected 77 business places on the East Side and confiscated five gambling boards and one penny slot machine.

The slot machine was taken from the Starr Avenue Smoke shop, 1512 Starr avenue, operated by Elmer Colling. Punch boards were seized in the Walter G. Huffman drug store, 1328 Starr avenue; the Flickinger drug store, 560 East Broadway, and the Hoffman Bros.-Smith drug store, 848 East Broadway. Baseball boards were taken in the Purdy grocery, 418 East Broadway, and the Ditto delicatessen, 411 East Broadway.

# DRIVE EMBRACES DEVICE OWNERS, HARBORING CLUBS

**AUG 15 1933**  
**Parking Lot Men, Paying 5-Cent-a-Car Tribute, Called on Carpet as Reams Reaches for "Big Shots"**

The big guns of the county's war on gambling and racketeering Tuesday were pointed at the "big shot" operators of slot machines.

Returning from the American Legion convention at Lima, where he had a brief respite from his investigation of the gang murder of Jack Kennedy and organized racketeering, Prosecutor Frazier Reams announced the extension of his war against crime. He issued an appeal to fraternal and

other clubs to remove slot machines from their private quarters as an example of "patriotic co-operation."

# DEVICES RECALLED BY RACKET HEADS TO HALT SEIZURES

## Reams' New Edict Makes Storekeepers Liable to Prosecution; Check on Gambling Spots Shows Lid Is Clamped Tight

Moving to make air-tight his ban against slot machines, Prosecutor Reams will prosecute merchants for possession of these gambling devices.

The prosecutor, admittedly displeased with the co-operation of sheriff and police in his efforts to outlaw the slot machine, Friday announced this unexpected plan to make proprietors of drug and cigar stores, groceries, beer spots, barber shops, etc., amenable to the statute forbidding the display or harboring of such equipment of the racketeer.

The announcement had the calculated effect. The owners, acting defensively, had their trucks out in short order collecting their machines. The storekeepers, apprehensive, hurried to phones, begging the owners to "come and get 'em." It looked like a formidable clean-out.

### Merchant Shares in Take.

The merchant, let it be understood, is not the owner of the machines that have been clicking so merrily and so long in Toledo. They are the property of the racketeers, such as the Fretti brothers, who control the illicit industry in the city proper.

The machine, ready for its depredations, represents an investment of about \$100 to the owner. But the merchant, besides the provisions of the statute regarding harboring, becomes partner in the vice by sharing 50 per cent in the take of the machines.

When Mr. Reams demanded, on Aug. 2, that police and sheriff seize slot machines, the racketeers had the store owners either lock up the machines in their cases or move them off the showroom floors. Approximately two dozen machines were seized in county and city raids and Thursday night the police took 12 more.

### Prosecution To Follow.

This was the situation until Thursday, when the prosecutor demanded that the enforcement authorities—Sheriff Krieger and Chief of Police Wolfe—seize machines left standing in their cabinets or containers. Now he plans to follow this up with prosecution of the merchant in the event sheriff and police do not make effective his second letter outlawing these instruments of illegal profit. It is a move for complete elimination, the immediate effect of which would be to cause the merchant to demand that the owner remove the machine.

### City Officials Confer.

The city law department, obviously ill at ease about the edict of the prosecutor, visited the prosecutor's office in force twice Thursday. First Assistant Sam Kaplan and another assistant, Miss Geneva Cesana, talked to Assistant Prosecutor Joel Rhinefort early in the day. Late in the afternoon these two city legal advisers and Police Prosecutor Stephen Faszkas visited Mr. Reams.

Reams advised the city lawyers that all slot machines are to be seized. When they are locked in

cabinets they are to be seized. If there is doubt about them being inside the cabinets a search warrant should be obtained and the cabinet forced open, if the proprietor refuses to unlock it. If the machines cannot be taken out of the cabinets, then police should seize machines, cabinets and all.

### Confers With Doctor.

This advice was dispensed to the law department by Mr. Rhinefort in the morning. The same advice was dispensed by Mr. Reams in the afternoon.

Mr. Reams' letter of Thursday made no mention of his edict against other forms of gambling from which the gangs have been taking profit, possibly because the prosecutor knew the industry had taken to the tornado cellar in the hope the storm would blow over. A quiet survey shows the racing book shops and card games resting tightly but uncomfortably under the lid.

At the R. & K. cigar store, on Superior street, there were no slot machines or punch boards in view.

### Gambling Spots Close.

At Ben Aranoff's Buckeye cigar store, on Superior street, near Madison, the gambling room was dark and that usually meaningful board of nation-wide dimensions was as barren as the Sahara. Only a placard saying the spot was 12 degrees cooler than the street testified to its vanished popularity.

And Benny was wondering how long the "heat would be on. Not that it matters, 'cause we weren't making any money, anyhow."

At Earle Jacob's cigar store, Superior near Monroe, Earle said he hadn't taken a bet since Monday. The backroom was in Stygian gloom. "Looks like they mean business. Okeh with me," said Earle, but he is a little bitter over being shoved around while he was operating with Ben Harris, late of the raiding squad's daily parade. Harris has been running a number racket.

### Bookies Are Active.

Hayes' hot table game on St. Clair apparently was shut. The covers were on the green tables.

It is understood, of course, that the bookies are still not aloof from taking a bet from someone they know well, but they are making these quite personally.

There's a glint of humor in the seriousness with which Frazier Reams grinds away. This was furnished in his sarcastic suggestion to the police that he would gladly supply a list of gambling resorts if the department lacked such information, data the newsboy on the corner could recite glibly.

### Faint Over Lists.

This being mere shadow boxing, Chief Wolfe parried with a request on the prosecutor for his office list to supplement the record in the police department. Mr. Reams countered with the suggestion, so it is understood, that Wolfe send him his own list and he would check it with the county report. And so, these amenities over, neither did anything, leaving the information the town's best open secret.

Thursday afternoon the prosecutor conferred with Dr. George Gerken, jail physician, about the alleged bruise on the right side of Jacob (Firetop) Sulkin which Sulkin's attorney, Harry Levy, told the court was inflicted by the mysterious "Clarke brothers" during the grillin' of Sulkin Tuesday night.

Dr. Gerken said he examined Sulkin at 1:30 p. m. Wednesday, at least 16 hours after the alleged injury was received. He said he found no outward evidence of a bruise. N ribs were cracked.

He said the patient "winced each time" the doctor touched a spot over Sulkin's 12th rib on the right side. Dr. Gerken taped the side but was unable to say whether there was any necessity for it.

## Reams Grateful for Detroit Aid

Special to the Blade  
Detroit, Aug. 11.—A spirit of friendly co-operation has developed between the prosecutors of Wayne county and of Lucas county, O., as the result of efforts to rid Detroit and Toledo of hoodlums.

This was revealed Thursday as Prosecutor Harry S. Toy received a communication from Prosecutor Frazier Reams, Toledo, thanking the Wayne county office for assistance given by the four investigators whom the Wayne county office lent to Lucas county.

Mr. Toy said that the four men had been sent to Toledo because of their familiarity with hoodlums who long have been using Toledo as a rendezvous between appearances in Detroit.

Mr. Reams said that the four men had aided him materially.

Prosecutor Reams admitted here Friday that he has been given valuable assistance by four investigators from the office of Prosecutor Toy.

Mr. Reams said he has never seen two of the investigators, who have been working under cover. The other two presumably were the "Clarke brothers" who have helped in questioning witnesses.

Names of the investigators were not revealed in accordance with a policy followed by Prosecutor Toy.

# EXTORTION MOUNTS AS SLOT MACHINE PAYOFF IS HALTED

## Merchants Face Arrest as Accessories to Crime; Prosecutor Urges Co-operation With Police and Promises Adequate Protection

Striking to throttle the "last expiring gasp of the racketeer," Prosecutor Reams today served warning that any Toledo business man paying extortion to the musclemen would be prosecuted by him as accessory to the crime.

The announcement by Mr. Reams followed the revelation that the gangsters, their revenue from gambling shut off by the anti-vice campaign, had resorted to threats against merchants to pay tribute or suffer violence.

"If your business is legitimate," said the prosecutor in a statement to merchants in the county and city, "you do not have to put up with this racketeering. If you do accede and pay, you will thereby become accessory to the crime and will be punished accordingly."

The prosecutor, on the verge of making arrests that he expects will solve the murder of Jack Kennedy, declared that the last twist of the gang angle was not unexpected, with the racketeers half-starved by the ban on gambling.

### Muscle Men on Job.

Mr. Reams declared that complaints had come to him that a group of rough looking customers had been visiting business places, particularly small restaurants that handle beer, and threatening the

"Now that the slot machine business is out, you will have to kick in or it will be just too bad for you."

The prosecutor said that description of two of the men had been obtained from one of the merchants threatened and that their arrest was impending. They will be charged with extortion. Mr. Reams did not identify the men or suggest their gang affiliations. Previously he had charged the Licavoli mob directly with running the rackets in Toledo.

### Protection Is Promised.

Reams said that the duty of the merchant, not only for self-protection but as members of the community, was to notify the police, sheriff's office or the prosecutor, immediately after threats had been made or visits paid by the racketeers, and protection would be afforded. He emphasized that the protection would be complete.

The gang-busting prosecutor urged merchants threatened to get as good descriptions as possible of calling racketeers, together with car license numbers and any other helpful information.

Recent intimation that the gangsters were muscling in on legitimate business was given when "Bud and Luke," who run a restaurant at 20th and Madison, were called to the prosecutor's office and asked if it were true the racketeers had muscled in on their business.

They announced they had denied such a situation, but the prosecutor's office is said to be continuing his investigation of the reports, which persist.

Meanwhile, the investigation of the Kennedy murder swung into the home stretch, with developments that forecast important arrests.

The "Clarke brothers"—the De

Please Turn to Page 2, Column 1. Detroit prosecutor's experts who have been assisting Prosecutor Reams—have been out of the city for two days, presumably back in Detroit but still on the Toledo case. Their two undercover assistants are understood to be here.

But Detective Captain George Timiney, assigned by the police to assist the prosecutor, has returned from a similar mysterious absence that suggested the investigation was nearing a decisive showdown. The "Clarke brothers," altho working principally on the racketeering angle of the crime situation here, have not hesitated to forecast the solution of the murder of the young bootlegger at Point Place on July 7, and the complete crushing of Yonnie Licavoli's hoodlums who have been running the rackets here.

The prosecutor, at work in his office, received a phone tip that several small stores on Hill avenue, Stop 16, southwest of Toledo, were harboring the banned gambling devices. Mr. Reams ordered Detective James O'Reilly to raid the places. O'Reilly, accompanied by City Detective Emmet Cairl, hurried to the scene.

### Machines Concealed.

In the grocery store of F. W. O'Comski and the barber shop of John J. Kulwicki, they found two locked cabinets. Each storekeeper said unhesitatingly that the cabinets contained slot machines, that they had locked them up when they heard what Reams was doing and that they were anxious to get rid of them without trouble.

The machines were De Luxe nickel devices and are owned by Tom Worland, who runs the racket in the county. O'Reilly phoned Reams and the prosecutor notified the sheriff's

Please Turn to Page 2, Column 4.

Continued From Page 1.  
office to send a truck for the machines. He also asked the sheriff to guard a closed restaurant nearby where a machine is believed to be, until it is opened this afternoon, and then to take in the machine.

### Carries Identification.

Just about then the restaurant owner arrived. He identified himself promptly with a card signed by David Krieger, sheriff of Lucas county, extending the courtesies of sheriff's department of our government to "James Hulings." The restaurant man has other connections. He is a lieutenant in the Adams township volunteer fire department.

Mr. Hulings let the detectives into his place of business and they found there a nickel and a penny machine, exposed for business, but standing in cabinets across which there were locked bars. Hulings said that the representatives of the owner had carted the devices away a week ago and brought them back Thursday, saying it was "all right" to run them now.

### Worland Arrives.

News of the raids had got about apparently, for Claude Metzger, aide to Worland, drove up. He had nothing to say, but unlocked the crossbars and the machines were carried onto the sidewalk, awaiting the sheriff's truck.

The two machines previously seized also were standing in front of their former habitats, each in its cabinet. This was the situation when Worland arrived in person. The racket man was invited to unlock the crossbars and save the cabinets for himself, but he declined to play ball with the detective.

"Go ahead and take them," he vouchsafed.

### Slot Machines Idle.

The racket situation lay dormant, with the fuse of sensation ready for the match. Police and sheriff have made few raids following Mr. Reams' request Thursday to seize slot machines in cabinets. The owners have hauled in most of these devices. There is confusion in the department over the right to seize machines in cabinets, but none in the mind of Mr. Reams. To him, a slot machine is a slot machine, whether in its case or not. He has forecast that he will arrest merchants who harbor these machines.

The first slot machine in a cabinet to be seized by the police under Mr. Reams' request was confiscated Friday night. It handles pennies. Eight exposed machines were seized.

It would be very characteristic of Mr. Reams—now that he has made the storekeeper partner to the racketeer—to select for prosecution some conspicuous and otherwise respectable merchant for a test case, or even a group of persons of this description.

### Public Support Grows.

The prosecutor has come to have a large dependence on the rising tide of public opinion surging in his support and such a confrontation of business with responsibility for abetting a racket would be calculated to amount to a social showdown. There may be a little difficulty finding suitable subjects, for the merchant as well as the gangster is now willing to take Reams at his word. They have worked fast to clear their skirts of the racket smudge.

### Certain Gangsters Traced.

While no one will say so, it is understood Timiney and the Detroit men have been tracing the men they want in the murder case.

There has been an exodus of gangsters from the city. Included among these are Ralph Carsello, Joe (Wop) English and John Mirabello, Licavoli aids who were released by the prosecutor thru his confidence that their attorney would produce them when wanted. Now their lawyer disavows such a promise to Reams and the men are gone. There was, however, a broadcast for their seizure.

There also is a suspicious quiet about Licavoli's pretentious house on Pemberton road. The gang leader is under heavy bail after sentence to federal prison on a liquor charge. Federal bondsmen are friends and apparently no tab has been kept on a suspect under such double surety. The gardener is at work and the lawn and sunken garden are as attractive as ever.

Meanwhile, Jacob (Firetop) Sulkin continues to be held without bond in county jail charged with the first degree murder of Kennedy. With him also is held Sammy Stein, former pawnbroker's clerk, also charged with murder. Deputies at the jail say that Firetop is extremely nervous and irritable at being held. Former friends of his, high in the Republican organization, Saturday were busy denying that they had ever had any dealings with the little red-headed ward heeler.

### Family To Visit Firetop.

Attorney Harry G. Levy, thwarted in his attempt to obtain Firetop's release with a habeas corpus writ, Friday obtained permission from the prosecutor for Firetop's family to visit him at the jail.

Sheriff Dave Krieger conferred with the prosecutor late Friday following reports made to the prosecutor that there are slot machines being operated in the open at Point Place. The sheriff said he had received the reports and had assigned Deputy Leo Fagin to keep Point Place clean of slot machines. Deputy Fagin confiscated two of them Thursday night.

The mysterious Clarke brothers, special operatives out of the office of Prosecutor Harry Toy of Wayne county, Detroit, were back in Detroit. Assistant Prosecutor Arnold Bunge is out of the city on a "fishing trip." There may be some connection between the absence of these three and that of Detective Timiney, but the prosecutor's office remains silent about it.

## REAMS SEIZES SLOT MACHINES

### Two Gambling Devices Are Found in County by Detective O'Reilly

Openly displeased with the co-operation by the sheriff with his demand that slot machines be seized, Prosecutor Reams Saturday caused the seizure by a county detective of two machines in cabinets without notifying Sheriff Krieger.

