

Larry Gallo Dies in Sleep at 41; Fought in Brooklyn Gang War

Lawrence (Larry) Gallo, one of the Gallo Brothers gang that bitterly fought another Brooklyn Mafia faction, led by the late Joseph Profaci, died in his sleep early Friday.

The 41-year-old gangster had suffered from cancer. He died in Nassau Hospital, Mineola, L. I.

Larry Gallo and his two brothers, Albert (Kid Blast) Gallo and Joseph (Crazy Joe) Gallo were underlings in Profaci's Mafia family prior to the 1960's.

They were ambitious, however. Surrounding themselves with a group of tough, young adherents, the Gallos declared war on the Profaci elements.

Their goal was the illegal profits from gambling, the policy racket and loan-sharking, as well as the underworld control of vending machines, pin-ball machines and the jukebox business.

For five years the internecine battle went on in various sections of the city, but mostly in Brooklyn. At least 12 members of the two factions (most were members of the Gallo gang) were killed.

The war ended in 1965 when another Cosa Nostra leader, Joseph Columbo, took over the Profaci gang and arranged a settlement.

One of Gallo's close calls occurred when he was set up as the victim of a gangland assassination plot in a bar in Flatbush. Two men tied a manila rope around his neck and proceeded to throttle him. The timely arrival of a policeman, who was shot in the face by the fleeing assailants, saved Gallo from strangulation.

He is survived by his widow, Gloria, as well as his two brothers. Joseph Gallo is now in Greenhaven State Prison, serving up to 15 years for extortion.

Lawrence Gallo lived at 3206 Hewlett Avenue, Merrick, L. I. The body is at the Prospero funeral home at 2444 86th Street, Bensonhurst, Brooklyn. A requiem high mass will be offered at 9:30 A. M. Tuesday in St. Rose of Lima's R. C. Church, Parkville Avenue and Ocean Parkway, Brooklyn. Burial will be in St. Charles Cemetery, Farmingdale, L. I.

Gallo-Colombo Feud Said to Have Been Renewed

BY NICHOLAS GAGE

Joseph and Albert Gallo, who were questioned in the shooting of Joseph A. Colombo Sr. yesterday, were reported to have renewed recently a feud with Colombo going back more than a decade.

The brothers are reputed to head a faction in the Mafia family that the Justice Department has said is under the leadership of Colombo.

Federal, state and local authorities said there had been increasing friction between the Gallo faction and the parent group.

They asserted that before yesterday's rally sponsored by the Italian-American Civil Rights League, "Gallo men" had ordered South Brooklyn shop-owners not to close for the event, as requested by supporters of the league.

At the time of the rally many merchants in the area were doing business as usual. "There's this trouble between the Gallos and Colombo," one merchant said, "so the Gallos passed the word, you know, that it would be better to stay open."

Valachi's Disclosures

The "trouble" is believed to be a renewal of a feud that began in 1960 when the Colombo family was led by Joseph Profaci. Details of the feud were disclosed by the late Joseph Valachi, the Mafia informant, and other underworld sources.

According to this information, the Gallos, including Larry, who died in 1968, felt that Profaci was not giving them a fair share of the family's illicit



Associated Press
Joseph Gallo

profits, and they kidnapped several lieutenants of Profaci, including his son and brother-in-law.

They kept the men hidden in different hotel rooms, until, it was said, Profaci agreed to be more generous.

According to the authorities, once the men were released Profaci went back on his word. Soon a key Gallo lieutenant disappeared and an attempt was made on Larry Gallo's life.

The gang war that followed resulted in at least 12 killings.

At the height of the war, in 1961, the Gallos holed up in

what came to be known as the Dormitory, the second floor running through two connected brick buildings at 49-51 President Street, Brooklyn.

After the death of Profaci in 1962 the fighting continued under his successor, Joseph Magliocco, his brother-in-law, whom the Gallos had kidnapped and then released.

After Magliocco died in 1963 an uneasy truce was arranged by his reputed successor, Joseph A. Colombo Sr.

The Gallo group is said to have agreed to the truce because it was too weak to carry on the fight and because Larry Gallo was ill and his brother Joseph was sent to prison in 1961.

When Joseph Gallo was released in May he was reported to have complained that the lot of his faction within the family had not improved much in his absence. He was also said to have questioned Colombo's involvement in the Italian-American Civil Rights League as drawing undue attention to the family.

Other Mafia leaders were reported to have grown uneasy about Colombo's recent publicity-inviting efforts including Carlo Gambino, who is reported to be the most powerful of the Mafia family leaders in New York.

Gambino has been considered a patron of Colombo and the man responsible for helping him become head of the Brooklyn family. But underworld informants recently said Gambino had instructed members of his family to stay away from yesterday's rally.

Other underworld leaders known to have been at odds with Colombo include Carmine Persico, who is said to head another faction in the Colombo family that is unhappy with the present leadership.

Informants have said that Joseph Gallo augmented his faction recently with blacks brought in as associate members of the organization. While in prison, it was reported, he developed strong friendships with black inmates.

In the Attica State Prison in 1963 he attempted to break down color barriers in the institution by having a black barber cut his hair.

A year later he filed a suit in State Supreme Court charging he had been subjected to "cruel and unusual punishment" for his efforts on behalf of black inmates.

Prison officials called the charge "fictitious" and said Gallo had been "an agitator and a belligerent prisoner." A Correction Department official said the suit had been dismissed.

Gallo, who is now 42 years old, is said to be feared in the underworld and in the Brooklyn community where he has spent most of his life.

He was convicted of extortion after he tried to force a Manhattan cafe-owner to turn over half his business to him. The cafe-owner said that he had asked for time to think over the proposition and that the gangster replied: "Sure, take three months in the hospital on me."

Colombo's Refusal To Buy Off Gallo For \$100,000 Cited



United Press International
**Joseph Gallo in 1961, a
period of gang battles.**

BY NICHOLAS GAGE

Joseph Gallo, who was questioned by the police in the shooting of Joseph A. Colombo Sr., reportedly demanded, unsuccessfully, \$100,000 to keep him from renewing a feud within the Mafia family Colombo allegedly heads.

Sources close to the police investigation of the Colombo shooting said Gallo, leader of a faction within the Mafia family, asked for the money from Colombo shortly after he was released from prison last April.

Suspects Not Named

Colombo was shot in the head three times before the start of the Italian-American Unity Day rally at Columbus Circle last Monday. Colombo, 48 years old, whom law enforcement officials have said is the head of a Mafia family in Brooklyn, remained in critical condition yesterday.

Robert Daley, the deputy police commissioner for press relations, said last Friday that the shooting was part of an underworld plot, but he refused to say whom the police suspected of participating in the plot.

The police have said Colombo was shot by Jerome A. Johnson, a 24-year-old black posing as a

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Colombo's Refusal to Pay Gallo \$100,000 Reported

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press photographer, who was shot to death at the scene. The police have also said that Johnson was killed by one of the underworld plotters.

Mr. Daley said yesterday that the police were pressing their investigation of the shooting, but could not provide any further details on the underworld plot. He declined to comment on reports that Gallo had asked for money not to cause trouble in the Colombo family.

Gallo's request for \$100,000 was said to have been made to representatives of Colombo sent to find out if Gallo intended to keep the truce achieved in the family in his absence.

In the early nineteen-sixties, the Gallo faction, including Joseph's brothers, Larry and Albert, waged a bloody war against the parent group that resulted in a dozen killings.

A truce was concluded after Colombo became leader of the family in 1964. Joseph Gallo was then in prison, however, and when he got out recently it was said that he claimed the truce was not binding on him because he did not participate in it.

When Colombo's men tried to convince him that a renewal of the feud would be harmful to everyone concerned, they said, Gallo allegedly replied: "Put \$100,000 on the table and we'll talk. Otherwise no deal."

A Token Gesture

Colombo declined to buy Gallo off, the sources said. His only conciliatory gesture was a contribution of \$1,000 for a dinner held for Gallo to celebrate his release.

Gallo, 42, then began building up his gang, which, the sources said, had suffered in his absence under his brother Albert, who is a year younger. Larry Gallo died of cancer in 1968. Joseph Gallo reportedly added a number of blacks to the gang, which is based in Southern Brooklyn, to strengthen it.

Gallo had been pressuring Colombo on several fronts prior to the shooting on June 28. Several merchants in southern Brooklyn said that members of the Gallo gang had told them not to close their shops on

Unity Day and not to support the Italian-American Civil Rights League. Colombo was a founder of the league, which he said would help deter law-enforcement officials generally, and the Federal Bureau of Investigation in particular from harassing Italian-Americans.

Whether other Mafia leaders approved of Gallo's actions was not clear, the sources said. But several major Mafiosi had expressed disapproval of Colombo's involvement with the league.

The disapproval was based on the fact that the publicity Colombo received through demonstrations at the F.B.I. and newspapers as well as other events attracted undue attention to the Mafia as well. The disapproval was also generated by reports that Colombo's men were extorting money from Italians on the pretense that they were raising it for the league.

Among the Mafia leaders who were said to have voiced growing doubts about Colombo was Carlo Gambino, reputed head of one of the largest families in the city.

Gambino, who was also questioned by the police after the shooting of Colombo, was reported to have had close ties to both Colombo and the Gallos.

Despite his reported recent misgivings about Colombo, Gambino was said to have been instrumental in winning the leadership of the Profaci family for Colombo.

Gambino Succeeds Anastasia

But he was identified closely with the Gallos as well, the sources said. Gambino, now 72, became head of his Mafia family in 1957 after its then leader, Albert Anastasia, was murdered while sitting in the barbershop of the Park Sheraton Hotel.

Joseph Valachi, the Mafioso who turned Government informant, told authorities several years later that the Anastasia murder was engineered by Vito Genovese, the late Mafia boss, after consulting with Gambino.

Both Valachi and Sidney Slater, another informant on the Mafia although not a member himself, said later that the actual killers of Anastasia were two members of the Gallo gang.

Slater said that he met Joseph Gallo after the Anastasia killing with four members of his gang and that Gallo told him: "From now on, Sidney, you can just call the five of us the barber-shop quintet."