# REAMS GRILLS JACOB SULKIN IN RACKET WAR

## Licavoli Lieutenant Is Nervous After Surrender AUG 9 - 1933 DRIVE QUICKENS

### Prosecutor Tries To Find if Legal Business Pays Tribute

County Prosecutor Frazier Reams and his aids last night began what promised to be a lengthy grilling of Jacob (Firetop) Sulkin, lieutenant of Thomas (Yonnie) Licavoli, in connection with the Jack Kennedy murder as the climax of a sensational day in the drive against racketeers.

The events of the day rattled off with rapidity and were featured by:

1. The surrender of Sulkin to Sheriff David Krieger at the Union station at 2:30 p. m.
2. The turning of the attention of the investigators into legitimate business circles to ascertain to what extent Licavoli was levying tribute against merchants of Toledo, if any.

**Tom Worland Quizzed**

3. A renewal of questioning of purported heads of the slot machine racket in Toledo and Lucas county which included the quizzing for the first time of Tom Worland, head of the DeLuxe Sales Co., Summit street, reputed chief of the slot machine racket in the county environs.

4. The resignation of Ralph DeGenito as deputy county treasurer, reported to have been requested by County Treasurer Grant Northrup.

**Firetop Dressed in Green**

Arrangements for the surrender of Sulkin, who is wanted for questioning in connection with a weapon said to have been used in the murder, were made yesterday morning by his attorney, Harry Levy, with Prosecutor Reams.

A telephone call from Mr. Levy informing him Sulkin could be found at the Union station. The sheriff and Jailer Jay Gilday drove to the Union station where they found Sulkin and Mr. Levy in the waiting room.

Sulkin was taken to the county jail where he was booked at 3 p. m. He gave his age as 43, address, 4523 Overland parkway, and occupation as that of salesman. He was nattily-dressed in a dark green suit, brown and white sports oxfords, polka-dot shirt and green tie, and a white flannel hat. He obviously was worried and ill at ease and was extremely reticent about talking with newspapermen.

When asked where he had been he responded brusquely, "On a vacation—why?"

"Were you in Atlantic City?"

"What difference would that make—ask my lawyer."

He then was asked if the statement of Sam Stein, former pawnbroker's clerk who is charged with first degree murder in connection with the Kennedy killing, that he had given Sulkin one of the revolvers believed to have been used in the slaying, was true.

"What gun?" Sulkin questioned. "Why I don't even know Stein, never heard of him."

**Don't Know Stein**

He laughed when Sheriff Krieger told him he'd have to be placed in a cell apart from the other boys and asked, "Who've you got in jail?"

He chuckled again when he was told "Chalky Red" Yaranowsky and Sam (Slim) Pallazola were confined there.

At 4:30 p. m. Prosecutor Reams told Sheriff Krieger to bring Sulkin over to his office for questioning but a few moments later the sheriff reported to Prosecutor Reams that "Sulkin refused to leave the jail."

Prosecutor Reams snorted into the telephone and ordered the sheriff to use force if necessary. Informed of the order Sulkin left the jail docilely enough with Jailer Gilday and Deputy Franklin Sherman.

**Levy Seems Alarmed**

Sulkin was brought to the courthouse through the tunnel which connects with the jail but 45 minutes after his arrival there. Mr. Levy, his attorney, appeared at the prosecutor's office. He conferred privately with Prosecutor Reams and seemed to be contented when he learned his client was being questioned only by members of that official's staff.

Mr. Levy left the courthouse at 6 p. m. while his client, still being interrogated and refused to respond to questions concerning the recent whereabouts of Sulkin.

That the questioning was being centered upon the weapon which Stein said he gave to Sulkin was indicated when Arnold Bunge, assistant county prosecutor, left the grand jury room and returned a few moments later with a blue-steel .38 caliber revolver in his hands.

**Bud and Luke Questioned**

Mr. Reams refused to disclose whether he planned to place any specific charge against Sulkin at the present time but asserted he did not contemplate calling a special session of the grand jury.

Earlier in the day Mr. Reams questioned Eugene and Glen Fowler, better known to thousands of Toledoans as "Bud and Luke" who operate the somewhat noisy eating house at Madison avenue and Twentieth street. They formerly operated a less pretentious but just as noisy barbecue stand on Broadway.

It was presumed that they were to be questioned about certain reports that the Licavoli gang attempted to muscle in on their profits about two years ago when they were operating the Broadway barbecue stand.

**Suspected Victims Silent**

There were other reports that operators of similar eating houses and roadhouses and inns on the outskirts of the city had been victimized in this fashion but nothing ever was proved about any of them being preyed on by gangsters. In fact most of the persons questioned refused to say anything.

Worland, who is said to have resisted any and all efforts to muscle in on his exclusive control of the county slot machine situation, was quizzed briefly by Mr. Reams and the two mysterious investigators who have been helping his cause.

Others questioned at the Board of Trade building and in the prosecutor's office were: Ben and Joe Fretti, brothers who operate the Acme Sales Co., as their slot machine headquarters; Franklin (Tubby) Rousch, former patrolman and high school football star, who operates the Callo Sales Co., another slot machine enterprise, just around the corner on Monroe street from the Acme Sales Co. which is on Michigan street; Mrs. Dorothy Green and Corrine Adams, both of 713 1/2 Monroe street, and Arthur Albrecht, of 5916 Edgewater drive, operator of the Gem Sales Co.

**Guns Seized**

Two weapons seized at the Acme Sales Co., a big, nickel-plated .38 caliber revolver, said to be the property of Ben Fretti, and a stub-nosed revolver of similar caliber, property of Joe, and a .38 caliber blue-steel revolver with four notches on its butt, the property of "Chalky Red," were sent to Detroit yesterday for ballistics tests. A third revolver, a .45 caliber with two notches on the butt, taken by police who investigated an assault and battery complaint made by a woman on Monroe street, also was to be sent to Detroit.

Mr. Reams said he plans to summon for questioning Wednesday, Maurice Schwab, president of the Schwab Machinery & Supply Co., who in a recent bankruptcy hearing in federal court made the assertion that racketeering in the cleaning business was the principal factor in the failure of his concern.

**Deputy Treasurer Quizzed**

County Treasurer Northrup demanded and received the resignation of DeGenito, his deputy, whose purchase of a share of the Black and Tan cabaret, Canton street, from Yaranowsky and Pallazola for \$200, led to his being quizzed in connection with the murder.

At the courthouse yesterday he stated he had been given a clean bill of health by the prosecutor in connection with the slaying and he later went to the jail where he attempted to buy the other two-thirds of the cabaret from Yaranowsky and Pallazola. They, however, were only lukewarm in their interest in the proposal and he departed from the jail after declaring he would see them later about it.

In his spare time, Prosecutor Reams, probably the busiest man in the county at the moment, is completing proposed legislation governing the sale and distribution of firearms in Ohio which he intends to present before the special session of the general assembly Aug. 15.

The plan looks toward registration of all weapons; issuance of permits by a board consisting of the prosecutor, sheriff and county recorder; ballistics tests of all weapons sold and provision for stiff penalties.

# What Happened to Firetop While in Reams' Office

## BLADE Reporter Gives Observations of What Took Place When Sulkin Says He Was Beaten by Investigators.

**BY KEN HAMEL**

With charges being made by Attorney Harry Levy that his client, Jacob (Firetop) Sulkin, was beaten during a grilling Tuesday night and with Prosecutor Frazier Reams making a vigorous denial of the beating charge these observations made by a BLADE reporter may enable the public to determine the truth of the controversy.

Prosecutor Reams and his assistant, Arnold Bunge, together with reporters of the afternoon newspapers, were talking with Mr. Reams' special investigators about the Kennedy case Tuesday at 8:30 P. M.

One of the investigators asked Mr. Reams to have Firetop brought over for questioning. Sulkin had given himself up that afternoon and had been subjected to a brief inquiry at 4:30 P. M. by the prosecutor in which he made a blanket denial of everything.

**Sulkin Brought In**

Mr. Bunge went to the jail and returned in a few minutes accompanied by Sheriff David Krieger and Sulkin. The prisoner was taken into Mr. Reams' private office and everyone except Firetop and the two investigators left the room. As Firetop entered the room he walked to a window and waved his hand.

"Who are you waving at?" one of the investigators asked. "None of your business," reporters heard him say. Something was said about the "Clarke brothers"

which local hoodlums have dubbed the special investigators. Reporters hurried to the large waiting room of the prosecutor's office from where they could obtain a partial view of the private office. The waiting room was dark and the private office well lighted. The shades were not drawn and the windows were open.

Mr. Reams, Mr. Bunge and Sheriff Krieger walked the other way to the grand jury room which is about 60 feet from the private office.

**Leaps From Couch**

Firetop had been in the room only a few seconds when he was seen leaping from a couch on which he had been sitting. His leap was in the general direction of the investigators who were in a portion of the room that could not be seen by reporters.

Noises of a general scuffle ensued but nothing could be seen as the action was taking place in one corner of the room obscured by the wall. The noises sounded as if someone was bumping against the door of the private office.

Presently Firetop could be heard calling: "Oh, Dave, Oh, Dave." He repeated this call several times before Sheriff Dave Krieger who was still in the grand jury room was attracted by the noise.

Krieger went to the private office and opened the door. Firetop complained about Reams putting him in an office with two men who were beating him. The sheriff walked away as the investigators backed Firetop to the couch, ordering him to sit down.

They argued a few moments about him sitting down, the investigators saying: "You sit down" and Firetop shouting: "I'll sit down all right." He finally sat down in a chair.

Coatless and with their shirt sleeves rolled up above their elbows the investigators started their grilling which was intended to break down Sulkin's story that he had not been given the gun that killed Kennedy as confessed by Samuel Stein.

Firetop kept rubbing his cheek and his nose. He shook his head several times. A round bright spot blossomed on his cheek and then faded as the hours dragged to 2 A. M. before the investigators sent Sulkin back to the jail.

**Grilled for 7 Hours**

They questioned him alternately and then at the same time. First one shouted at him calling him names. Then he rested while the other pleaded with him in a low voice that could not be heard. This lasted seven hours. Firetop reacted to their system. When they shouted he shouted.

When they whispered he whispered, denying always shaking his head, denying that he had ever seen the murder weapon or given it to his friend, Yonnie Licavoli.

There was no disturbance during the balance of the questioning. Firetop sat in one corner of the room where reporters had an excellent view of all that took place. He smoked cigarets and when he ran out of them borrowed a few from his questioners. Sometimes he stood up and paced back and forth. He was given water to drink.

If Firetop was slugged it happened in the two minutes after his leap when the view of reporters was obscured.

While denying that the investigators laid a hand on Sulkin, Prosecutor Reams said he never saw a man so anxious to get slugged. Firetop begged for it, the prosecutor said.

During the inquiry the investigators accused Sulkin of attempting to have them strike him so he would be marked. It had been reported that Firetop had been sent into the room to get into a fight so he would receive a black eye or some other evidence of a blow having been struck. This was to have been used to procure the release of the prisoner, it was said.

## First Degree Count Voted Against Licavoli Aide by Grand Jury; Is Held Without Bond.

In a deft move to circumvent any possible legal action that might free Jacob (Firetop) Sulkin, contact man for the Yonnie Licavoli gang, from jail, the Lucas county grand jury assembled hurriedly Thursday morning and voted an indictment accusing Sulkin of first degree murder in the death of Jackie Kennedy in Point Place, July 7.

The unexpected action came as Sulkin was preparing to appear in police court for arraignment on a warrant charging

him with the crime. The warrant was made out Wednesday afternoon to prevent release of Sulkin from jail on bond as a material witness.

Acting on orders of Prosecutor Frazier Reams, deputies under Sheriff David Krieger worked Wednesday night to summon the grand jurors, several of whom do not have telephones.

**Indictment Voted**

Members of the jury assembled at 8:15 A. M. Thursday and voted the indictment at 9 A. M.

Mr. Reams then went to the office of the clerk of municipal court and said that the indictment superseded the warrant and made arraignment unnecessary. However, the case was placed on the police court docket and marked off as a matter of form.

The indictment charges in part that "Sulkin, late of the county aforesaid on the seventh day of July in the year of Our Lord 1933 of the county of Lucas aforesaid, did unlawfully, purposely, and of deliberate and premeditated malice kill and murder Jack Kennedy by shooting the said Jack Kennedy with a pistol."

The indictment was returned to Judge Robert Gosline of common pleas court, after which a copy of it was taken to the county jail by Charles Kohne, deputy sheriff, for service on Sulkin. There is no bond permissible on the charge of first degree murder.

**Material Witness**

Informed of the indictment, Harry Levy, attorney for Sulkin, said that he would await developments before taking any further action. The warrant accused Sulkin of being a material witness in the case of Samuel Stein, former pawn broker's clerk under first degree indictment in the Kennedy case. Stein confessed that he sold one of the guns used in the murder to Sulkin.

The warrant was obtained by Arnold Bunge, assistant prosecutor, in police court after Judge Gosline had set bond for Sulkin at \$5,000. A capias for Sulkin's arrest had been issued by the prosecutor.

When it appeared certain that Sulkin would be released on bond, Mr. Reams decided to prevent this by taking out the warrant. This action nulled the bond and Sulkin was taken back to the jail by Sheriff Krieger.

At the hearing on the writ Attorney Levy informed the court that his client had been beaten by Mr. Reams' special investigators during an inquiry that lasted from 8:30 P. M. Tuesday until Wednesday at 2 A. M. Mr. Bunge told the court that Firetop did not appear as if he had been struck.

**Beating Denied**

Mr. Bunge said Sulkin had been "cock-of-the-walk" long enough and

when he saw that he was unable to answer the questions of the investigators, trumped up the beating angle.

Prosecutor Reams was emphatic in his denial of Sulkin's and Levy's statements that Firetop had been beaten. He said that the investigators had not placed a hand on the prisoner.

After the hearing Sulkin told a BLADE reporter that he was taken into a small room at the prosecutor's office Tuesday night to face two questioners whom he did not know.

"So you're the guy who won't do any talking," Sulkin quoted one of the men as saying.

"Yeah," he replied.

A slugging match which lasted about five minutes followed, according to the prisoner. Sulkin said he fought back but it did not do him any good. He complained that his right side was hurt.

**Pair Is Released**

This was taped by Dr. George Gerken, jail physician, who said Firetop complained of the injury at 1:30 P. M. Wednesday. Dr. Gerken said there is no outward evidence of a blow having been struck.

Chalky Red Yaranowsky and Sam (Slim) Pallazola, former operators of the Black & Tan restaurant who relinquished their claim in the place of Ralph DeGenito, were released Wednesday afternoon after another questioning by the prosecutor. Attorney Levy promised that they would appear when sought.

Mr. Reams asked Levy if he was giving his professional word on their appearance, commenting on the fact that he had had trouble with Attorney Cecil Stickney who obtained the release of Joseph (Wop) English, Ralph Carsello and John Mirabella and later contended he had not given his professional word. Mr. Levy assured the prosecutor he was giving his professional word.

**Fentzer, House Questioned**

The investigation which has been conducted in Mr. Reams' private law office in the Board of Trade building was abandoned temporarily Wednesday afternoon as the special investigators turned their attention to other developments in the case. Mr. Bunge who said he was going on a fishing trip will not return to the case until Monday.

Leonard Fentzer of the Service Sales Co., 107 Michigan street, and Louis H. House, 405 Platt street, both said to be slot machine operators, were questioned Wednesday. House was one of the signers of Licavoli's bond in federal court.

# FIRETOP SULKIN CHARGED WITH KENNEDY DEATH

AUG 1 1933

## Prisoner Says Agents Took Turns at 'Beating' Him

### JURORS CALLED

#### Prosecutor Is Expected To Ask Indictment in Gang Drive

Doggedly pursuing the offensive in his campaign against racketeers, County Prosecutor Frazier Reams late yesterday ordered the county grand jury to convene tomorrow presumably to consider an indictment against Jacob (Firetop) Sulkin, who is under arrest on an affidavit charging him with the first degree murder of Jack Kennedy.

The order concluded a day of artful legal duelling between Mr. Reams and Attorney Harry Levy, counsel for Sulkin, alleged contact man for Thomas (Yonnie) Licavoli here.

Mr. Levy opened the match by appearing at the courthouse with a petition for release of his client on a writ of habeas corpus.

#### Beating Charged

In his argument Mr. Levy declared Sulkin had been questioned closely for several hours Tuesday night by "two mysterious men whose names were unknown, who beat and slugged him in an attempt to force him to testify against himself."

Sulkin, who held his right side during the hearing, told newspaper men he had been pounded vigorously by the two men for at least five minutes after he was brought before them. He said he had defended himself as best he could.

Arnold Bunge, assistant county prosecutor, asserted that Mr. Reams and he had been in the prosecutor's office during the questioning and denied that any such incident occurred. He also declared that Sulkin did not appear to have been mistreated.

#### Sulkin Waits Nervously

The prosecutor, however, countered at this juncture with a capias charging Sulkin with being a material witness and Judge Robert G. Gosline set his bond at \$5,000.

While Sulkin nervously waited in the second floor corridor of the courthouse outside the door to the sheriff's office for his bondsmen to arrive, Mr. Bunge hastened to the municipal clerk's office where he filed the affidavit charging the prisoner with the murder of Kennedy.

Mr. Reams also requested a warrant for Sulkin's arrest be served immediately and that he be held in custody of Sheriff David Krieger.

Hearing of the affidavit was slated for 9 a. m. today before Municipal Judge Frank O'Connell and Mr. Reams indicated he personally would appear in police court on the case. He declined to say definitely what course of action he would pursue.

He did, however, intimate that he probably would have Sulkin examined by a physician in an attempt to learn whether his body bore any marks of a beating.

The two "mysterious persons" who were said by Sulkin to have alternated in "taking socks at him" yesterday questioned Leonard Fetzer, of the Service Sales Co., of 107 Michigan street, reputed slot machine headquarters, and Louis H. House, 405 Platt street, who is said to have been connected with the slot machine business and who was reported to have been one of the signers of Yonnie Licavoli's bond when he was convicted of a federal liquor law violation.

Mose and Huns Shapiro, alleged to have been affiliated with the Licavoli slot machine interests, also were questioned again by Mr. Bunge and Joel Rhinefort, chief assistant county prosecutor.

#### Two Men Released

"Chalky Red" Yaranowski and Sam (Slim) Pallazola, erstwhile partners in the Black and Tan cabaret, Canton street, who are said to have closed a deal to sell their portions of the cabaret to Ralph DeGenito, ex-deputy county treasurer and originally an owner of one-third of the cafe, were released from custody yesterday.

Their release was effected by Mr. Levy who gave the prosecutor his professional word they would appear in his office whenever wanted for questioning.

Throughout the eight hours he was questioned Tuesday night and yesterday morning, Sulkin steadfastly denied ever having received or purchased any weapon from

Sam Stein, former pawnbroker's clerk who also is charged with first degree murder in the Kennedy killing.

#### Stein's Story Different

Stein has told the investigators that he sold to Sulkin for \$3 a revolver which the investigators said has been shown by ballistics tests to have been one of the weapons used in the murder.

He also denied that he had any more than speaking acquaintance with Stein and answered all questions hurled at him with a defiant "I can't tell you anything about it because I don't know anything about it."

Shortly after noon Jay Gilday, chief jailer, took Sulkin from the county jail to the Safety building where he was photographed and finger-printed in the Bertillon bureau.

## REAMS PLACES TEETH IN SLOT MACHINE EDICT

### Prosecutor Asserts Any Kind Can Be Confiscated

#### ORDERS ISSUED

#### Firetop Sulkin Indicted on Murder Charge in Kennedy Case

Definite indication that County Prosecutor Frazier Reams' campaign against racketeers will be a fight to a finish was manifest yesterday when the prosecutor put new teeth into his edict barring slot machines and artfully circumvented probable legal entanglements ament the Jack Kennedy murder probe by hurriedly obtaining a first degree murder indictment against Jacob (Firetop) Sulkin.

Reports persisted last night and early today that the vice, gambling and liquor police squads were slated for a general shake-up. Chief of Police Daniel Wolfe said he knows nothing about the matter.

New orders probably will be issued today by Chief Wolfe regarding the seizure of slot machines following a conference late yesterday between the prosecutor, Sam Kaplan and Miss Geneva Cessna, assistant city law directors, and Stephen Fazekas, city prosecutor.

#### Ban on Slot, Reams Says

Acting on orders issued last week by Chief Wolfe, police last night confiscated eight more slot machines in the downtown section.

The conference was preceded by a tersely worded letter from Mr. Reams, copies of which were sent to Chief Wolfe and Sheriff David Krieger, asserting that the ban against slot machines will be in effect as long as he is in office and expressing disappointment in the number of machines thus far confiscated.

At the conference Mr. Reams and the city law department representatives agreed on the following policy concerning the seizure of machines, particularly those which are believed to be concealed in locked cabinets in various Toledo business places:

#### Explanations Made

In the event a locked cabinet believed to contain one or more machines is discovered, the proprietor of the place will be requested to open the cabinet. If he refuses a search warrant will be obtained and if further investigation reveals the cabinet is the depository for one or more machines, the machines and cabinet will be confiscated.

The letter also declared "there seems to be an idea prevalent among persons in whose places of business slot machines are kept that the closing of slot machines is only temporary. However, it is the intention of this office that the business of operating slot machines be permanently barred from the city and county.

"It was my desire and is now my request that you have all machines confiscated whether they be in cabinets or in the open."

The letter also expressed the prosecutor's desire for a list of all slot machines confiscated, the names of the companies which appear on the machines, any numbers appearing thereon, the location from which taken and the name of the person placed in charge of the confiscated machines.

The first degree murder indictment was voted yesterday morning by a hastily assembled grand jury even as Sulkin and his attorney,

Harry Levy, prepared to appear in police court for a hearing on an affidavit charging Sulkin with the murder of Kennedy.

#### Indictment Returned

Mr. Reams previously had let it be known the grand jury was to convene Friday but late Wednesday night telephoned the grand jurors to convene this morning. The jury went into session at 8:15 a. m. and returned the indictment at 9 a. m.

Mr. Reams then went to the municipal clerk's office and told them the indictment superseded the affidavit and warrant and arraignment in the city case would be unnecessary. The case, however, was put on the police court docket and marked off according to form.

The true bill reads, in part, that "Sulkin, on the seventh day of July, 1933, in Lucas county did, unlawfully, purposely and of deliberate and premeditated malice kill and murder the said Jack Kennedy by shooting the said Jack Kennedy with a pistol."

The true bill was returned formally to Judge Robert G. Gosline, after which a copy was delivered to Chief Deputy Sheriff Charles Kohne for service on Sulkin.

#### Awaits Developments

Informed of the indictment, which does not permit release of Sulkin on bond, Attorney Levy said he would await developments before taking action.

The affidavit charging Sulkin with Kennedy's murder was filed in municipal court late Wednesday by Arnold Bunge, assistant county prosecutor, after Judge Gosline had set bond of \$5,000 for Sulkin as a material witness in the trial of Sam Stein, who also is charged with first degree murder.

The capias charging Sulkin as a material witness was asked by the prosecutor after Mr. Levy had charged, during a hearing on a petition for release of Sulkin on a writ of habeas corpus, that his client had been beaten unmercifully by "two mysterious investigators who questioned him for several hours Tuesday night and Wednesday morning."

Both Mr. Reams and Mr. Bunge denied the investigators had laid a hand on Sulkin.

Sulkin, however, asserted he had been slugged by both men for about five minutes and complained his side hurt.

Late yesterday Dr. George Gerken, county jail physician, told Prosecutor Reams he had taped Sulkin's side at his request but that the man's body bore no marks indicative of a beating and that he had no fractured ribs.

Soon after voting the indictment against Sulkin, the grand jury adjourned until next week when its investigation of the Kennedy case undoubtedly will be resumed.

#### Sulkin's Brother Arrested

Charles Sholkey, 38, alias Charles Sulkin, 2445 Warren street, brother of Jacob (Firetop) Sulkin, was arrested last night by Detectives John Mullen and Frank DeLors as a robber suspect.

Sholkey was identified in a police lineup by Walter Vogel, 818 Cherry street, as the man who robbed him of \$90 cash and \$25 in checks at 2 a. m. Sunday.

Mr. Vogel, a lakes sailor, told the detectives Sholkey took the money from him in front of his home after they had visited several drinking places during the night.

Sholkey, whose police record dates back to 1908, recently was paroled from the Ohio penitentiary for his heroism during the prison blaze which took the lives of more than 300 inmates. Sholkey is credited with saving several prisoners' lives.

## Sulkin's Brother Held in Robbery

Charley Sholkey, 38, of Warren street, was arrested Thursday night as a suspect in the holdup of Walter Vogel, 818 Cherry street, who was robbed of \$90 and two checks for \$25 early Monday. Vogel told police that two men held him up at Cherry and Michigan streets.

Sholkey, held on suspicion, is a brother of Jacob (Firetop) Sulkin, indicted for first degree murder of Jackie Kennedy.

# Reams Demands Action Be Taken Against Store Keepers Who Display Slot Machines

Slot machines were being taken deeper into hiding and operators of them expressed great concern as Prosecutor Frazier Reams added further ammunition to his campaign to starve out gangsters Friday by announcing that business men who permit the devices in their stores will be subject to arrest and indictment.

The prosecutor also considered raids on companies operating the machines and places wherein they are stored, which

is believed to be why mysterious trucks were seen Thursday and Thursday night being loaded with what is believed to be slot machines being removed from the downtown district.

Mr. Reams let it be known Friday that a search is being made for Kenneth (Punkins) Francis, body guard of Jackie Kennedy. Francis remained in Kennedy's cottage on the evening of July 7 while Kennedy went for a stroll with Audrey Ralls, beauty contest winner. He was shot down while walking with Miss Ralls.

Francis was released the day after the murder and promised to be available for questioning whenever wanted. He has not been seen by officials here since the Kennedy funeral, at which he was a pall bearer.

#### Machines Seized

Eight slot machines, picked up by Patrolmen Burand Costin and Champion of the gambling squad, were taken to the Safety building Thursday night.

A five-cent and ten-cent machine were picked up in a restaurant operated by William Fotoplos, at 513 Jefferson avenue. The machines bore labels of the State Service Sales. Another machine with the same tag was confiscated at the restaurant of Charles Brown, 1113 Adams street.

An Acme Sales Co. five-cent machine was seized in an apartment occupied by Smoke Smith, 1610 1/2 Adams street. A five-cent machine with a Cagli-O-Sales label was taken from a barber shop operated by Carl Griffic, 1610 Adams street.

Penny machines were taken from Tanner's restaurant, 517 Jackson street; Heal and Briggs' billiard rooms, 417 Superior street, and a restaurant operated by Paul E. Manocchio at 1525 Adams street. The five and 10-cent machines were in cabinets but not locked while the penny machines were displayed on counters, the officers said.

The gambling squad visited about 150 places Thursday afternoon and found empty cabinets in most of the places but no machines could be found.

#### Orders Cabinets Seized

Restaurant, pool room and store proprietors who had depended on the income from these devices quickly moved them to rear rooms after dark shortly after Prosecutor Reams' edict banning the instruments last week.

Mysterious looking persons with black satchels appeared at the various stores where these machines had been located and were reported to have emptied the contents several days ago.

Prosecutor Reams now has ordered cabinets which formerly contained slot machines seized by county and city officers.

Immediately after this announcement was made and Prosecutor Reams further insisted that his campaign against the devices is to be a permanent one more mysterious

looking strangers appeared at the doors of stores throughout the city and county.

#### Subject Arrest

Proprietors took these men into back rooms. Shortly afterward at the rear door trucks were seen to drive up and objects about the size of slot machines but carefully hooded with canvas covers were loaded into these trucks. In fact, at one store the hood slipped slightly and revealed the lower part of a slot machine and an empty jack pot.

Statutes of the general code of the state provide for the arrest of persons who display or keep gambling devices in their places of business, Mr. Reams said. Slot machines that have been operating in Lucas county and Toledo are gambling devices, the prosecutor said.

Revenue from slot machines has been the most important source of income for the Yonnie Licavoli gang, Mr. Reams has informed Sheriff David Krieger and Chief Dan Wolfe, in ordering the confiscation of the slot machines and cabinets in which they are contained.

#### Law Interpreted

Business men who display or keep slot machines in their places are not co-operating with the authorities and are breaking the law, the prosecutor held.

assistant city law directors, Thursday afternoon interpreting the law regarding the operation of slot machines and other gambling devices for the information of the police department.

Mr. Reams suggested that the police first ask the proprietor of the store to open the cabinet in which the officer suspects a slot machine is located. If the proprietor refused then the officer should resort to a search warrant, the prosecutor advised.

Where the slot machine is chained to the cabinet or a part of the cabinet both the machine and the cabinet are to be seized, Mr. Reams ruled. The cabinets are constructed for no other purpose than to contain slot machines, he said.

#### Permanent Order

Not satisfied with the progress made by the sheriff and the police in his war against slot machines Prosecutor Reams issued a very definite statement Thursday in which he made it clear that the ruling barring the gambling devices was not just a flash in the pan or a political move but that it is a permanent order.

The prosecutor said that warrants may be issued with which to search warehouses or sales companies where the machines are stored. This order applies directly to the present condition for many of the slot machines have been taken from the stores and placed in temporary retirement in the slot machine headquarters.

Capt. George Timiney of the police department conferred Thurs-

day with Mr. Reams and County Detective James O'Reilly about the Jackie Kennedy murder investigation which provoked the starvation campaign. Neither Mr. Reams nor Captain Timiney would divulge the nature of their conference.

#### Clues Checked

Several clues which have been received on the location of Licavoli and his henchmen, Joseph (Wop) English, Ralph Carsello, and John Mirabella, who are wanted for questioning in the Kennedy investigation are being checked by authorities.

Mr. Reams consulted Dr. George Gerken, jail physician, on the treatment which he had given Wednesday afternoon to Jacob (Firetop) Sulkin after he had complained of having a pain in his side. Dr. Gerken said that there was no evidence of Sulkin's having been struck or kicked. He complained of a sharp pain just below the 12th rib on the right side, the physician said, and this was taped. If he had been kicked there would have been discoloration, Dr. Gerken explained.

The prosecutor was emphatic in his denial that Sulkin who was indicted by the grand jury for the first degree murder of Kennedy had been beaten by his special investigators. Mr. Reams said, however, that he never saw anybody so anxious to get hit as Sulkin.

#### Gang Leaves Town

It was learned that Sulkin had been sent in to the questioning with the express purpose of getting hit so that he would be able to appear in court with exterior evidence of having been slugged.

Sulkin was named by Samuel Stein, former pawnbroker's clerk, as the man to whom he sold the gun which was used in the killing of Kennedy. Stein is held without bail in the jail on a first degree murder count.