Gallo was released from prison after serving the maximum time possible of his sentence, a State Department of Corrections official said, and has reported on schedule to his parole officer.

He worked briefly as a salesman after being released, the official said, but then said he was sick and could not hold on to the position. He has an apartment off Union Square in Manhattan.

Colombo, who has been in a coma since the shooting, was reported to be responding to treatment yesterday.

Albert A. Seedman, Chief of Detectives, said yesterday on the WNBC "Direct Line" program that there was "a lot of investigating to do" before arrests could be made on the shooting of Colombo, although the police know the identity of the men involved in the alleged plot to kill him.

Grudges Against Gallo Date to 'War' With Profaci

By NICHOLAS GAGE

Law enforcement officials and underworld informants said yesterday that members of the Mafia family of Joseph A. Colombo Sr. had discussed "getting" Joseph Gallo ever since Colombo was critically wounded last June 28.

The police, however, found no evidence yesterday that the Colombo group was involved in the Gallo killings, as they have been unable over the last several months to uncover evidence linking the Gallo group to the Colombo shooting.

Nevertheless, members of the Colombo Mafia family have felt strongly that Gallo engineered the shooting of Colombo despite his denials to the contrary, the sources said.

Marta Orbach, the wife of the actor Jerry Orbach, who was collaborating on a book with Gallo, said that Gallo had told her that he was well aware the Colombo group hated him, but that he did not believe anyone from the group would try to kill him.

"What he feared was that some underworld cowboy would try to make a reputation by killing Joey Gallo," she said.

She also said, however, that several weeks ago she learned from an acquaintance that a social club in the Bronx frequented by Colombo people had a picture of Gallo on a wall draped with a black stocking. "That meant these people did not wish Joey well," she said.

Persico Case a Factor

Members of the Colombo Mafia family talked about "moving" against Gallo shortly after the shooting of Colombo, law enforcement sources said.

It was decided, however, that conflict in the Brooklyn Mafia at that time would hurt the chances of Carmine Persico, a key Colombo lieutenant, of winning appeals against a 12-year prison sentence for hijacking.

Most of those appeals were exhausted earlier this year and Persico was remanded to prison on Jan. 24.

Mrs. Orbach said Gallo had told her that he believed that an attempt on his life would come "when things started going well for him."

As news of Gallo's murder spread through Brooklyn yesterday, the police said several reported Mafia members long hostile to Gallo were observed passing out cigars and joking about his death.

The enmity against Gallo goes back to the Profaci-Gallo war of the early nineteen-sixties that resulted in at least a



Joseph Profaci
Died of
Natural Causes, 1962



Joseph Magliocco
Died of
Natural Causes, 1963



Jos. A. Colombo Sr.
Shot, 1971,
Incapacitated



Carmine Persico
In
Prison

Key Figures in the Profaci-Gallo Schism



Joseph Gallo
Killed
Yesterday



Larry Gallo
Died of
Natural Causes, 1968



Albert Gallo
Living in
Brooklyn



Anthony Strollo
Disappeared
in 1962

The New York Times/April 8, 1972

dozen murders.

The war started in 1960 when Joseph Gallo and his brothers, Larry and Albert, began to oppose the boss of their family, Joseph Profaci.

They were aided by Anthony Strollo, who was a member of the Vito Genovese family, but who had hopes of taking over some of the Profaci rackets.

The Gallos complained that their group was not getting a fair share of the family profits. In February, 1961, the Gallos kidnapped and then released several Profaci lieutenants and a full-scale war was on.

The most zealous warriors in the battle were Joseph Gallo on one side and Carmine Persico on the other.

Persico and another Profaci lieutenant, Joseph Scimone, were indicted in 1961 on charges of trying to garrote Larry Gallo, but the indictment was later dismissed.

Joseph Gallo was convicted of extortion in 1961. While waiting to be transferred to Sing Sing Prison, an abortive attempt was made to poison him. The same year Strollo disappeared and was never heard from again.

In 1962, Profaci died of natural causes, but the war continued under his brother-in-law and successor as family boss, Joseph Magliocco.

After he died a year later and was succeeded by Joseph Colombo, a peace was concluded through the mediation

of Raymond Patriarca, the reputed Mafia boss of New England.

Larry Gallo died of cancer in 1968, and the Gallo gang began to decline under the leadership of the third brother, Albert.

When Joseph Gallo was given a conditional release from prison early last year, he reportedly declared that the 1964 peace agreement was not binding on him because he was not present when it was concluded, and the Gallo gang began to move into Brooklyn rackets controlled by members of the Colombo family.

While in prison, Gallo sent several black inmates being released to his contacts in Brooklyn, where work was found for them.

When Colombo was shot last June, reportedly by a black, Jerome A. Johnson, who was in turn shot and killed, Gallo was questioned by the police in connection with the murder and then released.

Officially, Colombo associates said Johnson was an unstable individual who acted alone, but privately many of them blamed Gallo.

A month after the Colombo shooting, one of his bodyguards, Vincent Santo Vingo, was picked up by Federal agents on a gun charge and was quoted as saying to them: "I hope you're doing this to the Gallos, too, because they shot Joe Colombo."

The statement was made

bling mobsters that was based, some thought, on the Gallo-Profaci gang wars.

"A cop that he knew had met us and told him that he'd met the guy who supposedly played him in the movie (Mr. Orbach), that he was a nice guy, not like an actor," she said. Whereupon Gallo got the Orbachs' telephone number, invited them to dinner and, in a small restaurant in Brooklyn, "absolutely" charmed them.

A Friendship Blooms

Among other things, Mrs. Orbach said, Gallo asked her whom she preferred, Camus or Sartre. "I almost fell into a plate of spaghetti," she recalled, but then, she said, she discovered that he had spent his prison time reading and that he was "brilliant."

And a week later, after another dinner, Gallo showed up at the Orbachs' home "in the middle of the night" and announced that he and Mrs. Orbach were going to write a book together.

The friendship bloomed, Gallo moved into the Orbach home for a month, and his hosts began to introduce him around—"to the people we loved best," Mrs. Orbach said.

Occasionally there were mishaps. When they went to see Mr. Steinberg's act in the Persian Room one night, a man at their table, who was connected with the Knapp Commission, complained loudly that "I'm sitting here with that little gangster in the Persian Room in the Plaza."

But most of their friends liked Gallo, Mrs. Orbach said, and Gallo in turn liked them, liked seeing their shows and, especially, liked the writing he was doing with her—memoirs for Viking Press, and a movie script as well, a "comedy about prison life."

And, she said, she knew that he was "straight."

"I know it," she said; "I asked the cops, because I wasn't going to walk on the streets with a no-good somebody might shoot." A "friend who's a detective" told her he was all right, Mrs. Orbach said.

She nevertheless did not ignore his past. When Peter Stone's wife told her several weeks ago that her dog had been stolen, Mrs. Orbach recounted, "I said to Joey, 'Do you know anyone who steals dogs?'"

He responded, she said, "What kind of dog do you want?" Then, as the Stones attested yesterday, he spent several days helping Mrs. Stone answer responses to a newspaper advertisement seeking the dog's return.

Gallo and his wife were to have gone to a preview of Mr. Stone's new show last night, along with the Orbachs, as guests of Mr. Stone.

Gallo:

This Time, The Gang Shot Straight

You read it in "The Gang That Couldn't Shoot Straight." You saw it on the screen in "The Godfather." And last week, it happened for real, life imitating art imitating life—an assassination, brought to you by the folks who gave you organized crime.

Joseph (Crazy Joe) Gallo had spent the evening of his 43d birthday sipping champagne at the Copacabana. At 4 o'clock Friday morning, he and his wife of three weeks and her 10-year-old daughter and his sister and his bodyguard Pete Diapoulas and Pete's date had adjourned to Umberto's Clam House, a new restaurant on Mulberry Street in Little Italy. Sitting around two butcher-block tables, they drank soda and ate Italian delicacies. Gallo, in a relaxed and expansive mood, ordered a second helping.

Then the side door opened. Women screamed. Customers ducked to the floor. The intruder wore a tweed coat and a .38-caliber revolver blazed in his hand. Gallo was hit three times, Diapoulas once. Diapoulas and an unknown man seated at the bar returned the fire; more than 20 shots were exchanged. Gallo staggered out the front door, collapsed and died in the middle of the street. His killer, firing as he went, fled out the back door, hopped into a waiting car and sped from the scene.

Said New York City Chief of Detectives Albert A. Seedman: "The assassin walked in with just one thing in his mind—to get Gallo." Why? Police weren't getting any help from Pete Diapoulas. "I don't want to give you a hard time," he told them, "but I'm not going to give you information." He wouldn't even tell police his name.

But well-placed informants offered a motive: Bad blood between the Gallo gang and the Colombo Mafia family. The rivalry goes back to 1960, when Gallo and his followers challenged the power in Brooklyn of the boss of their Mafia family, the late Joseph Profaci. Before the Gallo-Profaci war was finally settled, with Joseph A. Colombo Sr. taking over the reins of the family, more than a dozen gangland murders had been committed and Gallo was in jail, serving a term for extortion.

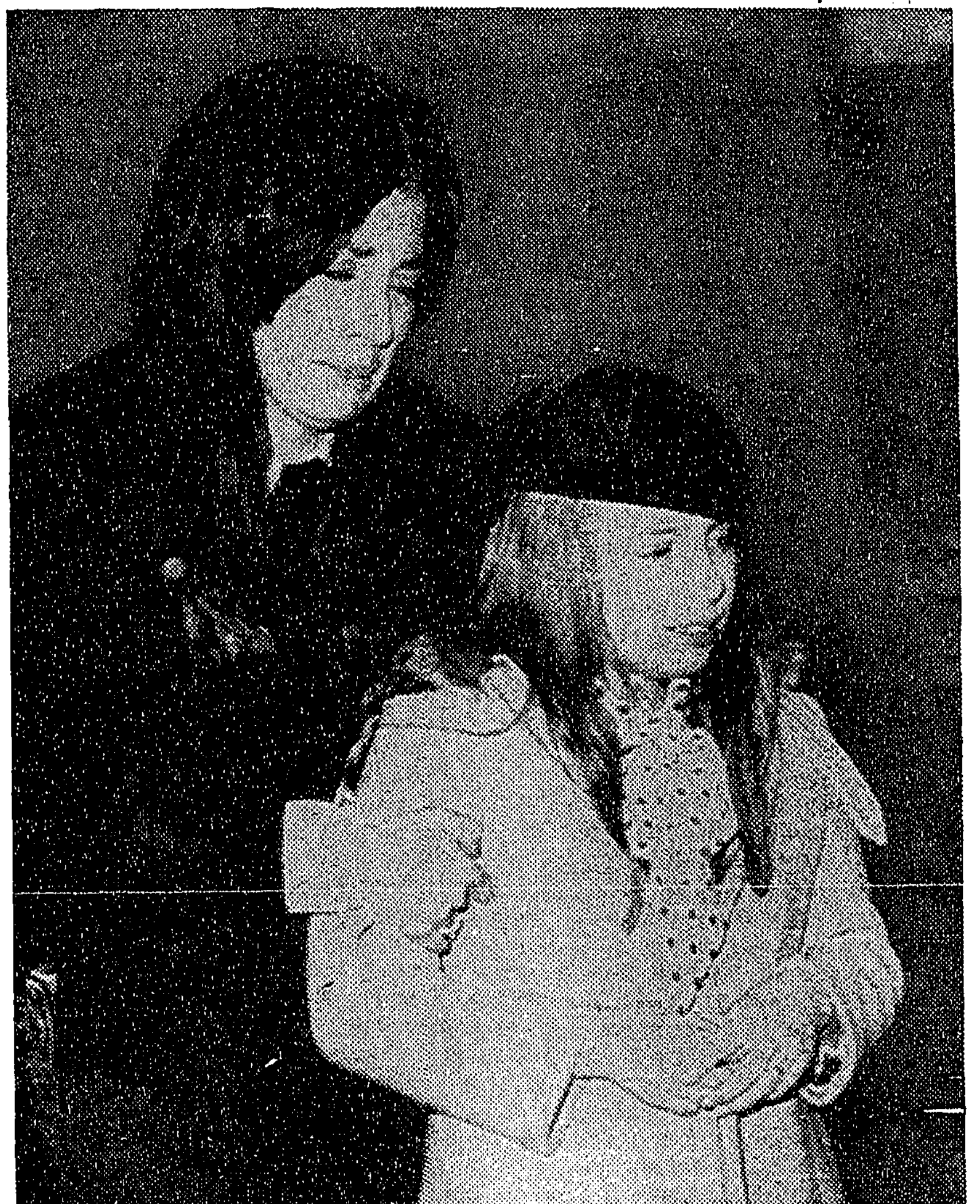
Early last year, Gallo was released, and soon after his return to Brooklyn there were reports that his gang was attempting to move in on the rackets controlled by the Colombo family. Then last June, Joseph Colombo was critically wounded by a black would-be assassin. Members of his family privately blamed Gallo.

Gallo and the Colombo family were also at odds over Italian-American affairs. Joseph Colombo founded and was the prime mover in the Italian-American Civil Rights League. According to reports, when league members toured Italian neighborhoods in Brooklyn ordering merchants to shut down in honor of the league's rally in Columbus Circle last June 28 (at which Colombo was shot), Gallo's men followed close behind ordering the merchants to stay open.

And recently, Gallo threw his support to a rival organization,

Americans of Italian Descent. According to the group's president, former Congressman Alfred Santangelo, Gallo sought him out "about 10 days ago" and offered his services, and those of friends, as organizers. He told Mr. Santangelo that before volunteering, "I went to the F.B.I. and asked them if they had any objections if I worked for Italian-American groups. They said they were only against the league." Gallo, said his sister early Friday morning as she stood over his body, "changed his image—that's why this happened."

In Brooklyn, when news of Gallo's murder spread, several of his longtime Mafia enemies passed out cigars. But the precise identity of the killer remained unknown. One thing was certain, though, and Deputy Police Commissioner Robert Daley said it best: "He made a mistake, Crazy Joe did. He should have gone to bed last night."



United Press International
Mrs. Joseph Gallo and her daughter leave a Manhattan hospital, where the body of her husband of three weeks, Mafioso "Crazy Joe" Gallo, was taken after his assassination Friday morning.

GALLO RELATIVES GRIEVE AT BIER

Woman Becomes Hysterical
—No Clues in Slaying

By RALPH BLUMENTHAL

Under the eyes of detectives, the Gallo family and friends paid their respects yesterday to Joey Gallo, the Mafia figure who was gunned down in a restaurant early Friday.

"Blood on the street! Blood on the street" came a woman's muffled scream out of the closed room where the family was viewing the body in a polished metal coffin in the Guido funeral home at 440 Clinton Avenue, Brooklyn.

Minutes before, Mrs. Mary Gallo, the pale blond mother of the murder victim, all in black and limp with grief, was ushered into the dim, flower-draped viewing room for the wake, sobbing, "My Joey, my Joey." Then came the scream and Mrs. Gallo was carried out, fainting, to a basement room. Her wails, however, continued to pierce the mortuary hush.

Albert Gallo Aids Mother

Her husband, Albert, a bald, bulky figure in a pin-striped black suit, remained outwardly calm, greeting mourners and finding smiles for the children to whom he was introduced.

The Gallos' remaining son, Albert, was at his mother's side. Joey Gallo's wife of 23 days, the former Sina Essary, who was with him when he was killed, sat quietly near the coffin, accepting the sorrowful kisses of bereaved relatives.

Gallo's sister, Mrs. Carmella Fiorello, who was with Gallo celebrating his 43d birthday in Umberto's Clam House in Little Italy Friday when the gunman burst in and shot him three times from behind, before escaping, remained for nearly an hour at the open coffin.

Sobbing quietly, she bent down to put her face next to that of the body in the coffin.

The body was dressed in a black suit, blue shirt and black polka-dot tie, the hands folded benignly. On the right hand was a ring with a large square blue stone. The coffin was against a bright pink curtain, and the room, lit by a chandelier, was draped with more than 25 wreaths of red roses and white and yellow chrysanthemums.

A spokesman at Police Headquarters, meanwhile, said he had no progress to report on the search for the assassin. Nor, he said, was there any information on the identity of the man, apparently a Gallo associate, who was at the bar of the restaurant at 129 Mulberry Street and fired back at the gunman. Gallo's bodyguard, Peter Diapoulas, who was wounded, has not been held so far as a material witness, the spokesman said.

Mourners Are Watched

As yesterday's 150 or so mourners filed into the red brick funeral home, their faces were scrutinized by five members of the police intelligence unit in plain clothes, who operated out of a gray-blue Cadillac parked across Clinton Street from the gray awning of Guido's.

"Do you know him?" one policeman was overheard to ask another as a tall Gallo relative with sideburns emerged from the funeral home. Another agent walked off swiftly down Clinton Street to see where another departing mourner was headed.

However, no large Cadillacs arrived bearing well-known underworld figures and it appeared the mourners were made up mainly of relatives and close friends. A larger turnout, probably including some show-business personalities and other public figures is expected to take part in the funeral procession this morning. Burial will be in Greenwood Cemetery at 25th Street and Fifth Avenue, Brooklyn.

Among the mourners at the first day of the wake Saturday were Jerry Orbach, the actor, and his wife, Marta, who had been working on a biographical book with Gallo since his release from prison early last year. With them, Mrs. Orbach said, were Jacques Levy, director of the Broadway play "Oh Calcutta" and a lawyer, James Siff. Their presence indicates the degree to which Gallo was accepted in the Orbachs' circle of show-business personalities, Mrs. Orbach said.

Gallo showed some fearfulness for his life, she added. When he left her house he would always call when he arrived home safely, to reassure her, she said. But he did not confide details of his fears, Mrs. Orbach said.

Relatives at the wake showed some displeasure over the press attention. A woman identified as Mrs. Gallo shouted abuse at photographers outside the funeral home and an unidentified man blocked the taking of pictures of her. Another relative, identified only as "Vinny" asked: "You're not going to write anything I'm going to get upset about, are you?"

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3 More Gangland Killings Bring Total to 6 in 5 Days

By ERIC PACE

Two more men were slain in gangland style here yesterday a few hours before a cortege of black Cadillacs escorted the body of Joseph Gallo, the murdered Mafia chieftain, to his grave in Brooklyn.

Early this morning, the police announced that yet another man had been found slain in gangland style. This victim, whose body was discovered at 10:30 last night in an automobile in the Sheepshead Bay section of Brooklyn, was still not identified at 3 o'clock this morning.

The two victims who were identified were Gennaro Ciprio, who was killed outside his restaurant in the Bath Beach section of Brooklyn, and Frank Ferriano, a New Jersey laundry-

man, whose 340-pound body was found in a lower West Side parking lot.

Both men had arrest records, both had been shot in the head, and both were found with large sums of money in their pockets. The police said this showed the motive for their murders was revenge, not robbery.

"Perhaps we're getting a rash of Mafia killings, like you get a rash of hijackings or bombings," said Deputy Police Commissioner Robert Daley, "but there's no indication yet that these guys are related to the Gallo killing."

The unidentified man found last night was in a parking lot in front of 2800 Coyle Street with a number of bullet wounds

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ON WAY TO GRAVESITE: The coffin containing the body of Joseph Gallo leaving St. Charles Church in Brooklyn yesterday. In the doorway are the slain man's widow and her daughter, Lisa, who is wearing a light coat.

Associated Press

3 More Gangland Killings, a Total of 6 Here in 5 Days

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one of them in the back of his head, according to the police. They said they had been led to his body by an anonymous male caller who had telephoned the Brooklyn homicide squad and said, "If you are interested in the Gallo case, go to the parking lot at 2800 Coyle Street."

Police sources said the victim was fully clothed, wearing an expensive watch and carrying less than \$50 in cash. The police said he had been beaten before he was shot.

The head of the Federal anti-crime strike force in Brooklyn, Denis Dillon, said that Ciprio was an associate of Gallo's chief rival, Joseph A. Colombo Sr. But he said Ciprio was not a member of the Colombo Mafia organization.