Detective report that Mr. Reams' drive has been so successful that all members of the Licavoli gang have left town. Minor hoodlums and racketeers who have had a partial connection with the gang also are under cover waiting for the next move of the prosecutor.

# GUN TRAC

in Session Hold Interest of Ohioans

By KENNETH WATSON, News-Bee Staff Correspondent.  
 WASHINGTON, Aug. 1.—The Ohio public works advisory board expects to be ready to receive formal applications for government loans on construction projects by next week, Henry Bentley, Cincinnati attorney and one of the three board members, said here Monday following conference with Deputy Works Administrator Henry M. Waite and Chief Legal Counsel Henry T. Hunt.  
 Bentley is endeavoring to iron out problems that have arisen for while

# STEIN CONFESSES



Congress enacted the Wagner-Lewis bill providing for gifts to the states of \$500,000,000 from the federal treasury to assist in providing direct relief to the unemployed.

Prosecutor Reams and County De-  
 tive James O'Reilly Monday  
 afternoon regarding the search  
 made for Joseph (Wop)  
 English, Ralph Carrello and John  
 English.

## Pretty Boy Floyd Cleared in Hoax Kidnaping Plot

By United Press.  
 LOS ANGELES, Aug. 1.—A story that Charles (Pretty Boy) Floyd, notorious Okla-

actor that his two children were to be kidnaped by Floyd, reported to be in hiding in the vicinity of Los Angeles.

He would not confirm any of the details learned by The News-Bee, but it is believed that since Reams took charge of the case a few days after the killing a mass of new information on the case has been gathered under his direction.

This new information is reported to include statements from several witnesses to the killing and events leading up to the murder. A few persons who failed to report to officers immediately after the killing are reported to have been questioned secretly by county operatives.

### Girl Views Suspects.

Miss Audrey Ralls, companion of Kennedy when he was slain, has been questioned several times by the prosecutor and others working on the case. She was held in jail for a few days after the killing but was released to the custody of her attorney, Dan McCullough, on a promise that she would be available for further questioning.

After the arrest of English, Carrello and Mirabella, Miss Ralls came in on the request of Prosecutor Reams, in the hope that the girl would be able to identify one or all of them as killers of Kennedy. But, so far as was learned, Miss Ralls failed to identify any as the actual killers.

The three gangsters were held for several days but were released Saturday morning, July 22, when their attorney threatened to seek their release on a writ of habeas corpus. That night Stein talked.

Stein still is held in the county jail. His attorneys have not tried to have the charge of first degree murder removed. Neither have they tried to have him released.

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### HAD STEIN'S GUN?



Jacob (Firetop) Sulkin.

## LICAVOLI AID SOUGHT AFTER STEIN NAMES BORROWER OF PISTOL

Definite Turn Taken in Investigation of Point Place Slaying; Four Other Gangsters

Wanted by Prosecutor

NEWS BEE AUG - 1 1933

One of the guns used to kill Jack Kennedy July 7 has been traced to Jacob "Firetop" Sulkin, member of the Licavoli gang, it was learned Tuesday by The News-Bee.

Sulkin, with four other members of the Licavoli gang, has been sought in connection with the murder since Sunday, July 23.

Samuel Stein, pawnbroker's clerk, has made a statement that Sulkin is the man to whom he gave the .38 caliber pistol found near the scene of the murder in Point Place and identified as one of the two pistols used to kill the small-time bootlegger and cafe operator.

After vaguely describing the "stranger" to whom he gave the gun for a small loan, Stein wrote out and signed the statement identifying Sulkin after he underwent an all-night grilling.

Two special detectives, understood to be from Detroit, obtained the statement after holding Stein in the county grand jury room from early Saturday night, July 22, until shortly after 4 a. m. Sunday, July 23, The News-Bee learned.

Since his arrest and indictment on a first degree murder charge in connection with the killing and until he made his statement Stein had stuck to a story that he did not know the name of the man who got the gun, altho he said he had seen the man "a hundred times" around the gambling and beer places of Toledo.

### Underworld Gets Tip.

Orders are said to have gone out early Sunday morning, July 23, for the arrest of the red-headed "front" of the bootleg and racket gang, but word that "Stein has broken" had spread to underworld haunts thruout the city ahead of the orders, it was learned. "Firetop" has not been seen in Toledo since that time.

Three of the other four sought also disappeared from Toledo at about the same time. They are Joe (Wop) English, Ralph Carrello and John Mirabella, for whom capias warrants were issued Monday.

The fifth man wanted is Leo Mocerl of Detroit, brother-in-law of Thomas "Yonnie" Licavoli, gang chieftain. Mocerl, also wanted in Detroit for questioning in connection with a gang killing there, has been known to operate in racket and gang circles here and in Detroit for the last few years.

### Occupied Beach Cottage.

Mocerl, with another man and a woman, are said to have occupied a cottage a mile beyond the Kennedy cottage at Carland beach, Point Place, for several days previous to the killing of Kennedy, moving out of the cottage on the day after the murder. Reports also are that Mocerl was one of the men in the second car that blocked traffic on Edgewater drive near 140th street while three men in the first car drove up behind Kennedy and his girl companion to shoot down the young bootlegger in cold blood.

After the killing this second car is said to have escorted the murderers' car toward Toledo.

Naming of "Firetop" Sulkin in this case is the first instance of his being linked with a major criminal investigation here, altho he has been questioned several times in gambling and other petty cases. Born and reared on "the avenue," Canton street, Sulkin has been a colorful figure on Toledo streets for years.

### Was Natural Politician.

As a vigorous red-headed newspaper salesman, he made many friends and was a "natural" enthusiast in later years when he became interested in politics. To him in recent years was credited the "control" of a few precincts in the Seventh ward on election day.

Sulkin has been connected with activities of Yonnie Licavoli since the latter came here from Detroit about three years ago.

The redhead was known as Licavoli's contact man or "front," handling many of the legitimate business details for the racketeer. At the time Licavoli was questioned in connection with the killing, Sulkin accompanied him to the court house.

Active in the hunt for Sulkin and the others is George Timiney, police detective captain, assigned to the case Saturday on request of Prosecutor Frazier Reams.

### Timiney Is Confident.

Altho Timiney said Tuesday he has had no word of any of his quarry since going to work on the case, the detective captain is confident that one or all of them will

be picked up within the next few days.

Refusing to comment on other details of the investigation into the killing, Prosecutor Reams Tuesday said he is confident that Timiney will bring the men in for questioning.

## SULKIN IS LINKED WITH GUN USED IN KENNEDY MURDER

Former Pawn Clerk Admits He Sold Weapon to Friend of Licavoli; Search Under Way.

Samuel Stein, 26, former pawnbroker's clerk, has confessed that the .38 caliber gun used in the slaying of Jackie Kennedy, Toledo beer baron, at Point Place July 7 was given by him to Jacob (Firetop) Sulkin, authorities announced on Tuesday.

This admission on the part of Stein, while it was made a week ago Sunday to detectives, had been kept secret by

authorities who have been searching for Sulkin, said to be friendly to the Yonnie Licavoli gang.

Stein is reported to have made the confession in the county grand jury room after a grilling that lasted from Saturday, July 22, at 9 P. M., until Sunday, at 4 A. M., when he was returned to the county jail where he is being held without ball on a first degree murder indictment.

### Admits Selling Weapon

Stein, who formerly was employed at the Monroe Merchandise & Loan Co., 322 Monroe street, admitted that he took in the weapon as a pledge at the store March 17. Later, when he needed money, Stein took the gun to a downtown cigar store used as a betting center and sold it to Sulkin for \$5, authorities say he admitted.

Shortly after Stein's arrest and indictment by the grand jury, Attorneys John Cochrane and Harry Green announced that Stein had given Prosecutor Frazier Reams a complete description of the man to whom he had given the gun. They said then he did not name the man.

Stein originally told police that he knew the man to whom he had given the gun, but could not describe him or give his name.

### Sulkin Sought a Week

Detectives and Sheriff David Krieger have been searching for almost a week for Sulkin who is known to hundreds as Fire or Firetop, which nickname he bears because of his red hair. He is known as a politician and always has been friendly to the Licavoli interests.

County authorities have not taken any legal steps toward the arrest of Sulkin, but it is known that the prosecutor's office has asked Capt. George Timiney to bring Sulkin in for questioning.

### Captain Timiney conferred with

Continued on Page Four, 5th Col.



questioning in the Kennedy killing.

### Others Hunted

Besides these gangsters search is being made for Leo Mocer, step-brother of Yonnie Licavoli's wife; Sam Pazzola, Detroit and Toledo gangster and a woman whose identity has not been learned.

It was reported that Mocer, Pazzola and the woman occupied a cottage at Carland beach, one-half mile beyond the Kennedy cottage at Point Place, where they are said to have lived several days prior to the killing.

The morning after the murder the occupants of the cottage at Carland beach fled with two automobiles as escorts, it was reported. One automobile went to the end of the lane while the second car stayed at the entrance. The machine said to be occupied by Mocer and Pazzola pulled into the lane between the two cars and the three machines then sped away.

### Cottage Is Searched

Detectives searched the cottage but failed to find anything that would establish their presence at the place. It is believed by officers that glasses, dishes and silverware were wiped clean of fingerprints by the occupants.

Members of the prosecutor's office also are checking on the occupants of a cottage at Point Place near the Kennedy cottage. It is known that residents of this neighborhood have been questioned regarding the activities of occupants of that cottage on the day of the murder.

More than 50 witnesses including several eye-witnesses to the killing have been questioned by the prosecutor and detectives and it is reported that a perfect case has been built against the murderers. These witnesses have been kept under cover by authorities, having been questioned in the private offices of Mr. Reams and his assistant prosecutors, Joel Rhinefort and Arnold Bunge.

### Men Reported Seen

It was reported to authorities that both English and Mirabella were seen in Toledo Friday of last week. These three were released from jail by the prosecutor on their promise that they would return when he wanted them. They have failed to keep their promise.

Sheriff Krieger, who arrested them in the home of Licavoli, in Pemberton drive a few days after the murder, is making a lone search for the men. Caplases have been issued by Judge James S. Martin on the request of the prosecutor for their arrest.

Attorney Cecil Stickney, who appeared at the courthouse prepared to file writs of habeas corpus to

as gangsters just before they released from jail a week ago Saturday, said Tuesday that he has heard nothing from them.

### Denies Responsibility

He denied personal responsibility for the men's appearance. When he entered the courthouse to file the writs, Mr. Stickney said, he called the prosecutor's office on the telephone and talked to Assistant Prosecutor Rhinefort, who asked him to hold up the action for a while. Mr. Rhinefort asked him, the attorney said, if he would be responsible for the men's appearance and he replied that he could not be.

Mr. Rhinefort asked him to talk to the men at the jail. The prisoners told him they would come in when wanted, which he reported to Mr. Rhinefort by telephone. Mr. Stickney said a short time later the three were released without the necessity of filing the writs.

Bullets taken from the body of Kennedy who was accompanied by Audrey Ralls, beauty contest winner, when he was slain, have been identified as having been fired from the weapon which Stein said he gave to Sulkin, police say. The other weapon used in the slaying, a .45 caliber automatic, has not been traced by authorities.

### Score of Guns Checked

More than a score of guns seized in the Monroe Merchandise Co. by police after the murder weapon was traced to that shop were checked by ballistics experts in Detroit, but none was identified in the Kennedy killing or other gangland slayings. Louis Igdaloff, proprietor of the pawnshop, who was questioned by the prosecutor, said that he had discharged Stein a month before the murder.

Mr. Reams said Monday afternoon that he was pleased with the manner in which Captain Timiney is conducting the case. He said he is satisfied that Timiney is in earnest and working hard to bring about the arrest of the murderers.

# HE LOANED PISTOL TO LICAVOLI'S AID

AUG - 1 1933

## HAD STEIN'S GUN?



Jacob (Firetop) Sulkin.

### Reams Leads Search for Well-Known Racketeer

### 4 OTHERS WANTED

### Hoodlums Flee City as Kennedy Killing Probe Narrows

One of the guns used to kill Jack Kennedy July 7 has been traced to Jacob (Firetop) Sulkin, member of the Licavoli gang. It was learned Tuesday by The News-Bee.

Sulkin, with four other members of the Licavoli gang, has been sought in connection with the murder since Sunday, July 23.

Samuel Stein, pawnbroker's clerk, has made a statement that Sulkin is the man to whom he gave the .38-caliber pistol found near the scene of the murder in Point Place and identified as one of the two pistols used to kill the small-time bootlegger and cafe operator.

### Stein Signs Statement

After vaguely describing the "stranger" to whom he gave the gun for a small loan, Stein wrote out and signed the statement identifying Sulkin after he underwent an all-night grilling.

Two special detectives, understood to be from Detroit, obtained the statement after holding Stein in the county grand jury room from early Saturday night, July 22, until shortly after 4 a. m. Sunday, July 23. The News-Bee learned.

Since his arrest and indictment on a first-degree murder charge in connection with the killing and until he made his statement Stein had stuck to a story that he did not know the name of the man who got the gun, altho he said he had seen the name "a hundred times" around the gambling and beer places of Toledo.

### Underworld Gets Tip

Orders are said to have gone out early Sunday morning, July 23, for the arrest of the red-headed "front" of the bootleg and racket gang, but word that "Stein has broken" had spread to underworld haunts throughout the city ahead of the orders, it was learned. "Firetop" has not been seen in Toledo since that time.

Three of the other four sought also disappeared from Toledo at about the same time. They are Joe (Wop) English, Ralph Carsello and John Mirabella, for whom capias warrants were issued Monday.

The fifth man wanted is Leo Mocer of Detroit, brother-in-law of Thomas "Yonnie" Licavoli, gang chieftain.

Mocer, also wanted in Detroit for questioning in connection with a gang killing there, has been known to operate in racket and gang circles here and in Detroit for the last few years.

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Altho Timiney said Tuesday he has had no word of any of his quarry since going to work on the case, the detective captain is confident that one or all of them will be picked up within the next few days.

Refusing to comment on other details of the investigation into the killing, Prosecutor Reams Tuesday said he is confident that the men will bring the men in for questioning.

Reams would not confirm any of the details learned by The News-Bee, but it is believed that since Reams took charge of the case a few days after the killing a mass of new information on the case has been gathered under his direction.

This new information is reported to include statements from several witnesses to the killing and events leading up to the murder. A few persons who failed to report to officers immediately after the killing are reported to have been questioned secretly by county operatives.

### Girl Views Suspects

Miss Audrey Ralls, companion of Kennedy when he was slain, has been questioned several times by the prosecutor and others working on the case. She was held in jail for a few days after the killing but was released to the custody of her attorney, Dan McCullough, on a promise that she would be available for further questioning.

After the arrest of English, Carsello and Mirabella, Miss Ralls came in on the request of Prosecutor Reams, in the hope that the girl would be able to identify one or all of them as killers of Kennedy. But, so far as was learned, Miss Ralls failed to identify any as the actual killers.

The three gangsters were held for several days but were released Saturday morning, July 23, when their attorney threatened to seek their release on a writ of habeas corpus. That night Stein talked.

Stein still is held in the county jail. His attorneys have not tried to have the charge of first degree murder removed. Neither have they tried to have him released.

Underworld reports are that he is safer in jail than out.

# CHECK GRAPEVINE MESSAGE SYSTEM IN COUNTY JAIL

AUG - 2 1933

## QUESTIONED, FREED



Morris (Mose) Shapiro.

### Torn Missive Found in Wastebasket Points to Gang

### QUIZ NEW SUSPECTS

### Reams Believes Licavoli Henchmen Got 'News' While in Cells

Pasted scraps of a torn note Wednesday lay on the desk of Prosecutor Reams. The note, which was the intent of Mr. Reams, saw between the penciled lines of full, round handwriting, one of the most significant incidents in his investigation of the murder of Jack Kennedy.

For the note suggested, in trumpet-tones, a leak into and out of the county jail while three suspected members of the Licavoli gang were confined there, prior to their release on July 22.

"Fire said making a fix for tonight with that fellow."

And now Mr. Reams, with "Firetop" Sulkin missing after he had been designated as the man to whom one of the murder guns was lent by Sammy Stein, a pawnbroker's clerk, wants to know who "that fellow" was, who wrote the note, and why.

### Found in Waste Basket

The mysterious message was found, torn to bits, in a waste basket in the grand jury room of the prosecutor's suite in the courthouse.

The prosecutor had made little, if any, progress in finding "Firetop," altho he talked for hours Tuesday to Morris (Mose) Shapiro, who is supposed to have something to do with slot machines and then turned him loose, confident he knew nothing of the whereabouts of Sulkin, his close friend.

Meanwhile Reams continued his efforts to trace the missing murder suspects by questioning privately in his office in the Board of Trade building "Chalky Red," notorious police character, also known as Harry Leonard and sometimes by his right name, Leonard Yarabofski. He is a former partner of Kennedy in the bootlegging business.

### Chalky Is Chauffeur

"Chalky Red" was escorted to the prosecutor's law office by County Detective James O'Reilly at 10:30 a. m. He is another of the Licavoli henchmen and played the role of chauffeur for the gangster on occasion.

He drove Licavoli to the prosecutor's office when the gang leader requested the release of Joe (Wop) English, John Mirabella and Ralph Carsello, suspects who now are being sought.

Kennedy and "Chalky" were partners prior to the Louise Bell murder. After Miss Bell was shot to death as she sat beside Kennedy in his auto, Kennedy and "Chalky" split. It is said, and "Chalky" switched over to the Licavoli camp, rival of Kennedy. Why the underworld never tried to explain.

In Cafe Business Now. "Chalky" at present is said to be one of three partners in the Black and Tan cafe on Canton street. Another partner is a man called "Slim," Ralph Degenito, an attache at the county treasurer's office, is said to be the third.

After "Chalky" had been questioned for an hour and a half, Louis Igdaloff, president of the Monroe Merchandising & Loan Co., 823 Monroe street, Stein's former employer, was taken in by Detectives William Rogers and Ernest Raltz. He also was accompanied by his attorney, Harry Levison. "Chalky" was detained after the pawnbroker's arrival.

The message about fixing by "Fire" was written with pen and ink, on good white paper. It was hoped it would reveal who carried messages between members of the Licavoli gang while they were in county jail and the head of the gang outside.

Prosecutor Reams and his assistant, Arnold Bunge, think the person who passed this note may have been the one who tipped "Firetop" that Stein had named Firetop as the person to whom the revolver went.

### Message Torn To Bits

The note, torn into pieces, was put together by County Detective James O'Reilly and turned over to the prosecutor.

In the room where it was found Stein made his confession Sunday morning, July 23. The message was found Monday, July 24.

In this room, too, all the Licavoli hoodlums once held in connection with the case were questioned.

The theory is that the message was passed to some one in jail, that he forgot to destroy it until led into the courthouse for questioning, and that, fearing a search, the prisoner tore it up and hid it in the wastebasket.

### Key-Passing Linked

Prosecutor Reams is particularly anxious to find the writer, or the passer, of this note. He feels it may be the same person who passed the handcuff key to Wop English, who dropped it out of his hat band while in a police line-up for possible identification by eyewitnesses to the Kennedy murder. The line-up was held Friday, July 21, and the three hoodlums were released the following day. They had been in jail 10 days then.

Meanwhile, Detective Captain George Timiney and County Detective James O'Reilly continued their search for "Firetop" and four others wanted by the prosecutor as material witnesses.

### "Firetop" Believed Marked

Reports late Tuesday were that "Firetop" had been seen downtown Monday. This was declared impossible. Police believe he "took it on the lam" early Sunday, July 23, when word was sent to him that Stein had named him.

Another report was that Firetop is marked for death by members of the Licavoli gang. This is on the theory that the gang fears that Firetop, if third degree, might unfold the whole story of the reign of hoodlums in Toledo in the last three years.

Another rumor current Wednesday is that an old-time friend of the Kennedy family is in Toledo with a small but determined mob of gunmen to avenge the death of young Jack.

### Four Are Well Known

Meantime, Sheriff Krieger announced his men, sent to Detroit, failed to find trace of "Wop" English, Ralph Carsello, John Mirabella or Leo Mocer in their usual Detroit haunts.

Detectives Timiney and O'Reilly confidently expect to find the hoodlums and Sulkin. They believe the four are well enough known to police all over this section of the country that they will be turned up. Their value to any other gang is doubtful and no one believes they will obtain a job in any legitimate business.

The News-Bee has learned that the house occupied by Leo Mocer and several other persons identified with the Licavoli mob preceding the Kennedy killing is not in Carland Beach, Point Place, but is several blocks outside of that neighborhood.

# SULKIN MAY GIVE UP IN KENNEDY PROBE

## Surrender in Few Days Predicted; Beer Baron's Ex-Partner Quizzed; Mystery Note Is Found.

Voluntary surrender of Jacob (Firetop) Sulkin, wanted in connection with the gang murder of Jackie Kennedy in Point Place July 7, was predicted within the next few days, following the questioning Wednesday of "Chalky Red" Yarnowski, former partner of Kennedy.

Chalky Red, also known as Henry Berson and Harry Leonard, 28, was a partner of Kennedy in the operation of the Studio club, later changed to the Black Hawk cafe, 513 St. Clair street. He was picked up by County Detective James O'Reilly and taken to the law office of Prosecutor Frazier Reams in the Board of Trade building for examination.

Louis Igdaloff, proprietor of the Monroe Merchandise & Loan Co., where the gun which killed Kennedy was obtained, also was taken to the law office shortly before noon. He was accompanied by his attorney, Harry Levison, and Detectives Raitz and Fielding. He has been questioned previously.

It was reported that two Detroit investigators still are in Toledo working on the case. It also was reported Wednesday that Thomas (Yonnie) Licavoli left town a week ago and has not returned, although his family still is here. One report said that the Detroit men were department of justice investigators.

### Questioned Two Hours

Chalky Red was released after being questioned for two hours. He told reporters he was asked as to his connection with the Black and Tan cabaret at 1955 Canton street and admitted being part owner. He said one of his partners is a county employe.

Chalky Red informed reporters that he told investigators someone borrowed his automobile the night of the Kennedy murder. He has a 1932 Ford. A car of this color and manufacture is reported to have been involved in the slaying.

In commenting to the newspapermen about the questioning Chalky Red said he told the officials that he was in a place in Canton street the night of the murder of Kennedy, July 7.

Chalky Red was associated with Kennedy when the latter developed into a beer baron here by opposing the Licavoli gang of beer purveyors and lowering the price of beer to 15 cents a glass.

### Killing Laid to Beer War

It was this beer war that was considered the motive for the murder of Louise Bell, 22, as she was riding in an automobile with Kennedy at Superior and Jackson streets last November.

Gangster bullets intended for Kennedy missed him and struck the girl. Shortly afterward, as Kennedy was preparing to open the Black Hawk cafe, Chalky Red left him after a dispute, police were told.

Chalky Red then allied himself with the Licavoli gangsters, bitter enemies of Kennedy. Recently when Licavoli appeared at the county jail in an effort to obtain the release of three of his henchmen being held in the Kennedy case, he was accompanied by Chalky Red. Wednesday, however, Chalky Red denied to reporters that he knew Kennedy or Licavoli.

A new twist was given to the Kennedy murder investigation Wednesday when it was revealed

that a torn up note, bearing a mysterious message, was found more than a week ago in the Lucas county grand jury room.

Special significance was attached to the note since the announcement Tuesday that Sulkin had been named by Samuel Stein, former pawnbroker's clerk, as the man to whom he had given the .38-caliber weapon that caused the end of Kennedy's reign here as a beer baron and enemy of the Licavoli gang.

The message, which was written in ink in a flourishing hand, read: "(phoned)—Fire said: Making a fix for tonight with that fellow."

### Friendly to Licavoli

Sulkin, whose arrest was ordered Tuesday afternoon by Prosecutor Reams, is known to hundreds as Firetop and Fire. He has been friendly to the Licavoli interests.

The note, written apparently by one of good education, was punctuated correctly. It was on heavy white paper and torn in minute pieces.

Finders of the note located it in a wastebasket in the grand jury room July 24, the day following the purported confession of Stein which was made in the same room.

### Put Puzzle Together

Working on the pieces like a jigsaw puzzle the finders patched them together and pasted them on a sheet of paper. The note found its way into the hands of County Detective O'Reilly, who turned it over to Prosecutor Reams.

Mr. Reams is endeavoring to learn the identity of the author of the message and also of the person who dropped it in the waste basket after tearing it up. It is presumed the message was received by someone over the telephone and then written down.

Arnold Bunge, assistant county prosecutor, has been checking the handwriting of several individuals under suspicion with that of the note. So far he has made no progress.

### May Refer to Alibi

It is believed the word "fix" may refer either to an alibi for a certain person or to some other deal connected with the murder.

Captain Timiney of the city police department, who was loaned to the department by Mayor Maucher, and Detective O'Reilly are continuing their search for Sulkin and four or five members of the Licavoli mob who are wanted for additional questioning in the Kennedy killing.

It was reported that Sulkin was seen in Vernon avenue a few days ago but this was doubted by authorities who say that Firetop has not been in town since Stein made a secret confession to detectives 10 days ago. Authorities believe Sulkin was informed of the confession shortly after it was made.

### Bootleggers Joyful

Operators of Toledo bootlegging places, gambling houses and other illegitimate businesses who have been paying heavy tribute to the Licavoli gangsters since they muscled in on local territory were reported jubilant.

They are satisfied that Mr. Reams means business and has broken up the mob, at least temporarily. They have been allowed to operate unmolested since the prosecutor started the gangsters on their "lam" out of the city.

It is reported that underworld characters have even volunteered information to the prosecutor to assist in ridding the city of the Licavoli gang. They contend that they will be able to operate their businesses themselves without having a Licavoli operator in charge making his levy and keeping the company's books.

Detectives have raided several hangouts where members of the Licavoli crowd were reported in hiding but have failed to find the men. Officers are searching for Joseph (Wop) English, Ralph Car-sello, John Mirabella, Leo Mocerri and Sam Pazzola.

### Held for Questioning

Morris (Mose) Shapiro, 32, of 1322 Moore street, was held in the county jail for a few hours Tuesday night for questioning by Captain Timiney and Prosecutor Reams in their investigation of circumstances surrounding the slaying of Kennedy.

The prosecutor declined to explain what light Shapiro might throw upon the killing. Arnold Bunge, assistant prosecutor, Wednesday explained that Shapiro was held in the jail until his brother, Huns, could be found for questioning, too. Huns showed up in the prosecutor's office and Morris was released, it was explained.

## MORRIS SHAPIRO HELD AFTER CONFESSION OF PAWN BROKER'S CLERK

### Kennedy Slaying Quiz Takes on New Impetus; 'Firetop' Sulkin Named 'Gun Buyer'

Investigation of the murder of Jack Kennedy in Point Place, July 7, received new impetus last night with the arrest of Morris (Mose) Shapiro, 32, reputed slot machine operator, following questioning in the private office of Prosecutor Frazier Reams in the Board of Trade building by Capt.

#### George Timiney.

Shapiro is held for the prosecutor without preferment of charges. His brother "Huns," who also was questioned during the greater part of yesterday, is not held.

The two men were examined in detail as to activities of the Thomas (Yonnie) Licavoli gang in Toledo, with which organization they are alleged to be closely associated.

#### Six Others Sought

Besides these two, six other men wanted for questioning in the Kennedy murder, including the three released from the county jail 10 days ago, without bond on the responsibility of Prosecutor Frazier Reams, are still at large today.

#### They are:

Jacob (Firetop) Sulkin, 4523 Overland parkway, reputed lieutenant of the Thomas (Yonnie) Licavoli gang here, to whom Sam Stein, indicted pawnshop clerk, the prosecutor's office said, confessed he sold one of the murder guns.

Leo Mocerri, Detroit, brother-in-law of Licavoli.

Ralph Carasello, John Mirabe, and Joseph English, the released hoodlums, and an underworld character well known in Toledo, whose arrest is expected momentarily.

#### Mocerri Linked

Mocerri is alleged by county authorities to resemble one of two men who, with a woman, occupied a cottage two doors from that in which Kennedy lived in Point Place, and who disappeared the day of the murder. It was the wife of Mocerri's father which Licavoli, Car-sello and English said they were attending at the time of the murder. The alibi has been questioned, at least as far as English is concerned, county authorities revealed, following testimony of witnesses who have declared they saw him in Toledo July 7, the night of the murder.

Stein is said to have made his confession 10 days ago, when he was grilled by two detectives from Detroit. Since his confession, police and deputy sheriffs have failed to find a trace of the hunted men, although reports of their presence in Toledo persist.

A tentative appraisal of Kennedy's estate places assets at \$961, of which \$134.95 is in I. O. U. slips signed by patrons of his Black Hawk cafe. Liabilities, not including funeral expenses or the cost of administration, total \$1,150.23.

## SLOT MACHINE HEAD GRILLED ABOUT GANGS

### Firetop Sulkin Reported Bask- ing at Atlantic City; Lull Comes in Raids

A well-dressed, heavily-built man who looks just a little like Mussolini strolled thru the lobby of the Board of Trade building at 10:30 o'clock Friday morning and a few minutes later Prosecutor Reams had carried his anti-racket war to an acknowledged source.

visitor to the prosecutor's private office was none other than Joe Fretti, partner with his brother, Ben, in the Acme Sales Co., which probably owns more slot machines than the rest of the operators in Toledo combined. Joe is about 48, Ben is nearer 50. They were born in Toledo of Italian parentage and they have been in the slot machine racket for years. Their business machine has been smooth and effortless. They get along well together and either can speak for the firm.

#### Joe Fretti Questioned.

With the slot machines gone out of business as the result of the prosecutor's request on city and county policing heads to garner them in, Reams sought vital information from Joe Fretti. He will not, of course, say what, but there are reasons to believe he wants to know specifically whether or not the Licavoli mob, on its advent in Toledo, muscled in on the Frettis; he may also ask if it is true that the gang has a bookkeeper taking count of the "take" from the Fretti machines. Or, if the Frettis brought the Licavolis to Toledo to protect the slot machine racket, promising them free reign in all other lines.

In such a line of questioning, Reams is aiming straight for his objective of cutting the gangs off from their source of income as another step in solving the murder of Jack Kennedy and ending rackets in Toledo.

The prosecutor's attention was riveted upon reports that "Firetop" Sulkin, to whom a pawnbroker's clerk says he lent one of the guns used in the murder, is in Atlantic City.

#### Lawyer May Act.

The red-headed major domo of the Licavoli outfit was named as the recipient of the murder gun by Sammy Stein, who is reposing in the county jail under a murder indictment. About the time Stein made his statement, Sulkin dropped from his accustomed haunts. There have been all sorts of rumors—that he was in Detroit, that he was in Toledo, that he knew too much to be alive.

The report that Sulkin is basking in the sunshine of America's playground probably had its genesis in a trip to Atlantic City by Harry G. Levy, who has been attorney for the Licavolis on a number of occasions. Mr. Levy returned to his office here last Saturday, but he was gone

Please Turn to Page 2, Column 4.

again Tuesday and none would say where he went. Those who pretend to know say that if Mr. Levy is aware of Sulkin's present abode, an offer of surrender or a dicker for terms may follow.