Early in the day some police officials said that Ciprio fit the description of Gallo's unknown killer, who was in his 40's and had a bald spot in front. But later the police said Ciprio was in his 30's and had a full head of lustrous black hair.

There was no immediate comment about the deaths from Police Commissioner Patrick V. Murphy or Chief of Detectives Albert A. Seedman. They spent yesterday attending a convention of police chiefs in the New York Hilton.

Gallo, who was known as Crazy Joe, was killed early Friday as he was celebrating his 43d birthday in a Mulberry Street restaurant one block south of Police Headquarters. Two lesser gangland figures, Bruno Carnevale and Thomas Edwards, were assassinated on Thursday.

As of yesterday evening, the police had made only one arrest in the latest killings. They charged Gallo's bodyguard, Peter Diapoulas, with illegal possession of a handgun after he was wounded in the Mulberry Street shooting.

A \$5,000 Bronze Coffin

Diapoulas winced from the pain of his hip wound as he took a seat in one of 13 rented limousines that followed the hearse bearing Gallo's \$5,000 bronze coffin to its burial site in Greenwood Cemetery.

High police officials said there were no mourners from the Colombo or Gambino clans—two Mafia families that have long competed with the Gallo family.

"This is surprising, and it could indicate a lack of esteem," one Mafia expert said. Others said it reflected tension in the underworld in the wake of Gallo's death.

Carlo Gambino, the so-called "boss of bosses" in the Mafia, was questioned by the police last summer after the near fatal shooting of Joseph A.



United Press International

Leaving funeral home behind a camera-shy man yesterday was Peter Diapoulas, the bodyguard of Joseph Gallo, who was wounded in hip by gunman during shooting.

Colombo, head of the Colombo clan. So was Joseph Gallo.

Since then Gambino has avoided the limelight, and a police spokesman declined to say whether he had been questioned again about Gallo's murder.

Opponents of the Gallo family are known to have passed out cigars in the Colombo-dominated section of Brooklyn after Gallo was killed. And cemetery attendants said Gallo family members had asked to have a tent put up beside the grave yesterday, shielding them from the view of police cameramen or persons who might wish them ill.

About 50 mourners—the men in black coats, the women in furs and shawls—took places in and around the tent as two priests performed a brief graveside service.

Reached at Brooklyn diocesan headquarters, an aide to Bishop Francis J. Mugavero said that in past years the policy was that obsequies for persons whose lives had been touched by scandal should be "as private as possible." But in recent years, he said, the policy has been somewhat relaxed.

As the priests led the mourners in the Lord's Prayer, Gallo's sister, Mrs. Carmella Fiorello,

fainted. One priest fell silent, in dismay, but the mourners prayed on as a relative held Mrs. Fiorello in place on her chair.

Gallo's surviving brother, Albert, was impassive and so was Gallo's widow, Sina, who was wearing dark glasses.

She held the hand of her 10-year-old daughter by an earlier marriage. The little girl had been in the Mulberry Street restaurant when Gallo was killed, and she had laid roses in his coffin with a ribbon marked "Love, Lisa."

Mother Breaks Down

After the service, Gallo's mother, Mrs. Mary Gallo, hurled herself on the gilded coffin, sobbing: "My baby, my son." She was carried gently off to her Cadillac.

Other mourners — including Jerry Orbach, the actor, and his wife — filed past, placing individual flowers on the bronze coffin, which was marked "Joseph Gallo."

Then they drove away, leaving the hillside gravesite empty, except for green-clad gravediggers and a group of Federal and local law-enforcement officials who looked on from a little distance, beyond a budding tree.

Cemetery attendants said the

officials had filmed the occasion from a panel truck. High police officials refused to comment, but one said: "Of course, this kind of funeral has been a big deal for us, ever since Prohibition days."

Mr. Daley said there was "cautious optimism" among the police over their chances for solving the Gallo slaying. He said that some of the more than a dozen witnesses who had been in the restaurant were cooperating and that some were not.

Fingerprints Found

He declined to say what, if any, clues had stemmed from fingerprints found at the murder scene.

Speaking of the two men found dead earlier yesterday, Mr. Daley said, "There's no question these guys have criminal connections going back years." Ciprio had been arrested eight times, and Mr. Ferriano only once—on a concealed weapons charge in 1958.

Ciprio was shot as he left his restaurant at 2:45 A.M. He fell, face down, and was later found to be carrying \$1,300 and a .38-caliber pistol.

Mr. Ferriano was wearing work clothes when his body was found, lying face up, behind a shack in the parking lot at 41 Dominick Street. He was unarmed but was carrying \$100 in bills.

"He was a big guy, built like a wrestler," said a truck driver, Ed Duer, who saw the corpse. It took eight policemen to lift it into an ambulance.

Commissioner Daley said the police investigation would now spread to New Jersey, since Mr. Ferriano had lived there. And speaking of both murders, Mr. Daley said: "They may be just people settling private scores."

Gang War Could Be a Rough One

By NICHOLAS GAGE

If there is an all-out gang war in Brooklyn between the Gallo and Colombo groups, as the number of bullet-riddled bodies over the last few days has led the police to suggest, both sides have the men and the guns to make it the bloodiest internal Mafia conflict in many years.

A check of the committed members of the two sides as listed in a report compiled by the intelligence division of the Police Department shows that there are 118 members of the group headed by Joseph A. Colombo Sr. and 85 in the group that was led by Joseph Gallo. Colombo was shot in the head nearly a year ago and has not recovered; Gallo was shot to death Friday morning.

The Gallo group, although outnumbered, includes men with more "war" experience than the Colombo group. Some of these have the capacity to provide the strong leadership lost to the group with the murder of Gallo.

The experienced Gallo men are veterans of the Profaci-Gallo "war" in the early nineteen-sixties. In that conflict, which resulted in a dozen murders, a faction led by Larry, Joseph and Albert Gallo rebelled against their Mafia "family" then headed by Joseph Profaci over division of the family profits.

Profaci Men Sidelined

Colombo took over the Profaci family in 1964 and concluded a peace with the Gallo group. But to secure his position as leader, Colombo sidelined many of the men who had been close to Profaci during the war and replaced them with less experienced younger men loyal to him.

Since last June, when Colombo was critically wounded at Columbus Circle, none of these young men has been able to give the family strong leadership.

Joseph Yacovelli and later Vincent Aloï are reported to have tried serving as acting heads of the family, but with limited success. Neither has the experience or the temperament to be a wartime leader, according to law-enforcement officials.

The one who did have the qualifications is Carmine Persico, who started serving a 14-year Federal prison term 10 weeks ago for hijacking.

Persico was one of the most daring front-line lieutenants for Profaci in the war against the Gallos a decade ago. He is now in the Federal Penitentiary at Atlanta, and prison records

Gallo-Colombo Fight Would Draw on '60's Experience

show he has kept close tabs on recent developments in Brooklyn.

The records show that in the last three weeks his brother, Alphonse, who is listed by the police as a Colombo family member, and his chief lieutenant, Jerry Langella, have visited Persico at the prison four times.

Persico's cellmate at Atlanta is Hugh McIntosh, who was convicted with him in the hijacking case and stood with him in the last war with the Gallos.

The visits to Atlanta have led law-enforcement officials to speculate that Persico and McIntosh may be offering some long-distance direction to less experienced Colombo men back home.

There is also the possibility that in the event of all-out war some of the old Profaci captains sidelined by Colombo would come back and assume command positions. These have been identified by the police as Harry Fontana, John Oddo and Salvatore Mussachio.

Gallo Group's Strength

On the other side, the Gallo group is missing two of the three Gallo brothers (Larry died of cancer in 1968) but is still strong enough to cause a lot of damage. In fact the group can count on 30 more men now than the 55 it had in the war 10 years ago.

Albert Gallo, the surviving Gallo brother, is not considered as aggressive as Larry and Joseph were but is said to be smarter than either of them.

He is also supported by 25 or so veterans of the war of a decade ago. The most formidable is John Cutrone, 51 years old, who has a long arrest record but no major convictions. Officials believe he would take command of the Gallo group in the event of all-out hostilities.

Such a war could possibly be avoided through the intervention of Mafia leaders such as Carlo Gambino or Thomas Eholi. But they would involve themselves only if invited in as mediators.

Mediation Tradition

Under Mafia tradition a conflict within a family is off-limits to other families except on invitation to serve as peacemakers.

The force of this tradition was illustrated in the Gallo-Profaci war. Aniello Dellacroce,

said to be Gambino's underboss, at one point in the conflict seemed to be advising Profaci lieutenants.

On hearing of this, Joseph Gallo sought out Dellacroce and, finding him in the Little Italy section, punched him in the eye. But Gambino did not order any punishment for Gallo for striking his underboss because Dellacroce had breached Mafia tradition in siding with Profaci.

Later, however, Raymond Patriarca, the reputed Mafia boss of New England, was invited by both sides to mediate the conflict and played a key role in bringing it to an end.

There is a possibility that someone of similar standing may be asked to come in as a mediator between the Gallo and Colombo groups before full-scale war breaks out because such conflicts invite unwelcome attention to all Mafia activities.

Gambino, reputed boss of the biggest New York family, would be the likely choice for such a role, but he is suffering from a heart condition and may not be up to it.

world experts who assert that there is indeed a Mafia but that it is fading away because young men are not joining its ranks any more.

Police officials last week pointed out that Joe Gallo was assassinated as he was celebrating his 43d birthday in the company of his wife, daughter, sister and several friends. They recalled that Joseph Colombo Sr., a long-time rival of Gallo, was also shot on a day of personal celebration surrounded by family and friends. He was shot last June 28 at a huge rally of the Italian-American Civil Rights League, which he had founded, while standing with two of his sons and several close friends and associates.

Long-time Mafia watchers pointed out that the organization has an affinity for unobtrusive symbolism—for example, stuffing a canary into the mouth of a just-murdered colleague suspected of singing. They thought the parallels between the Colombo and the Gallo shootings might not be coincidence.

Two days after Gallo's death an associate in the Mafia family which had been led by Colombo, a man named Gennaro Ciprio, was killed as he walked outside his restaurant in south Brooklyn.

Later the bodies of four more men were found, all of them with Mafia links, which raised the possibility of a gang war to rival the one in Brooklyn a decade ago that resulted in a dozen murders.

In that conflict Gallo and his two brothers, Larry and Albert, led a rebellion against the head of their Mafia family, Joseph Profaci, over division of the family profits. A truce was concluded in 1964, at a time when Joe Gallo was in prison for extortion. When he got out last April it was reported that he did not recognize the peace since it was made in his absence.

Gallo had cultivated a number of blacks while in prison. When Colombo, Profaci's successor, was shot last June by a black, Jerome A. Johnson, who was in turn killed, many in the Colombo group believed Gallo engineered the shooting.

Last week just as many in the Gallo group felt that Colombo people were behind Joe Gallo's death and the threat of an all-out gang war between the two groups seemed very real. Both the Colombo and Gallo groups possess the guns and the men to support such a war. A police report put the number of committed members of the Colombo group at 118 and the Gallo group at 85. Each of these men, in addition, would be able to recruit several hoods from the streets to his side.

At week's end, a number of members of the Colombo and Gallo groups were again venturing into public places after a week in which they had not been seen. To experts, this seemed to indicate that the threat of all-out gang war in Brooklyn was ebbing—that both sides might be backing off and that further bloodshed could be avoided. A final solution could come with an invitation to some respected outside Mafia leader to mediate the dispute. The Gallo-Profaci conflict was successfully mediated in 1964 by Raymond Patriarca, the reputed Mafia boss of New England.

The possibility of Gallo's murder being solved, however, has to be weighed against the fact that of the hundreds of gangland killings in New York in the last 30 years, only one is known to have resulted in a successful prosecution.

—NICHOLAS GAGE

Gang War:

The Hoods Seem To Be Quarreling

It wasn't so long ago that references to the word "Mafia" in the press spurred members of the Italian-American Civil Rights League to picket New York newspapers. But last week, as the offending word was once again blazoned in headlines across the nation, and such old favorites as "gang war" and "hit man" were being dusted off, league representatives were mounting no demonstrations. They weren't even answering their telephones at the New York headquarters.

In the early hours of April 7, Joseph Gallo, known to his underworld colleagues as "Crazy Joe" and to his show business pals as "Joey" was murdered in a clam house in the Little Italy section of New York. Over the next four days five more bullet-riddled bodies of men with Mafia links turned up and the specter of gang war hung over the city heavier than the air pollution. Most of the dead men were in their thirties, thus belying a theory popular among certain under-

The Shooting Gallery—Six Casualties of the Gangland War



Bruno Carnevale

Thomas Ernst

Joseph Gallo

Gennaro Ciprio

Frank Ferrlano

Richard Grossman

Five in Gallo Gang Named on Death List

By NICHOLAS GAGE

The brother and four close associates of Joseph Gallo, the slain gangster, reportedly have been marked for assassination by members of the Mafia family reputedly headed by Joseph A. Colombo Sr.

A deposition filed on Monday by the Federal Bureau of Investigation in State Supreme Court in Kingston asserted that, according to an F.B.I. informant "of known reliability," the Colombo group "was responsible for the death of two members of the Gallo mob and there are five more victims scheduled to be executed by the Colombo mob."

The five men said to be on the death list are Albert Gallo and Peter Diapoulas, brother and former bodyguard, respectively, of Joseph Gallo, and John Cutrone, Frank Illiano and Bobby Bongiove, all key members of the Gallo group.

Ciprio's Slaying Cited

In addition to Joseph Gallo, the second man slain by members of the Colombo group, according to the informant, was Gennaro Ciprio. He was shot to death three days after the murder of Gallo on April 7.

The police said yesterday that no arrests were imminent for either the Gallo or Ciprio murders, but evidence on the Gallo killing "could lead to action in coming weeks."

A "soldier" in the Colombo group is the prime suspect in the killing of Gallo and an associate member of the group is suspected of having driven the car in which the killer fled.

The F.B.I. deposition was filed in application for a warrant to search a farm in Saugerties, N. Y., said to be owned by Carmine Persico, a captain in the Colombo family now in the Federal penitentiary at Atlanta.

The deposition said that the farm was being used by the Colombo group as "a hide-out and an arsenal."

The warrant was granted by the court in Kingston, and the farm was searched Monday afternoon and again yesterday morning. A dozen rifles, shotguns and pistols were found in the main house on Monday and a large cache of similar weapons was uncovered in a barn yesterday.

Four Men Arrested

Four men associated with the Colombo group and a woman companion of one of the men were arrested Monday morning as they were driving away from the farm.

Alphonse Persico and Jerry Angella, brother and bodyguard, respectively, of Carmine Persico, were in the front car, and the three others were in the second car following.

Two guns were found in the second car, according to state policemen who joined F.B.I. agents in the raid. The guns indicated that the purpose of the second vehicle was to guard the first one carrying Persico.

In the underworld, such vehicles are known as "crash cars" because they have been known to smash deliberately into any vehicle attempting to attack the car under guard.

One of the men in the second car stopped Monday was Charles Panarella, described as an acting captain in the Colombo family.

The fact that a man of such high position was assigned to

protect Alphonse Persico showed that Persico was playing a leading role in the war against the Gallos, the authorities said.

Persico was brought back to the city and arraigned in Federal Court on a charge of making a false statement in application for a bank loan. The four others were charged with state weapons violations.

Persico's arrest was part of

an investigation by the Government's Brooklyn Strike Force Against Organized Crime headed by Denis Dillon on the use of bank loans by gangsters to finance illegal ventures.

The Brooklyn group and the Federal strike force in Manhattan are also conducting an investigation on stolen weapons said to be held by members of the opposing sides in the current gang war.

Albert Gallo, the 'Kid Brother,' Picks Up Mantle for 'Honor' of Mafia Family

By ERIC PACE

In the language of the Mafia, young Albert Gallo was never "made," police officials say. That is, he was never allowed to go through the old initiation rites, with their flowery oaths and ceremonial spilling of a few drops of blood.

Young Gallo was the perennial little brother then, referred to as "the Kid" by his older brothers, Larry and Joey, who were making names for themselves as "button men," or Mafia soldiers, in Brooklyn two decades ago.

But now Larry is dead of cancer and Joey was shot to death last April, and Albert Gallo has been "made" at last, but in a different sense, investigators say: He has been made chieftain of the Gallo organized-crime clan through the backing of a dozen veteran gunmen.

Gallo Questioned

And, investigators add, he has been made into a shrewd, hardened, even eloquent leader by months of gangland war.

"You think you're the Godfather," one investigator told him not long ago. "You shouldn't go to the movies. You're going to get killed one of these days."

And Albert Gallo, a 42-year-old bachelor who says his trade is selling furniture, replied: "If that's the way it's got to be, then that's the way it's got to be."

It was learned yesterday that the authorities had questioned Gallo since the weekend slaying of two meat dealers whom a gunman apparently mistook for members of the reputed Mafia family of Joseph A. Colombo Sr., the Gallos' deadly foes. The investigators believe that an out-of-town gunman was brought in to do the job, but



Associated Press
Albert Gallo

what if anything Gallo said in answer to their questions has not been disclosed.

The authorities do say, though, that he has shown himself to be cool and self-possessed during rounds of questioning in recent months.

He is a good-looking man with thinning hair, thick sideburns, immaculate hands and a fondness for double-breasted blazers, and officials say he speaks warmly but vaguely about his new responsibilities, using words like "honor" and "subculture."

Since blood ties are of crucial importance in the world of the Mafia, Albert Gallo almost automatically became head of his

underworld group, investigators say, after Joey was assassinated in a restaurant on Mulberry Street on April 7. His other brother, Larry, had died in 1968.

Before the murder, Albert Gallo had a reputation for being weak-willed, the authorities report, but he had earned a string of arrests as a second-echelon member of the clan.

Strengthens Hand

But they say he strengthened his hand in the months that followed by adhering to gangland etiquette. While he and members of his group were lying low in their stronghold in the Red Hook district of Brooklyn, he is said to have given money to men whose rackets languished or were broken up by the authorities. He proudly told one investigator, "We are very honorable."

One key supporter, investigators say, is John Cutrone, who has been marked for assassination by the Colombo clan — along with Albert Gallo.

And so it is seen in Red Hook as not cowardice but merely prudence that has kept Gallo and Cutrone out of sight in the last few months. The police say they stick close to their headquarters, a drab building on President Street, and they like to have at least 10 loyal men around them, including an attorney.

The food is rich and good at this headquarters, Brooklyn detectives say, but Gallo still manages to stay trim—and to find time for female companionship.

When officials ask how he supports himself, Gallo smiles courteously and says he has invested wisely in a furniture company. He reveals no useful

information, they say, but when pressed, he says he economizes by living with his parents at 652 East Fourth Street, in the Greenwood section of Brooklyn.

'Less Crude' Than Joey

"He's no dummy," one senior investigator said yesterday. "I don't really like to say this,

but I'd have to call him sort of sensitive; he feels he's got to be careful, he's got to take care of his men."

Another high law-enforcement official said: "This fellow is more subtle than Joey Gallo was. He's less crude and blood-thirsty, and maybe it's because he was a low man on the totem pole for all those years."

GANG FIGURE GOES ON WITNESS STAND

Voluntarily Opens Himself to Questions About Gallo

By LACEY FOSBURGH

Peter Diapoulos, a close friend and associate of the Gallo family for 33 years, took the witness stand yesterday in his own defense in State Supreme Court in Manhattan.

As word of his testimony spread throughout the courthouse at 100 Centre Street, legal observers said he was one of the few underworld figures who have voluntarily subjected themselves to cross-examination under oath.

By choosing to testify he faced the possibility of later being charged with perjury if he has lied and to open himself up to the prosecution's questioning.

Diapoulos, accused of possessing a .22-caliber pistol at the time Joseph Gallo was murdered last April 7, was closely questioned by Assistant District Attorney Robert Tannenbaum for 45 minutes before lunch and for two and a half hours afterward about his relationship with the Gallo family during the last decade.