#### 18 Slot Machines Taken.

There was a lull over night in the city and county raiding for slot machines, which was taken in some 18 gambling devices out of possibly \$500 that were clicking industriously Wednesday.

Sheriff Krieger's blast that the prosecutor had ruined chances for successful raids by a statement given the press before it was given to the sheriff, drew no comment from Mr. Reams. He said there was "nothing to say about that," indicating the sheriff should have known about the slot machines without being reminded by the prosecutor.

Assistant Prosecutor Arnold Bunge and two "strange" investigators, presumed to be Detroit detectives or department of justice agents, continued questioning witnesses Thursday in the private law office of Mr. Reams in the Board of Trade building.

No one except these three know how many people were interviewed and who they were.

#### Detectives Still Working.

County Detective James O'Reilly and Capt. George Timiney of the police department continued their outside investigations and are believed responsible for the various "tie-up" tips received by the prosecutor and leading to questioning of various persons on the fringe of local rackets.

Questioning of Fred Burnett, night watchman at the Milburn avenue slot machine headquarters said to be owned by the Licavolis, continued thruout Thursday, apparently in an attempt to learn the truth of the whereabouts of Joseph (Wop) English the night of the Kennedy murder.

English is supposed to have said he spent most of the night in the Milburn avenue place. There was some talk, too, of a second .45 caliber pistol used in the murder being left at the Milburn avenue place after the murder. This story could not be verified.

#### Questioning Continues.

William Poulos, Cherry street slot machine operator, also was questioned again Thursday.

Prosecutor Reams late Thursday caused the arrest of and questioned Sebastian Lupica, believed to be manager of the Licavoli slot machine plant on Milburn avenue. Pol-

lowing several hours of questioning Lupica was lodged in the county jail, held for further examination. He is 22 years old, lives at 3325 Bishop street, and gave his occupation as a salesman.

Lupica was taken to the Safety building Friday and will be photographed and finger printed before he is released.

Law Director Irving O'Connor said Friday he has been trying to arrange a conference with Prosecutor Reams for 24 hours. He said he wants to discuss with him the law governing the seizure of slot machine cabinets.

## SUPPORT FOR REAMS IN GANGSTER DRIVE

### Schackne Workers Pledge Help Regardless of Primary.

Organized support for Prosecutor Reams' drive against gangs in Lucas county was offered Thursday night when workers in the Schackne-former mayor camp pledged themselves to aid the county attorney regardless of the outcome of the present mayoralty campaign.

John R. Schackne, in addressing the group, stated that the campaign to drive out gangsters was bigger than mere politics and that everyone, regardless of previous affiliations, should lend support to Reams.

# REAMS SEEKS NEW LEADS IN GANG DRIVE

**Delves Deeper Into Slot  
Machine Operation  
in Toledo and  
Lucas County**

**PROSECUTOR, AIDES  
QUESTION FRETTI**

**Hope to Receive More  
Information in  
Campaign of  
Starvation.**

Delving deeper into the operation of slot machines in Toledo and Lucas county, Prosecutor Frazier Reams and his assistants Friday questioned Joe Fretti, one of the Fretti brothers associated in the Acme Sales Co., 103 Michigan street, reputed to be the biggest slot machine operators in the city.

Fretti appeared at the office of the prosecutor in the Board of Trade building with Sheriff Dave Krieger. He said he would send word to his brother, Ben, who is on a vacation trip at a lake resort, to appear before the prosecutor later.

When he left the office Fretti refused to tell reporters what he was asked about.

Mr. Reams hoped to obtain information from Fretti which will provide him with additional information in his campaign to starve gangsters out of the city by removing their main source of revenue.

The investigation into the gang murder of Jackie Kennedy in Point Place July 7 revealed that the Yonnie Licavoli organization had muscled into the slot machine business here and collected a heavy toll.

#### To Question Others

Encouraged by the reaction of the public to his request for confiscation of the machines that whirled nickels, dimes and quarters into the coffers of Licavoli, Mr. Reams planned to question additional witnesses Friday in an effort to construct a perfect case that will rid Toledo and Lucas county of an organized gangland.

The identity of the witnesses he refused to disclose but it is believed they are members of the underworld who are operators of various rackets.

#### Prosecutor Orders Arrest

The arrest of Sebastian Lupica, 22, of 3325 Bishop street, manager of the State Sales Co., Milburn avenue slot machine outfit, was ordered by the prosecutor late Thursday after Lupica had been questioned during the afternoon by Arnold Bunge, assistant prosecutor, and two Detroit detectives who are assisting in the investigation of the murder of Kennedy.

Lupica is said by authorities to be the representative of Licavoli in the slot machines controlled by the State Sales Co., which formerly were owned by William Poulos, Cherry street.

Poulos was muscled out of his business by the Licavoli crowd, who took over the machines, but refused to pay for them, police have been told.

#### Big Auto Is Lupica's

Mr. Reams told reporters that Lupica is the owner of the high-powered automobile that Yonnie used at the funeral of his father-in-law, John Mocerl, in Detroit recently. The Toledo gang leader, who admitted he had no automobile, told the prosecutor that his friend, Sebastian Lupica, had let him take the automobile.

Lupica was held at the county jail after his arrest shortly before 5 P. M. by Deputy Sheriffs Pintis and Szaniszo. He was to be taken to the Safety building Friday to have his picture taken and his finger prints recorded for the police bureau identification.

#### Night Watchman Held

The prosecutor said that Lupica contended that no one of Italian extraction ever had set their feet inside the office of his company.

Fred Burnett, 22, of 1311 Milburn avenue, who is the night watchman for the company, also was held at the jail at the prosecutor's request. He was questioned Thursday afternoon in the private law office of Mr. Reams in the Board of Trade building and again Friday.

Mose and Huns Shapiro, employees of the vending company, had been questioned by the prosecutor and then released. They said they owned a share of the business, the prosecutor said.

Mr. Reams' starvation campaign that is intended to drive out the gangsters and hoodlums from the county and city, was making progress although only a comparatively few slot machines had been seized by Sheriff David Krieger and police.

#### 24 Machines Confiscated

Sheriff Krieger and his deputies had confiscated 24 slot machines while the police had located about 10. The sheriff made a survey of the county Thursday night, checking on restaurants, beer places and stores in Point Place, Central avenue, Dorr street, Chicago Pike, Woodville road, Jerusalem road and the Bay Shore road, without finding the machines.

The prosecutor gave an informal ruling Thursday that confiscation of slot machines concealed in cabinets and safes is legal. Concealment of the machines in a cabinet is only subterfuge and certainly does not make the machines legal, the prosecutor said. He will look up the law on the matter.

#### Cabinets Empty

Mr. Reams said he did not believe he should be required to interpret the law for the city regarding the seizure of machines by the police. He admitted, however, if the sheriff asked him for an interpretation it would be given.

Sheriff Krieger reported that the slot machines have been taken out of the cabinets and that his deputies found only empty cabinets. The machines have been placed in storage.

Six machines were picked up by deputies in the vicinity of Sylvania and Holland Thursday afternoon. One of them was an antique device for gambling with nickels. None of the machines seized in the county bore any identification marks.

Two five-cent machines and one penny machine were seized at the Canary inn on the Dixie highway and a 10-cent machine was picked up in Abe Seegal's Crescent club in Lint avenue.

#### Lid Clamped Down

Shortly before noon Thursday Patrolman Fred Sharlow found three slot machines in the Dutch Village restaurant, St. Clair and Adams streets. These machines belonged to the Gem Sales Co. In the afternoon Patrolmen Fandry and McGregor seized a five-cent Acme Sales Co. machine in Lindy's restaurant, Main and Second streets.

The lid is clamped down on illegitimate rackets in the county and city tighter than ever before. Racketeers are unable to figure out the prosecutor's action. Business men who depended on the machines for an income were satisfied to close up the machines if the Licavoli mob is run out of town.

They prefer to lose a few dollars in having the machines tied up rather than have the constant worry of having their business taken over by the muscling Licavoli gangsters. Even the hoodlums who have had to toe the mark to this organized gang or suffer the consequences are pleased. They are breathing easier since these muscle men are on the "lam."

#### Licavoli Men Sought

Capt. George Timiney and County Detective James O'Reilly are continuing their search for members of the Licavoli gang who left the city after it was reported they were wanted for additional questioning.

The officers placed little credence in the report that Jacob (Firetop) Sulkin is in hiding in Atlantic City, N. Y. Samuel Stein, charged with first degree murder, has admitted he gave the gun that killed Kennedy to Sulkin, authorities say.

Others sought are Joseph (Wop) English, Ralph Carsello, John Mirabella, Leo Mocerl and Yonnie Licavoli, their leader.

Officials are keeping on the trail of a third gun said to have been used in the killing of Kennedy. It was reported that officers know where the weapon was hidden after it had been cleaned thoroughly.

No progress was reported in the identification of the handwriting of the "fix" note which was found in pieces in a waste basket in the grand jury room. This note involved Firetop Sulkin in a fix deal, authorities report.

## ARMY OF POLICE IN GANG RAID



These pictures taken by Norman Hauger Blade, photographer, show police in their spectacular raid on a duplex at 4224 North Lockwood avenue Saturday. The duplex, with officers surrounding it, is shown above. In the center are some of the detectives who swarmed around the Rosemary apartments, Detroit avenue, where Firetop Sulkin was sought. Below is shown Detective Harry Manson near the duplex with a sub-machine gun.

# Reams Fires New Blast at Gang Rule With Order to Close Every Gaming Spot in County.

# Licavoli Aide to Be Questioned in Connection With Gun Used in Gang Killing Here

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The ramifications of the proposed bill are such that every person desiring to possess a weapon would be required to make application to a board consisting of the county prosecutor, sheriff and county recorder who would pass on his qualifications and character before he would be permitted to buy a weapon.

### Approval Necessary

The stamp of approval of this board would be necessary before he legally could be sold a weapon and a reasonable fee would be charged to cover the cost of the ballistics tests of the weapons and handling of the application. Transfer of such weapons from person to person also would have to be recorded with the prosecutor.

The bill also would provide a stiff penalty for persons found to be in possession of weapons illegally, or, in other words, without the approval of the board, and would prevent pawnshops from handling such arms.

### Weapons Bought Easily

The objective of the bill, Mr. Reams asserts, is to reduce the now extensive means whereby criminals and hoodlums obtain weapons and still afford reputable citizens the means of obtaining weapons if they desire to possess them.

The idea of the proposed legislation, Mr. Reams declared, grew out of the present investigation which revealed graphically to him the ease with which known police and criminally inclined characters obtain weapons without the necessity of qualifying for a permit to carry them.

After outlining the details of the proposed bill to newspapermen he revealed the fact 38-caliber revolvers had been found in the possession of both Joe and Ben Fretti, purported Toledo slot machine kings, in their headquarters. When questioned by the prosecutor or his assistants both men had admitted they owned weapons for "protection" although they did not carry them.

Late Monday representatives of the prosecutor's office went to the Black and Tan cabaret, Canton street, and there obtained a revolver—the butt of which boasted four notches—which was said by employees of the place to be the property of "Chalky Red" Yaranowski, one of the operators of the cabaret, who is known as a Licavoli henchman.

### Report Not Confirmed

Neither Prosecutor Reams nor his assistant, Arnold Bunge, would confirm the report that Sulkin would surrender. Harry Levy, Sulkin's attorney, who conferred with Mr. Bunge Monday afternoon, refused to discuss the report, asserting he merely was appearing at the prosecutor's office in behalf of Morris (Mose) and Huns Shapiro, who are said to have been active in the operation of the State Sales and Service Co., reputed Milburn avenue slot machine headquarters of the Licavoli gang.

Mr. Levy was prepared to resort to habeas corpus proceedings to effect their release but Mr. Bunge rendered this action unnecessary by agreeing to release the brothers, who have been held in the county jail, subject to recall by him for further questioning.

For more than two hours Monday afternoon Mr. Bunge questioned Ralph DeGenito, deputy county treasurer, who owns a part of the Black and Tan cabaret. Mr. DeGenito is the first county official to be quizzed in the murder investigation.

### DeGenito Ill at Ease

DeGenito, obviously ill at ease and worried, told newspapermen he supposed Mr. Bunge wanted to question him about his activities in connection with the operation of the Canton street night spot. He declared he knew he would be out of a job Sept. 1, since his commission would expire with County Treasurer Grant Northrup's term of office.

He asserted he visited the place one night and believed he saw in it an opportunity to make a living for his family after his job expired. Subsequently, he said, he bought a "third" of the place from "Chalky Red" for \$200 and became the blue-and-white sports attired "front" for the cabaret and night club.

After the termination of the lengthy questioning session he was taken to the Safety building where he was photographed and fingerprinted in the Bertillon bureau. He then was released.

Mr. Northrup, who returned last night from New York city, said he would conduct a personal investigation regarding the questioning of DeGenito.

### 'Chalky Red' Arrested

Earlier in the day John Rose, former bondsmen's runner who first became closely connected with the underworld when he operated the Golden Rose supper club in Point Place, a Licavoli enterprise, was questioned.

Another blast at the Thomas (Yonnie) Licavoli gang was fired by Prosecutor Frazier Reams Saturday when he issued an order to close every gambling place in Lucas county as part of his campaign to starve out the gangsters.

In a letter to Sheriff David Krieger and Police Chief Dan Wolfe, Prosecutor Reams said that his investigation into the murder of Jackie Kennedy in Point Place July 7 revealed that many well known gambling establishments in the city and county are owned by Licavoli and his hoodlums or pay tribute to the organization.

If these places are unknown to police, the letter said, Mr. Reams will furnish them with a list.

The letter, written Saturday, indicates the extent of information unearthed by the prosecutor and his assistants in their investigation of the murder.

First the Licavoli control of slot machines was brought to light and the order which has placed them out of business, at least temporarily, was issued. Stamping out of gambling will further reduce the Licavoli income and loosen his grasp upon illegitimate business here, it is believed.

### Says Gang Owns Places

The letter sent to Chief Wolfe follows:

"Further investigation in the Kennedy case reveals the fact that many well known gambling establishments in this city and county are either owned by Licavoli and his gang of hoodlums or pay tribute regularly to this lawless outfit.

"So long as this continues this office will be hampered in its search for evidence as to the killers of Kennedy and perpetrators of other crimes.

"Therefore I am asking you to close these gambling establishments which are within the city and to keep them closed. I am making a similar request of Sheriff Krieger with reference to the Licavoli supporting establishments operating illegally within the county but outside the city.

"If there should be any uncertainty as to the places I refer to I will gladly furnish you with a list of names and addresses."

### Promises Co-operation

On receiving the letter Chief Wolfe promised his co-operation as did Sheriff Krieger. The chief also asked Mr. Reams list of addresses to supplement the police list.

Mr. Reams said that he made no distinctions as to the type of gambling referred to in the order. It is an order against major forms of gambling designed to cut off income of gangsters, he said.

In the meanwhile Ben Fretti, one of the operators of the Acme Sales Co., 103 Michigan street, largest slot machine business in the city, appeared at the office of Mr. Reams in the Board of Trade building. He was asked about Licavoli's connection with the slot machine racket. The vicinity of the Acme Sales Co. was a hangout for the Licavoli mob before the present pressure was brought to bear.

Abe Siegel, proprietor of the Crescent club, Lint avenue night club, appeared for questioning. The Crescent club, opened since the advent of legal beer, formerly was a bootlegging joint known as Paradise Gardens and operated by Siegel.