At the end of the day, with the jurors gone from the room, he slumped in his chair and pressed his fingers tightly to his forehead.

The all-day testimony by Diapoulos, who was Gallo's bodyguard, began when his lawyer, Robert Weiswasser, asked him what happened at Umberto's Clam Bar on the morning of the murder.

He testified that he had had a gun, but he called upon the jury, in effect, to acquit him because, he said, it was "Joey's" gun and "Joey" gave it to him after the shooting started. "I used it to protect myself," he said.

His lawyer explained afterward that it was defense by "justification," or, as the penal law explains, the theory that in "emergency" situations a criminal act — like possessing a gun — is justified if it is necessary to prevent a greater evil, in this case, being killed.

Mr. Tannenbaum, who is in charge of the on-going Manhattan grand jury investigation into Joseph's Gallo's slaying, began his questioning abruptly. "Do you know Albert Gallo?" he asked the witness.

"Yes, I know him," Diapoulos said.

A rapid-fire stream of questions and answers between the two men followed until 4:45 P.M. From it emerged the picture of dozens of men, all Gallo associates, living day after day since April 7 in a social club at 74 President Street, Brooklyn—"an armed camp, with guns," according to Mr. Tannenbaum, who said it was dominated by the last of the three Gallo brothers, Albert.

They eat and sleep and play poker or pinochle—(all under "close police surveillance," Mr. Tannenbaum said), men with names like Bullseye, Tarzan, Moonie and Sonny the Syrian—and they never have to leave to go to work. But, the prosecutor said, there's only one reason they go there, "isn't there, Mr. Diapoulos?" for their own protection.

These allusions to the on-going gangland feud between the rival Joseph A. Colombo and Gallo "families"—which resulted first in Colombo's shooting in June, 1971, and Gallo's murder in 1972 and a series of other killings—threaded throughout the testimony.

There was the picture of Albert Gallo, Diapoulos admitted, who has not left 74 President Street since April 7.

There was also the evocation of masculine dignity when Mr. Tannenbaum sarcastically asked the defendant, "Isn't it a fact that Joey Gallo told you where and when to do everything?"

"No, it is not," Diapoulos answered angrily. "I'm a man of my own standing. No one tells me to do anything."

"Isn't it a fact that Joey Gallo told you where and when to do everything?" the prosecutor repeated. "No," the defendant answered. "I'm 39 years of age, I'm my own man."

The trial is expected to continue at 10:30 this morning.

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Killer of Gallo Identified as 4 Are Indicted After Inquiry on Slaying

BY LACEY FOSBURGH

A Manhattan grand jury yesterday identified a member of the reputed crime family of Joseph A. Colombo Sr. as "the man who killed Joey Gallo" in the first—and perhaps the last—indictments to be handed up in connection with its four-month investigation into the gangland chieftain's slaying.

As the indictments were announced, the Manhattan District Attorney's office said that as early as the spring of 1971 the Colombo family had "put out a contract" to have Gallo, their archrival, killed.

The contract was made, Assistant District Attorney Robert Tannenbaum declared in court, after Gallo was released from prison on extortion charges in March, 1971. He said the contract was made—significantly, he asserted—several months before Colombo was shot in July at a Columbus Circle rally celebrating Italian - American Unity Day.

Law enforcement officials have always said the intense enmity between the two families dated to the Gallo-Profaci wars of the early nineteen-sixties.

Start of Violence

The Colombo shooting itself, however, had been widely regarded as the actual start of the outbreak of violence, shootings and reprisals that have continued even after Gallo himself was shot this April.

Colombo was shot by a man with no known links to the Gallo family, but the killing has been generally attributed to the Gallos by both the police and the underworld. Colombo's assailant, Jerome A. Johnson, was slain immediately

after the rally. The killer of Johnson was never caught.

Yesterday's indictment identified Carmine DiBiase, now a fugitive, as Gallo's killer, but they do not indict him for anything.

For eight months both Joseph Luparelli, a Colombo-family informant now in protective custody, and law enforcement authorities have described DiBiase as the killer, but the indictments themselves are the first official statement to characterize him that way.

Four other members of the Colombo crime family—including Philip Gambino, another man Luparelli has said took part in Gallo's killing—were all indicted yesterday for perjury and criminal contempt in connection with the grand jury's investigation.

Lack of Cooperation

The indictments themselves give substance for the first time to certain contentions that sources in the Police Department, the District Attorney's office and the underworld have made for some time. These include the following:

¶That the investigation has been thwarted by the lack of cooperation of virtually everyone who has information about the killing.

¶That neither the District Attorney's office nor other law enforcement authorities have been able to get the corroborating evidence needed in the case to obtain indictments on charges of murder, instead of for some lesser crime.

¶That law enforcement authorities believe members of the Colombo family planned months in advance of the actual shooting to kill Gallo and made

a number of contingent arrangements, chiefly, setting up a hideout in a Nyack apartment.

The indictments were announced yesterday at a news conference held by John Keenan, an assistant district attorney and chief of the Homicide Bureau. He said the investigation was continuing.

Chief among those indicted yesterday was 48-year-old Philip Gambino of 59 Carmine Street, who has been identified by Luparelli as one of Gallo's four killers.

Need for Corroboration

According to Luparelli, Gambino, two brothers known only as Cisco and Benny, Carmine DiBiase and he drove to Umberto's Clam House at 129 Mulberry Street at 5 A.M. on April 7. There, he has said, DiBiase shot Gallo.

Lacking any additional information, however, authorities cannot indict anyone—including Gambino and DiBiase, if they caught him—for the murder. New York State law, unlike Federal law, provides that no one may be indicted on an accomplice's testimony unless there is additional evidence that corroborates his story.

Gambino, who was on parole for robbery until May 5, when

he was arrested for parole violation, is charged with criminal contempt for refusing to testify before the grand jury.

The charges against the three other defendants focus on their answers to questions about their relationships with several high-ranking members of the Colombo family. These men, described in the indictments as the ones who conspired to murder Gallo, are Joseph Yacovelli, acting head of the family and now a fugitive; Alphonse Persico, brother of Carmine Persico and a principal member of the family, and Jerry Langella, another key family member.

The purpose of the grand jury investigation, the indictments say, was to gather additional information about these murder plans in order to corroborate Luparelli's story.

Reluctant Witnesses

Ever since Aug. 3, the grand jury has met at least once a week to go through information about the killing gathered by the District Attorney's office and the Major Case Squad of the Police Department.

In addition, scores of underworld people have been subpoenaed to appear before the panel. They include Mrs. Sina Gallo, the gangleader's widow; Carmella Gallo, his sister, and

Vincent Aloj, acting head of the family, now that Yacovelli is a fugitive.

However, sources familiar with the investigation, report virtually all of these witnesses were reluctant to testify and provided little or no useful information.

One of those indicted, Alphonse Indelicato, 45, of 13 Elizabeth Street, testified only after an unsuccessful attempt by his lawyers to have the subpoenas quashed. He is charged with perjury for saying he had never been to the Nyack apartment or talked with Yacovelli.

The other two indicted, both on criminal-contempt charges, are Dominick Trinchera, 37, of Bardonia, N. Y., near Nyack, and Joseph Gorgone, 45, of 142 Sullivan Street. They refused to answer questions about Yacovelli, DiBiase, Persico, Langella and others.

At their arraignment at 6 P.M. yesterday Mr. Tannenbaum told Supreme Court Justice Jawn Sandifer of the alleged contract put out by their family on Gallo's life.

All four pleaded not guilty. Indelicato was held in \$15,000 bail and Gambino and Gorgone in \$10,000; Trinchera was released in \$5,000 bail.

Alleged Gallo Aide Held in Mob Killing

By NICHOLAS GAGE

Robert Bongiovi, an alleged gunman who was with Joseph Gallo the night he was assassinated last April, was charged yesterday with a murder that the police said might have links to the Gallo killing.

Bongiovi, 36 years old, was accused of killing Sam Wuyak, night manager of the Broadway Pub, 133 West 45th Street, late Sunday night.

According to sources close to the investigation, Bongiovi and a second man, went into the bar and started talking to Mr. Wuyak. The manager was heard telling the two men that he was a friend of Joseph Yacovelli, reputedly the acting boss of the Joseph Colombo Mafia "family."

Joseph Luparelli, a confessed participant in the killing of Gallo, has told the police that

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Alleged Gallo Aide Held in Mob Slaying

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Yacovelli ordered Gallo's murder.

After Mr. Wuyak mentioned his friendship with Yacovelli, the sources said, he was led by one of the two men to a rest room in the back of the bar. He was later found in the room with two bullets in his head.

Bongiovi was picked out as being the man who led Mr. Wuyak to the rest room by a woman who was in the bar at the time, sources said. The police were searching yesterday for the second man, who was said to be a close friend of Bongiovi.

Held Without Bail

At his arraignment in Criminal Court yesterday, Bongiovi — also known as Bobby Darrow — was ordered held without bail for a hearing March 19.

Robert Tannenbaum, the assistant district attorney in charge of the investigation, said in court that a grand jury had been convened to hear evidence in the case.

Bongiovi's lawyer, Robert I. Weiswasser, said his client had been invited to testify before the grand jury and "cordially declined."

"This is not an isolated homicide case," Mr. Tannenbaum said. "It is in line with an execution-type murder."

He said Bongiovi, whose address was given as 37 Paerdegat 11th Street, in the Canarsie section of Brooklyn, was a former bodyguard of Joseph Gallo and was with him the night he was killed in Umberto's Clam House in the Little Italy section in lower Manhattan.

Mr. Tannenbaum said Bongiovi was with Gallo at the Copacabana night club that night, "but he did not accompany Gallo and his party to Umberto's Clam House because Gallo asked him to take home

a young lady who was at the Copa."

Both Umberto's Clam House, where Gallo was killed, and the Broadway Pub, where Mr. Wuyak was murdered, were said by the police to be owned by brothers of Matthew Ianniello, who is listed by the Justice Department as a member of the Mafia family of the late Vito Genovese.