After being questioned, Siegel was released.

Roy Kerr, formerly associated with the State Sales Co., also was questioned at the Board of Trade building.

### Seek Lupica Release

An effort to obtain the release from jail of Sebastian Lupica, one of the operators of the State Sales Co., a Licavoli slot machine organization, failed Saturday. Attorney Lionel Levy filed a petition for a writ of habeas corpus to free Lupica. At the hearing in the common pleas court of Judge Robert Gosline, Prosecutor Reams field a capias to hold Lupica as a material witness in the Kennedy murder case and asked for bond of \$10,000. The court set the bond at \$5,000 and Lupica was returned to jail.

William Renz, clerk of courts, on advice of Mr. Reams, refused to accept bond offered for Lupica because it was insufficient.

It was reported also that John Rose, formerly allied with the Licavoli gang and at one time operator of the Golden Rose, Point Place drink and dine resort, and later of the Showboat, downtown speakeasy, is wanted for quizzing. Rose was a close associate of Jacob (Firetop) Sulkin, named as the man to whom Samuel Stein admitted he gave the revolver that caused the death of Jackie Kennedy, Toledo beer baron, in Point Place July 7.

Joe Fretti associated with Ben in the slot machine business, was questioned Friday by Arnold Bunge, assistant prosecutor, and

two Detroit detectives who have been investigating the Kennedy murder.

Sheriff Krieger took Joe Fretti to the prosecutor's office. He was questioned for more than an hour by the officers, who sought information about the operation of the slot machine business in Toledo and Lucas county. They apparently were not satisfied with his story.

Joe, after promising the authorities that his brother, Ben, would appear for questioning Saturday, left the Board of Trade building in an angry mood, refusing to inform reporters about the details of the quizzing.

Morris (Mose) Shapiro and his brother, Arthur (Huns) Shapiro were locked up at the prosecutor's request Friday afternoon after they were questioned in Mr. Reams' office. They were first examined Wednesday night and released.

Prosecutor Reams, who asked Sheriff Krieger to pick up the Shapiros, who are associated with Lupica, requested that their pictures be taken and fingerprints recorded at the police bureau of identification.

### Lupica Questioned

They were then questioned and later locked up. Lupica was questioned again Friday afternoon. He is said to be the representative of the Licavolis in the operation of the State Sales Co., slot machine company.

The machines of this outfit were formerly owned by William Poules, Cherry street, who was forced out of the racket by the mob which Poules has been questioned by authorities.

Sheriff Krieger and detectives continued their search for a third weapon believed to have been used in the killing of Kennedy, arch enemy of the Licavolis.

Mr. Reams' campaign to starve organized gangland out Lucas county and Toledo was meeting with success although he was dissatisfied with the few slot machines confiscated by authorities. The sheriff has seized 14 and the police four, it is reported. Mr. Reams said he is satisfied that the machines are still in operation in many places.

The action of the prosecutor has put the entire Licavoli gang to rout, none of this mob having been seen in Toledo for more than two weeks. It is reported that local operators of rackets are not being molested by collectors of muscle men of the Licavoli gang.

### Machines Disappear

Slot machines have virtually disappeared from all stores, restaurants, beer spots and other places in the city and county. The machines were removed from the cabinets after the prosecutor ruled that the authorities had the right to seize cabinet and all if it was suspected they contained vending machines.

Local hoodlums are convinced that the Licavolis have left this vicinity. They are breathing much easier, in fact the easiest in several years.

Jacob (Firetop) Sulkin, ally of the Thomas (Yonnie) Licavoli gang, will surrender Tuesday for questioning about the murder of Jackie Kennedy in Point Place, July 7, it was learned from courthouse officials Monday.

It was reported that Sulkin was remaining under cover because his attorney had been out of town, but has agreed to give himself up for examination about a gun used in the

Kennedy killing which Samuel Stein, former pawnbroker's clerk under indictment on the charge of first degree murder in the case, said that he had given Sulkin.

It is understood that Sulkin will deny Stein's story, insisting that he never saw the gun and knows nothing about it.

Harry Levy, Sulkin's attorney, was seen in the office of Prosecutor Frazier Reams Monday and is believed to have been negotiating for the fugitive. Mr. Levy, who has been out of the city recently, refused to comment on the Sulkin case.

While slot machines were hidden away and gambling was reported stopped here Monday, John Rose, former front for the Licavoli gang, was questioned in connection with the investigation into the murder of Kennedy.

As Rose was being questioned Chalky Red Yaranowski, former partner of Kennedy and later allied with the Licavoli gang, was arrested and held for the prosecutor. He was questioned about the Kennedy case last week.

Rose appeared at the courthouse and was taken into the grand jury room where he was questioned at length about gangsters and their activities. Huns Shapiro, who, with his brother, Mose, was held in the jail over the week-end, was taken to the office of Prosecutor Reams for more questioning.

The brothers operated slot machines over which Licavoli had control, the investigators were told. They were picked up as a part of the prosecutor's campaign to starve gangsters out of the city.

Attorney Levy informed the prosecutor that he will file petitions for writs of habeas corpus Monday afternoon to obtain the release of the Shapiro brothers.

### Pal of Firetop Sulkin

Rose, a pal of Sulkin, developed from a police court bondsman to manager of the Golden Rose, Point Place speakeasy and the Show Boat, downtown night club, both controlled by Licavoli. Neither club is now operating.

After the questioning Rose was released. He was asked as to his whereabouts the night of the Kennedy killing. He told the investigators, that he had been working in Detroit and that he had severed his connections with the Licavoli gang several months ago. He now is looking for a job.

Prosecutor Reams reported that Rose told him he was not a member of the Licavoli outfit. The gangsters entered his clubs while he was operating them, he is reported to have said, but he was not one of them. Rose said that in a raid on one club Jimmie Licavoli, brother of Yonnie, had just sat down at a table where he was when police appeared.

Rose was arrested Saturday night at Bancroft street and Vermont avenue.

He was turned over to Capt. George Timiney of the police department, who was assigned to the prosecutor for use in the murder investigation. Captin Timiney released Rose on his promise to appear Monday for questioning.

### Plans to Quiz Others

Rose and Sulkin, who is wanted for questioning about the weapon which killed Kennedy were inseparable until recently. The prosecutor planned also to question Sam (Slim) Pallazola, partner with Chalky Red, in the management of the Black & Tan cafe. Pallazola was arrested by police following a raid on a duplex at 4224 North Lockwood avenue Saturday.

Authorities are seeking definite information from Pallazola about the automobile he drove the night of the murder. This machine is reported to be owned either by Yaranowski or Pallazola. An automobile of a similar description was reported seen in the Point Place district the night that Kennedy's reign as a beer baron and enemy of the Licavoli gang was ended in a shower of bullets.

A report that the third gun used in the slaying had been turned over to the investigators could not be confirmed. It is understood, however, that information about the weapon has been received from a secret source.

The authorities are checking a report that the murderers of Kennedy were seen in the office of a local slot machine company prior to and after the shooting of Kennedy July 7.

### Photographs Sought

Arnold Bunge, assistant county prosecutor, who is handling details of the investigation, conferred with John Louy, superintendent of the police bureau of identification, Saturday in an effort to obtain photographs or descriptions of the wives or women associates of the Licavoli gangsters who have fled the city. None was available.

Sebastian (Buster) Lupica, manager of the State Sales Co., slot machine outfit, who was held as a material witness, was released Saturday afternoon after he furnished \$10,000 worth of real estate as bond. The State Sales Co. is reported to be a Licavoli controlled outfit. Mose and Huns Shapiro are collectors for this company.

Although Mr. Reams asked Sheriff Krieger and Chief Wolfe to close gambling houses in an effort to starve out the gangsters no arrests had been made by Monday.

It is known that the prosecutor is not satisfied with the results of his request that slot machines be seized in the county and city. The vending machines that were seized, 18 out of more than 1,500, were antique and of no value. It is rumored that the slot machine operators permitted these wrecks to be confiscated.

### 8 GAMBLING PLACES ORDERED TO CLOSE

Patrolmen Monry Burand and William Grove of the gambling squad reported that they visited eight known gambling places during the week-end and ordered them to stop all games in keeping with the campaign to shut off the revenue of gangsters.

The places visited were the R & K cigar store, 433 Superior street, operated by Jake Romanoff; the Buckeye cigar store, 229 Superior street, operated by Ben Aronoff; a place at 112 Superior street operated by Jake Shukert; a place at 220 St. Clair street operated by Harry Levens; a place at 625 St. Clair street operated by Harry Dugan; a place at 631 St. Clair street operated by Ed Wanke; a place at 206 Knapp street operated by Tim J. McCarthy and Sam Dressel, and the Ben Harris cigar store, 504 Monroe street.

### Bill 15 Prepared for Special Session of Legislature

### PROVIDES CHECK

### Sulkin May Surrender Today for Quiz in Kennedy Case

The aggressive, determined offensive against racketeers and hoodlums being waged by County Prosecutor Frazier Reams in connection with his investigation of the Jack Kennedy murder plunged into a new field yesterday when Mr. Reams disclosed that he is working on proposed legislation to govern the sales and distribution of small firearms in Ohio.

Simultaneously with this revelation, it was reported by officials at the courthouse that Jacob (Firetop) Sulkin, lieutenant of the notorious Thomas (Yonnie) Licavoli mob, will surrender at the prosecutor's office today for questioning in connection with a weapon which was said to have been used in the killing of Kennedy.

Mr. Reams asserted he hoped to have his proposed bill completed in time to present it before the special session of the general assembly which Gov. George White has called to convene Aug. 16.

### Registration Sought

The proposed bill provides for registration of all small arms from the time they leave the manufacturer, through the hands of jobbers and retailers to the purchaser which will be kept on file in the county prosecutor's office.

In addition, ballistics tests of every small arm sold to an individual would be made before the weapon would be delivered to the purchaser and this data would also be kept on file to aid in tracing of fatal bullets in the event of murder.



# SULKIN TRIAL IS POSTPONED

## Judge Stahl Continues Case Indefinitely at Reams' Request.

The first degree murder trial of Jacob (Firetop) Sulkin, which was scheduled to begin Monday in common pleas court, was postponed indefinitely today by Judge Scott Stahl on request of Frazier Reams, county prosecutor.

Sulkin was indicted in connection with the gangster killing of Jackie Kennedy in Point Place July 7, 1933, which was a climax in violence during the closing chapter of the prohibition era here. Joseph (Wop) English, member of the Thomas (Yonnie) Licavoli gang, is now in the Ohio penitentiary awaiting execution for his part in the crime.

Mr. Reams asked the continuance, he said, in view of the fact that Sulkin is at liberty under bond of \$10,000 and that several bank cases now are pending. The prosecutor prefers to have a bank case disposed of before the Sulkin trial begins. The murder trial, he said, will last from five to six weeks and if started Monday would run over into the next term of court.

Attorney Harry Levy, representing Sulkin, made no objection to the continuance, which was the second granted. Judge Stahl said that he wanted prospective jurors summoned for the murder trial to report in his court room Monday for petit jury service.

Prosecutor Reams said that he will confer this week with Attorney Harold Fraser, representing several indicted bankers, to select a case to be tried and the time for the hearing.



"Yonnie" Licavoli, left, Toledo gang leader, and a lieutenant, Jacob (Firetop) Sulkin, are shown as they appeared in Common Pleas Judge Scott Stahl's court Saturday to answer charges of first-degree murder. Both were granted a continuance of one week to arrange for attorneys. Both were returned to county jail where they have reposed for two weeks since they were indicted with 11 others in connection with four murders. Licavoli will be rearraigned Monday on a charge of keeping and exhibiting a slot machine.

# Licavoli, Sulkin Defer Plea On Indictment

## Arraignment Is Set for Next Saturday

Asserting they have not yet employed counsel, Thomas (Yonnie) Licavoli and Jacob (Firetop) Sulkin yesterday deferred pleading to an indictment charging them with conspiracy to commit four first degree murders when they appeared before Judge Scott Stahl.

They are charged, with 11 other alleged members of the Licavoli gang, with the first degree murders of Jackie Kennedy, Louise Bell, Abe Lubitsky and Norman Blatt.

They will be arraigned next Saturday on the murder charges. Licavoli is also indicted on a charge of exhibiting and keeping gambling devices.

When asked to plead to this charge, he said yesterday he had never received a copy of the indictment. Judge Stahl ordered service and return of the indictment by tomorrow. At this time Morris and Arthur Shapiro will plead to a similar gambling charge.

# SULKIN WINS SECOND TRIAL CONTINUANCE

## Judge Scott Stahl, at Reams' Request, Makes Stay Indefinite

Trial of Jacob (Firetop) Sulkin for the murder of Jack Kennedy, bootlegger, was continued Wednesday for the second time.

The hearing was set for Feb. 26, after a 30-day continuance. At the request of Prosecutor Reams, Common Pleas Judge Scott Stahl Wednesday extended the continuance indefinitely.

A special venire of 75 names called for Feb. 28 was directed to report for petit jury service.

# Trial of Sulkin Again Continued

## Reams Wants To Try One of Bank Cases First

A second continuance was granted Jacob (Firetop) Sulkin yesterday by Judge Stahl before whom Firetop's trial on a charge of the first degree murder of Jack Kennedy was to have opened next Monday.

This continuance was asked by Prosecutor Frazier Reams, while the first was asked by Sulkin's attorneys, Harry Levy and Jack Hackett.

Mr. Reams explained that he wished to try a bank case before he tries Sulkin. Which of the several bank indictments will be attacked first he has not yet decided, he said.

Sulkin is one of four men indicted on charges of first degree murder in the death of Kennedy at Point Place, last July 7. Joe (Wop) English, the only one tried so far, is facing electrocution March 20 in the Ohio penitentiary. Sulkin is free on \$10,000 bond. Russell Syracuse and John Mirabella, others indicted, have not been apprehended.

# REPORT SULKIN ON SECRET TRIP

## Rumors Start Investigation of Supposed Visit From Jail to Workhouse

A report that Jacob (Firetop) Sulkin, who has been confined in the county jail since early in March, made a social call at the city welfare farm on Good Friday was being investigated Thursday by Welfare Director Ruby Crampton.

Sulkin, a henchman of Thomas (Yonnie) Licavoli, Toledo underworld chief, is held on a charge of conspiring to murder. Licavoli is held on the same charge.

Both of the men are in jail without bond and neither has any right to limited or temporary freedom without an order from common pleas court.

The report on which Mrs. Crampton is working is to the effect that Sulkin and a companion drove out to the workhouse to visit his old friend, William Hirsch, workhouse superintendent.

Mrs. Crampton has been told that after Sulkin and his companion visited about at the farm for some time, they drove back to Toledo and Sulkin was returned to his cell.

Detectives have gone to the Welfare farm to investigate the report.

# JURY PROBE OF SULKIN RUMORS

## Demands Investigation of Reports That Firetop Has Been Seen at Large.

Aroused by reports that Jacob (Firetop) Sulkin, indicted for four gang murders, has been seen in a night club by several persons, Sheriff David M. Krieger today addressed a letter to Prosecutor Frazier Reams, asking a grand jury investigation of the reports.

The letter asked that the persons who said that they saw Sulkin be brought before the grand jury. The letter follows:

"My dear Prosecutor: Owing to the fact that there have been false rumors going around, finally reaching our local papers, that Jacob Sulkin, an inmate of our jail, has been seen at liberty since being placed in our institution, I am bringing it before you with the request that you place it before the grand jury for investigation.