Ianniello was at Umberto's when Gallo was killed. Peter Diapoulas, a bodyguard of Gallo who accompanied him to the clam bar, was quoted by Mr. Tannenbaum as telling Ianniello: "I'm going to blow your head off. You set Joey up."

Mr. Tannenbaum said there had been a discussion about Ianniello before Mr. Wuyak was taken to the rest room on the night of the murder. The two men sought to kill Ianniello or "send him a message," he said.

Mr. Tannenbaum said that Bongiovi "escorted the deceased to the washroom and summarily executed him."

Luparelli, the confessed participant in the Gallo murder, said he had been in Umberto's when Gallo and his party came in, and he had rushed to a

nearby restaurant to tell four members of the Colombo family. The Colombo group, he said, blamed Gallo for the shooting of their leader at Columbus Circle on June 30, 1971.

Surrendered to F.B.I.

Luparelli said the four men contacted Yacovelli, who told them to get guns and go kill Gallo. Luparelli later turned himself into the Federal Bureau of Investigation because he thought his accomplices were going to kill him.

In the war between the Gallo and Colombo groups that followed the murder of Joe Gallo, Bongiovi allegedly played a key role.

Information uncovered by the F.B.I. showed that he was one of five Gallo men on whom the Colombo group allegedly issued murder contracts. Among the others was Albert Gallo, 43 years old, who took over the Gallo group after his brother's murder.

Bongiovi was talking with Gallo in the group's headquarters, a social club at 76 President Street in the Carroll Gardens section of Brooklyn, when the police arrested him early yesterday morning on the murder charge.

2 Slayings in 2 Boroughs Raise Query: Are Mafia Families Resuming Warfare?

By MICHAEL T. KAUFMAN

A 60-year-old gambler was discovered yesterday morning shot to death from very close range, his body slumped in the back seat of his blue Cadillac, which was parked on the west drive of Central Park near 97th Street.

The shooting came less than a day after a 36-year-old man with Brooklyn gangland connections was gunned down as he drank alone in a bar in Borough Park, Brooklyn.

Detective sources here cautioned against speculative conclusions that the two murders signaled any renewal of underworld warfare. However, one detective at the department's organized crime control office remarked, "Any time you get two shootings of unsavory characters just a few hours apart, you have to assume it's not just a coincidence."

Gangland Ties Reported

The intelligence division of the Police Department reported last night that a search of its files had indicated possible Mafia connections. It said the victim might have belonged to or been associated in some way with either the Mafia family once headed by the late Vito Genovese or the family formerly run by Thomas Luchese.

A spokesman said the records did not immediately make clear what the dead man's position had been in relation to either underworld group, but added that he did not seem to have been a ranking member in their hierarchies. Similarly, the man slain in the Brooklyn bar was identified as an underling in the Gallo gang, an often rebellious faction of the crime family headed by Joseph A. Colombo Sr.

The man whose body was found in the car was identified as Gaetano Delia of New Rochelle, N.Y. He was found at 12:30 A.M. by two patrolmen whose suspicions were aroused by the car parked on the roadway. He had been shot "more than twice" in the side of the head with a weapon whose caliber was not immediately determined.

More than \$100 was found on his body, and the police discounted robbery as a possible motive.

The dead man had a record of six arrests in New York City and one in Mamaroneck, N.Y. The first arrest was in 1930 on a charge of grand larceny. The others were for policy and gambling violations, with the most recent in July, 1961. Records of possible convictions were not available yesterday.

The police in New Rochelle reported they knew little about the man. "He seemed to just live here, moving up in about 1962," a detective lieutenant said.

Victim Slain at Bar

The earlier gangland-style killing in Brooklyn took place Saturday morning at a bar at 4520 11th Avenue. The police said that a lone gunman, wearing a ski mask, entered the bar and fired 12 bullets from a 9-mm. automatic weapon, killing Anthony Carrecia.

Carrecia, according to the police, was arrested four times between 1970 and 1972 on charges that included forgery, possession of stolen property and unlawful possession of currency. He was indicted in 1971 for attempting to sell two paintings by Marcel Duchamp that had been stolen from the Philadelphia Museum of Art. His conviction record also was unavailable.

Tensions were reported in the past between the Gallo and

Colombo factions, but Federal law-enforcement officials who monitor organized crime here said the slaying came at a time when those tensions seemed to be easing.

According to the officials, some of the 25 men loyal to Albert Gallo had been observed in recent weeks in the company of known Colombo associates.

The original feud between the Colombos and the Gallos dates to the early nineteen-sixties, but it lay dormant from 1964 to 1971 while Joseph Gallo, one of three brothers and the leader of the rebellious faction, was in prison.

According to a Government informer, Colombo then made

a peace offer to Gallo but was spurned. Hostilities resumed and "an open contract was put out on Gallo's head," the informer alleged.

In June, 1971, Colombo was seriously wounded by a gunshot as he prepared to address a rally in Columbus Circle. He has never fully recovered and only last week he left a hospital in Suffern, N.Y.

In April of last year, Joe Gallo was shot and killed as he was celebrating his 43d birthday with a dinner at a restaurant. In the year and a half before his slaying, there were 16 other murders that authorities have traced to the vendetta between the Colombo and the Gallo forces.

2 IN GALLO'S GANG SHOT IN BROOKLYN

Fired On From Passing Car in Front of Social Club

Shots from a passing automobile wounded two reputed hoodlums standing on the sidewalk in front of the Henryville Social Club at 3905 Fort Hamilton Parkway in the Borough Park section of Brooklyn early yesterday afternoon.

The police said the two men were associates of the Gallo gang in Brooklyn and had arrest records.

Both men were taken to Maimonides Medical Center, where their condition was listed as not serious. They were Gennaro Basciano, 43 years old, of 210 President Street, a former longshoreman, and Samuel Zahralban, 44, of 140 Court Street.

According to law-enforcement sources, some members of the Gallo gang had split off and gone with a man named John Cutrone. Among them, the sources said, were Mr. Basciano and Mr. Zahralban.

Two men said by the police to be "soldiers" in the Mafia family of Joseph A. Colombo, Sr. were slain last June 22 in Brooklyn by shotgun blasts as they sat in a car in the Bensonhurst section of Brooklyn.

Police intelligence sources said yesterday that they knew of no connection between yesterday's shooting and the killing of the two Colombo men, but that they were investigating the possibility. The two slain men were identified as Thomas Barbusca, 44, of 19 Benedict Road, Todt Hill, and John Coiro, 35, of 113 Pine Terrace, Annandale, both Staten Island.

Mr. Basciano was among 16 Gallo men and a woman arrested in 1963 on charges of conspiracy to commit murder following the shooting of two men belonging to the rival Joseph Profaci crime "family." According to the police, Mr. Basciano pleaded guilty to a misdemeanor and served a brief sentence.

Seized in 1965

He was also one of three men, including the late Larry Gallo, arrested in 1965 for consorting with known criminals at a party celebrating Mr. Gallo's release from Rikers Island a few days earlier.

The social club in front of which Mr. Basciano and Mr. Zahralban were standing when they were shot was a Gallo club opened about 10 months ago, according to the police.

The New York Times

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Gallo Reprisal Held Motive in Shootings

Reprisal against a breakaway movement within the Gallo underworld "family" was the motive behind the shooting Monday of two reputed hoodlums on a Brooklyn sidewalk, knowledgeable law enforcement authorities believe.

The sources said yesterday that the gunfire that had wounded Gennaro Basciano and Samuel Zahralban as they stood on the sidewalk outside the Henryville Social Club in the Borough Park section was an effort to assert the leadership of Albert Gallo, who has led the small family since his brother, Joseph, was shot to death in 1972.

Efforts by the authorities to find those who carried out the shootings continued yesterday.

According to the authorities, Mr. Basciano and Mr. Zahralban had joined a dissident group headed by John Cutrone. Both are reputed to have been among the toughest members of the Gallo organization, and it was said that in underworld conflicts it is the practice to try to attack the toughest first.

The shootings Monday were said to be unrelated to the slaying last month of Thomas Barbusca and John Coiro, two soldiers in the Mafia family of Joseph A. Colombo Sr. Law enforcement sources said that those slayings had been carried out because the two men had tried to act independently and were punished after they had offended others by their actions.

Alliance Held Near

Although the sources pointed out that Monday's shootings involved conflict among Gallo gang members, they also indicated that the breakaway movement led by Mr. Cutrone might be the prelude to an alliance by him with the Colombo organization.

Mr. Cutrone, it was said, was allied with the Colombo family during a period when Joseph Gallo was in jail. But after Joseph reassumed leadership of his organization following his release from prison, Mr.

Cutrone returned to the Gallo organization.

His decision to break away from the present leadership of Albert Gallo was seen as a serious loss for Albert, who, it was said, has failed to provide members of his organization with the money and leadership that had been hoped for.

Law enforcement sources believe that one of the first actions by Mr. Cutrone after deciding to break away from the Gallo organization was to arrange a peace of sorts with the Colombo family, with whom the Gallos have long been engaged in conflict.

The Gallos are believed to have been responsible for the severe wounding of Joseph Colombo Sr. at a rally at Columbus Circle in June, 1971, and the Colombo organization is believed to have killed Joseph Gallo in reprisal the following April in Umberto's Clam House in the Little Italy section of Manhattan.

The Gallo-Colombo war was a continuation of hostilities that began more than a decade ago, when the Gallos headed a group of ambitious young "soldiers" in the family headed successively by the late Joseph Profaci, then the late Joseph Magliocco and finally by Joseph Colombo Sr. At the present time, the organization is said to be headed by Thomas DiBello.

Mr. Cutrone, it was said, reached an understanding with the Colombo family that he would pursue his own interests and not be a party to the Gallo family's continuing hostility.

It was believed Mr. Cutrone was too wily to have presented himself as a target to seekers of vengeance for his presumed disloyalty to the Gallo organization. Mr. Zahralban, 44 years old, of 140 Court Street, Brooklyn, and Mr. Masciano, 43 of 210 President Street, were seen as the next most logical targets. Neither was seriously wounded.