"It has been stated that Sulkin has been seen by at least two persons who recognized him in a place called Chicken Charlie's, a night club. I also request that these two people be brought before the grand jury to prove the falseness of their statements, so that the false reports against me will be proven as Sulkin has never been out of jail since his incarceration, except to be taken to and from the court.

"Trusting that you will give this your early attention, I am yours very truly,

"DAVID M. KRIEGER, Sheriff."

A report that Sheriff Krieger took Sulkin to a party in the home of William Hirsch, superintendent of the workhouse at Whitehouse, O., on March 30, is being investigated by Mrs. Ruby Crampton, welfare director. Both Mr. Hirsch and Sheriff Krieger denied the rumor.

Assistant Prosecutors Joel Rhinefort and Arnold Bunge told Sheriff Krieger that if he would supply them with the names of the persons who are said to have seen Sulkin that they will be subpoenaed for questioning by the grand jury.

# Convicted Slayer of Jack Kennedy Loses Plea for New Trial; Suspect's Bond \$10,000.

Rulings handed down simultaneously today by Common Pleas Judge Roy R. Stuart make mandatory the imposition of the death sentence on Joseph (Wop) English, convicted slayer of Jack Kennedy July 7 in Point Place, and provided for the admission to \$10,000 bail of Jacob (Firetop) Sulkin who is under a first degree murder indictment in connection with the same killing. Sulkin was released at 1 P. M.

Entries were made in the criminal court docket by the jurist overruling a motion and a supplemental motion for a new trial for English and granting a motion requesting that Sulkin be admitted to bail.

Action of Judge Stuart in denying the motion for a new trial of English, which was argued exhaustively during the last two weeks by Attorneys DeWitt Fisher and A. J. Bianchi and County Prosecutor Frazier Reams, Joel Rhinefort and Arnold Bunge, his assistants, will result in imposition of the death sentence on English within a few days.

## MUST SET EXECUTION DATE

In addition the court must set the date for execution of the convicted slayer in the electric chair in the Ohio penitentiary within 100 days after sentence is pronounced.

The ruling followed a study of numerous affidavits filed by both the state and defense in support of their arguments which were obtained from various witnesses of incidents surrounding the shooting.

Attorney Harry Levy, co-counsel with John W. Hackett in the defense of Sulkin, announced that a \$24,000 real estate bond had been posted with William Renz, clerk of courts, today to release his client from the county jail where he had been held since Aug. 8 when he surrendered to the indictment which was returned against him.

Judge Stuart's ruling fixed bail of Sulkin in the amount of \$10,000 cash or double that amount in real estate.

## \$24,000 Bonds Posted

To obtain Firetop's release, real estate bonds totaling \$24,000 were posted by these persons: David Fromkin, his father-in-law; Mrs. Lillian Sulkin, his wife, and Mr. and Mrs. Abe Goodman. Mr. Goodman is a baker.

Judge Stuart declared that in view of the fact Sulkin had surrendered to the charge and made himself available when he was wanted he believed that if anyone were entitled to be admitted to bail on a charge of first degree murder Sulkin should be.

The state vigorously opposed the move to release Sulkin from custody on the ground Judge Stuart did not have jurisdiction to terminate the question of admitting a person under a first degree murder indictment to bail, but the state supreme court ruled the common pleas court did have jurisdiction to hear and decide such a motion.

Trial of Sulkin is set for Jan. 15 before Judge Scott Stahl.

## TRIAL OF SULKIN MAY BE DELAYED JAN 5 1934

### Defense Attorneys Plan To Ask Continuation of Case

Defense Attorneys Jack Hackett and Harry Levy are expected to ask Judge Scott Stahl today to continue the case of Jacob (Firetop) Sulkin, indicted on a charge of first degree murder in connection with the death of Jack Kennedy in Point Place, July 7.

The Sulkin trial is set for Jan. 15. It is understood the prosecutor's office will not oppose the request for a delay in the trial date so long as the trial occurs within the present term of court.

Defense attorneys would give no reason for the proposed request other than that "it would be more convenient" to try the case later.

Sulkin was released from jail on a \$10,000 bond Tuesday on order of Judge Roy R. Stuart. He had been held in jail since Aug. 9.

## Trial of Sulkin to Start Feb. 26

Trial of Jacob (Firetop) Sulkin for the first degree murder of Jack Kennedy July 7 in Point Place was continued until Feb. 26 today by Common Pleas Judge Scott Stahl after a conference with John W. Hackett and Harry Levy, defense attorneys, and Joel Rhinefort and Arnold Bunge, assistant county prosecutors.

The trial originally was set for Jan. 15 and William Renz, clerk of courts, was instructed to notify by letter 75 members of the venire from which the murder jury will be drawn of the fact the case has been continued. Although the state agreed to the postponement, the reason it was asked was not announced.

## SMILE RETURNS AS "FIRE" LEAVES JAIL



Smiling and light-footed, Jacob (Firetop) Sulkin, charged with first degree murder in the slaying of Jack Kennedy, youthful bootlegger, is shown as he walked out of the county jail under \$10,000 bond Tuesday. Sulkin has been in the jail since August. He goes on trial Jan. 15.

## MAY POSTPONE SULKIN TRIAL

Prosecutors and Defense Attorneys Agree On Advancing Date One Month

Postponement for at least a month of the trial of Jacob (Firetop) Sulkin on charges of first degree murder in the killing of Jack Kennedy July 7 in Point Place was to be asked of Common Pleas Judge Scott Stahl Friday by Prosecutor Frazier Reams and Sulkin's attorneys, John W. Hackett and Harry Levy.

Announcement that the postponement would be sought followed a private conference of the prosecutor and defense attorneys late Thursday.

All three refused to give any reason for seeking the delay except that "it will be more convenient for both sides." Neither would any of the three say which side had suggested that the delay be requested.

Sulkin's trial is scheduled to begin Jan. 15. A special venire has already been drawn to furnish a jury for the case. Sulkin has been under indictment for the crime nearly five months. Most of that time he has spent in the county jail. He was released on \$10,000 bond last week by Judge Roy Stuart.

## 'FIRETOP' FREE FACING TRIAL

Sulkin Out On \$10,000 Bond  
Contemplates Next  
Ordeal

Free on bond after almost five months in jail, Jacob (Firetop) Sulkin was preparing Wednesday for trial Jan. 15 on an indictment charging him with first degree murder in the killing of Jack Kennedy last July 7 in Point Place.

Sulkin was released at 1 p. m. Tuesday after Common Pleas Judge Roy Stuart had granted a motion filed by his attorneys for admission to bail.

Signers of the \$10,000 bond fixed by Judge Stuart were David Fromkin, Sulkin's father-in-law, and Lillian Sulkin, his wife, both of 4523 Overland parkway and Abe and Bessie Goodman, 2723 Cherry street. They pledged a total of approximately \$24,000 worth of property.

Meantime, DeWitt Fisher, attorney for Joe (Wop) English, who faces a death sentence for the same crime, followed Judge Stuart's action in overruling a motion for a new trial for English with the announcement that the case will be taken to the court of appeals after English has been sentenced. Judge Stuart is expected to pronounce the sentence in a day or two.

## ENGLISH MAPS APPEAL FIGHT

'Wop' Denied Retrial;  
Sulkin Released  
on Bond

A petition-in-error, seeking to save Joe (Wop) English from electrocution, will be filed in the court of appeals here within 30 days, the statutory limit of time, according to Attorneys DeWitt Fisher and A. J. Bianchi, Akron, who defended him at his trial.

The fight in the higher courts is the sequel to the decision of Common Pleas Judge Roy R. Stuart yesterday, in which he denied English a retrial on the charge of first degree murder, arising from the death of Jack Kennedy, Toledo bootlegger. Judge Stuart granted the motion of Jacob (Firetop) Sulkin, asking release on bail from the county jail where, since Aug. 9, he has been awaiting trial on a first degree murder charge, also arising from the Kennedy death.

Sulkin left the county jail yesterday afternoon, after relatives and friends had posted a \$24,000 property bond.

Sulkin will go on trial before Judge Scott Stahl on Jan. 15.

## 'Artful Dodger,' Brother of 'Firetop,' Finds Haven From Pursuers---in Death

Charlie Sholkey, 36, of 2445 Warren street, known as "the artful dodger" to Toledo police, died Friday morning in Flower hospital. Pneumonia ended his checkered career.

Sholkey, a brother of Jacob (Firetop) Sulkin, who is at liberty on bond, charged with first degree murder in the slaying of Jack Kennedy, had been in and out of jail all his life. He just couldn't keep his hand out of other people's pockets.

He began his intermittent life behind bars when he was 13, serving a reformatory sentence. Sholkey early began to mingle with a downtown Superior street gang.

One time, while serving a one-to-five-year sentence in the Ohio penitentiary for picking a pocket, Sholkey got spring fever and walked away. That was in May, 1923. Four years were spent by police in attempting to locate the "artful dodger." He spent the time on the road, returning once to attend his mother's funeral.

In March, 1927, Sholkey came home. His father lectured him, Sholkey walked into the prosecutor's office here, got a letter (not an introduction) and returned to the Ohio penitentiary to finish his sentence.

But he couldn't be good. During

a Masonic convention here in 1928, Sholkey's hand dipped again. He was in the penitentiary again when the Easter Monday fire that killed more than 300 prisoners broke out.

Sholkey was one of the first to notice the fire but guards disregarded his shouts of warning. Sholkey was always skylarking. His fearless disregard for consequences saved many lives, however, when he was released and helped other prisoners to safety. He won his parole later for his heroism in the holocaust.

He faced three charges of picking pockets here at the time of his death. He was to appear in police court Saturday on one of the charges.

## SULKIN TRIAL IS POSTPONED

Prosecutors and Defense Attorneys Move Date Up to Feb. 25

Trial of Jacob (Firetop) Sulkin on charges of first degree murder in the killing of Jack Kennedy, bootlegger, was postponed Friday by Judge Scott Stahl until Feb. 26.

The entry setting the date will not be made formally until next Monday at the opening of the new term of court, at which Judge Stahl will take charge of the criminal docket.

Announcement that the postponement would be sought was made following a private conference Thursday of Prosecutor Frazier Reams with Defense Attorneys John W. Hackett and Harry Levy.

All three refused to give any reason for seeking the delay except that "it will be more convenient for both sides." Neither would any of the three say which side had suggested that the delay be requested.

Sulkin's trial is scheduled to begin Jan. 15. A special venire has already been drawn to furnish a jury for the case. Sulkin has been under indictment for the crime nearly five months. Most of that time he has spent in the county jail. He was released on \$10,000 bond last week by Judge Roy Stuart.

## Firetop Pride of Newsies In Days of John Gunckel

'Quite A Boy' in Those Days With Much Expected From His Career

By DAN PALMER

The first time I heard Firetop Sulkin's name mentioned was back in 1907 in Bowling Green. I can remember it now as if it was yesterday. John Gunckel, the "daddy of Toledo newsboys" had been invited to Bowling Green, to deliver a speech on the occasion of the organization of a newsboys' association in that town. A Mr. Woodin had conceived the idea that, since

to become president of the United States.

Firetop came to man's estate. His natural capacity for self-assertion, for his own feeling that he could manage himself nicely—that ability to be self-dependent—put Fire to the fore. He went places.

### Watched Progress

Those who knew Fire in his early days and had a natural and sincere interest in his success, watched his progress closely. One felt he came closest to approximating Gunckel's fondest hope, when Fire was keeping company with a little lady who, after an idyllic courtship, died, leaving Fire with no alternative but a return to old, vicious companionships.

I think Fire has been the victim of these evil associates, that he took the "easy way" to a living. His ability to "fix" was valuable. It has been mentioned often.

Since Fire has been out on bond he has been conspicuous by his presence in circles that at least pride themselves on respectability. Fire seemed zealous to cultivate and renew many old acquaintances. After all, it would hurt him none, pending trial for murder, to be seen in such company—people whose reputation were secure, good business and professional men, if you please.

And now he is back in jail, charged anew with murder. If ever a man started well but fell victim to bad companionship, here is a striking example—Fire of whom John Gunckel spoke so admiringly that night in 1907 back in Bowling Green.

# Gangster, 74, Given Parole

TOLEDO-BLADE  
Sulkin Belonged  
To Licavoli Mob

JUN 8 1965  
Ailing Jacob (Firetop) Sulkin, 74, one-time member of the notorious Licavoli gang and inmate of the Ohio Penitentiary 30 years, was granted a parole today, effective July 8, by the Ohio Adult Parole Authority. 25491

Convicted of first-degree murder conspiracy in the July 7, 1933, slaying of Jack Kennedy during a power struggle among Toledo bootleggers, Sulkin entered the penitentiary under sentence to be executed. JUN 8 1965

The late Gov. Martin L. Davey commuted the sentence to life imprisonment a year later, and a few weeks ago Governor Rhodes commuted that sentence to second-degree murder, making the parole possible.

Sulkin was described by the parole authority as an "outstanding example of rehabilitation."

For 24 years he was in the penitentiary's honor dormitory, serving as a messenger for state offices until he slipped on the ice at the state office building a year ago and broke his hip. He has been hospitalized since.

## Sulkin Carries Cane

# Licavoli Gangster Freed After Serving 30 Years

JUL 9 1965  
First Of Former City Mob To Leave  
Prison In 1933 Power Fight Slaying

By THOMAS REYNDERS  
Blade Staff Writer

COLUMBUS, July 9—Jacob (Firetop) Sulkin left the penitentiary today, a cane in his hand and \$300 in his pocket, after serving three decades of a murder sentence.

The former Toledo gang member was released the day after his 75th birthday. He is the first of the Licavoli gang

to win release. Four other members are still in prison.

Sulkin needs the cane because he broke his hip in a fall on an icy sidewalk in front of the statehouse last winter. A trusty, he was making his rounds of state buildings as an interoffice messenger when he had his accident.

The \$300 handed him as he left the old stone prison is his savings accumulated in the 30 years in prison—the maximum any prisoner can take with him when he leaves the penitentiary.

### Leaves With Sister

When Sulkin left the office of Warden E. J. Maxwell he was accompanied by a sister from Toledo with whom he will make his home. She drove to Columbus for his release. TOLEDO-BLADE

Sulkin was wearing civilian clothes—but this was no novelty for him. As a messenger trusty for 24 years he was permitted to wear street clothes.

"Jake," as he was known to fellow inmates, prison authorities, and state office personnel, started saying his good-bys to friends several days ago.

Paroled on a second-degree murder sentence, commuted from an original first-degree murder conspiracy term, Sulkin will be on parole for the rest of his life unless the Legislature completes passage of a proposed bill. This would permit lifting of parole supervision for good behavior after five years for second-degree murder parolees.

### Not Sure Of Plans

Sulkin cannot leave Toledo without the permission of his Toledo parole officer. In saying good-by to friends yesterday, Sulkin said he wasn't sure of his plans.

Recently he called on Martin Janis, of Toledo, director of the state department of mental hygiene and correction which supervises the penitentiary. In saying good-by to Mr. Janis, Sulkin remarked that he wasn't sure he would want to stay in Toledo since he knew that he would find many of his old friends have passed away since he went to the penitentiary. He indicated to Mr. Janis that he might want to return to Columbus.

Licavoli gang members still serving sentences are Thomas (Yonnie) Licavoli, Johnny Rai, Ralph Carsello, and Joseph (Wop) English.

Sulkin was convicted of first-degree murder conspiracy in the July 7, 1933, slaying of Jack Kennedy during a power struggle among Toledo bootleggers. He entered the penitentiary to be executed.

The late Gov. Martin L. Davey commuted the sentence to life imprisonment a year later. Governor Rhodes made Sulkin eligible for parole by commuting his sentence to second-degree murder.

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