Gallo Aide Slain at Synagogue Dice Table

By PETER KIHSS

A Brooklyn synagogue's fundraising Las Vegas Nite program ended in violence early yesterday when a reputed associate of the so-called Joey Gallo group in organized crime was killed by a shot in the head, apparently fired from outside the building.

The victim, Steve Cirillo, 31 years old, of 270 Degraw Street, Brooklyn, was believed to have been a player or spectator at gaming tables with his wife, Jo Ann. His death may have been another to stem from a struggle for control within the Gallo group of about 50 members. Since July 1 there has been one other murder and three men have been wounded.

Police records indicated that Mr. Cirillo had been arrested seven times since November, 1966, when a charge of possessing a pistol led to a misdemeanor conviction. In October, 1970, he was reported to have been

accused with another man in beating another person to death on a street, but a charge of homicide was dismissed.

The police received estimates that 40 to 75 persons may have been in the basement of the Congregation B'nai Israel of Sheepshead Bay, 3007 Ocean Avenue at 2:10 AM.

The Men's Club of the Orthodox Jewish synagogue had started Saturday- and Sunday-night gambling programs — cards, roulette, dice — two months ago in hope of raising money for a new building.

A sound like a firecracker startled the players. Then a woman ran into the street, crying and screaming that her husband had been shot. Before policemen summoned by a call to the 911 emergency number arrived, the basement had emptied, with tables and cards strewn about. Mrs. Cirillo, 29, said she had been at a table away from her husband and

had not witnessed the shooting.

Policemen of the Avenue U precinct and detectives of the 10th Homicide Zone, commanded by Lieut. Bennie R. Pulice, found a rifle and a handgun in the synagogue's playground inside a foliage-covered cyclone fence near a children's swimming pool.

Investigators suggested that

Continued on Page 47, Column 4

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GALLO AIDE SLAIN AT A DICE TABLE

Continued From Page 1, Col. 4

the killer had fired either through a fence link or from inside the grounds, shooting through an open basement window at Mr. Cirillo, who was standing near a door under bright lights.

The automobiles were towed away by the police yesterday morning from the Jim Dente's Service Station across the street at 3010 Ocean Avenue, where they were blocking each other.

Mr. Dente said he closed his station nights at 7 o'clock and gambling customers frequently filled it with their parked cars thereafter. A 1:30 A.M. yesterday—for the third time in two months—an oil truck was unable to deliver his 3,000-gallon order, he said.

Despite anti-gambling laws, Las Vegas Nites have become a fund-raising technique for a number of Brooklyn and Queens synagogues, churches and other organizations in the last several years. Earlier this year, professional gamblers were reported trying to enter the field and offering fees to sponsors, but an official of the B'nai Israel temple insisted yesterday that his group ran its program alone.

Law enforcement officials believe the Gallo group, once a faction in the organized-crime family headed by Joseph A. Colombo Sr., has been warring within itself over the leadership of Albert Gallo, successor to his brother, Joey, with a breakaway group led by John Cutrone.

THE FRESH AIR FUND.

The New York Times

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GALLO GANG MEMBER IS SHOT IN BROOKLYN

Louis Hubela, a 38-year-old Brooklyn man identified by the police as a member of the Gallo gang, was shot and critically wounded by an unidentified assailant last night as he stood on a street corner not far from the Gallo's headquarters in the Red Hook section of Brooklyn.

Mr. Hubela, who lives at 77 President Street, was standing at the intersection of President and Columbia Streets, about 100 feet from his home at 10:20 P.M. when he was shot in the head. He was taken to Long Island College Hospital where his condition was reported as poor.

Mr. Hubela, the police say, was indicted in December, 1963, with 15 other Gallo gang members, including Albert Gallo Jr., and was held under \$25,000 bail on an indictment charging conspiracy to murder 22 members of the Mafia's Profaci family.

The New York Times

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A Member of Gallo Gang Shot by Brooklyn Sniper

By **JOSEPH B. TREASTER**

A long-time member of the Albert Gallo crime "family" was shot on a Brooklyn street by a sniper yesterday in what the police said was another episode in a war between rival factions of the Mafia.

The victim, 46-year-old Frank Illiano, who had served as a cook and personal bodyguard to Mr. Gallo, was hit in the right shoulder, the police said. They said he suffered more serious injuries as he fell and struck his head on the sidewalk.

Mr. Illiano was the fourth member of the Gallo gang to be shot this summer, the police said, in a feud that began after a man named John Cutrone led a group of dissidents away from Mr. Gallo's organization. They said three of Mr. Cutrone's followers had been wounded.

After Joseph Gallo was shot to death in Umberto's Clam House in Lower Manhattan in

April, 1972, Alberto Gallo took nominal control of the gang. But almost from the start there had been some criticism about what was felt to be his "weak leadership."

But they said that Mr. Cutrone and his men might not be the only ones gunning for the Gallos. They pointed out that there had been a lingering hostility between the Gallo organization and the faction headed by Joseph Colombo Jr. since Mr. Colombo's father was critically wounded in June of 1971. The shooting was attributed by some police officials to the Gallos.

The police said the bullet that struck Mr. Illiano had been fired from a roof about 200 feet away as he talked with another member of the Gallo organization on the northwest corner of President and Columbia Streets. It was only a short distance from the gang's headquarters at 76 President Street

The New York Times

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Gallo Factions Declare a Truce After Series of Shootings in Which One Was Killed and Seven Were Wounded

By MARY BREASTED

A shooting war that was waged fitfully among South Brooklyn mob members throughout the summer has come to an end, according to law enforcement officials in Federal, state and city agencies.

Although the shootings claimed the life of only one man, they wounded seven others and caused at least 22 defections from the Gallo gang, a rebellious faction of the crime "family" of Joseph A. Colombo Sr.

The fighting so curtailed the movements of the Gallo loyalists that at one point they had to depend on hot-dogs for food and fell into debt to a local hot-dog dealer, according to a plainclothesman in the 76th Precinct.

"The reason for the sit-down [truce] is that nobody could move," said a detective from the Brooklyn District Attorney's office, "and the name of

the game is money."

The Gallo mob, whose factions were carrying on war, is said to maintain members banks and illegal making operations in Brook-

Authorities said they believed the peace negotiations last Aug. 26, when two deftatives from the Brooklyn District Attorney's office saw a leaflet from the Joseph Colombo family enter the Gallo clubhouse at 74 Prospect Street for a conference with three Gallo brothers and last of them still living.

But it was not until mid-October, when gangsters who had been in hiding reappeared on South Brooklyn streets, that the police felt certain a peace had been worked out.

A few days after the atmosphere on the streets changed, the police of the 76th Precinct began hearing from informants that some kind of formal truce

had been arranged at a leaders' meeting held Oct. 14 or 16.

It was Joseph Schipani, a reputed "soldier" of some standard-bearer of the Colombo family, who was observed going into the Gallo clubhouse in August to talk with Albert Gallo. His efforts had been aimed at negotiating a peace between Mr. Gallo and John Cutrone, leader of the breakaway faction, law enforcement officials said they had concluded.

Investigators in the District Attorney's office said that Mr. Schipani had been seen attend-

ing weekly meetings with other leaders of the private carting industry in Brooklyn at the Granada Hotel on Lafayette Avenue for several months before the indictments were handed up. Also attending the meetings, according to the investigators, was Joseph Dantuano, who was reputed to be Albert Gallo's money man.

"When it comes to money, the mob will sit down and deal," said an investigator in the rackets bureau of the District Attorney's office. He implied that Colombo and Gallo

men had been able to work with each other for mutual benefit and profit in the carting industry.

Early in the summer, law enforcement officials were saying that the mob war involved a dispute between the Gallos and Colombos. But yesterday they said they had concluded that the dispute involved only two factions of the Gallo mob, one of which had the backing of the Colombo family and other Mafia family leaders.

The breakaway Gallo faction, led by John Cutrone, who is re-

putedly the only fully inducted—or as mobsters phrase it, "made"—member of the Mafia in the Gallo family, has grown to include at least 22 men, most of them middle-aged. This group is said to have had outside backing.

The loyal faction, still cautiously based in the 74 President Street clubhouse, is thought to have about 15 members left, a number of them in their 20's, the police said.

The shootings began last July 1, when Mr. Cutrone, Genaro Basciano and Sam Zahralban

were fired at by someone with a shotgun outside the Henryville Social Club, in the Fort Hamilton section. Mr. Cutrone was not hit, but the other two men were hit in the feet.

On July 7, James Giliberti, another member of the breakaway faction, was wounded outside his home at 1185 Prospect Avenue. About a month later Steve Cirillo, a member of the loyal Gallo group, was killed by a shot in the back of the head during a "Las Vegas Night" at the B'nai Israel synagogue.

In August and early in Sep-

tember, four more loyal Gallo men were shot, none fatally.

According to Robert McDevitt, an anticrime plainclothesman from the 76th Precinct station in Red Hook, the loyalists were so badly pinned down to their headquarters at one point during the summer that they were feeding themselves on credit on hot-dogs from a vendor who worked on the corner where the two men were shot.

"They ran up a bill of \$50 or \$60, and he had to go to them to ask for the money," Officer McDevitt said.

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GIANCANA MURDER LAID TO RIVALRIES

Investigators Theorize the Mafia Boss Was Victim of Old-Young Conflict

By NICHOLAS GAGE

Special to The New York Times

CHICAGO, June 28—Federal and local officials investigating the murder of Sam Giancana, the Mafia boss slain here June 19, are leaning toward the theory that he was the victim of a conflict between the old and young within the Chicago Mafia similar to the Gallo-Profaci war in New York 15 years ago.

The younger Mafia members have been increasingly dissatisfied with the operation of family rackets and, most important, the division of profits, according to the investigators.

The Senate committee looking into activities of the Central Intelligence Agency had planned to question Mr. Giancana about his reported connection with a plot to assassinate Premier Fidel Castro of Cuba, but investigators here doubted that his slaying was connected with that inquiry.

They said that the older bosses, led by 73-year-old Anthony Accardo, had been reluctant to expand family rackets, fearing that such expansion would result in countermeasures from law enforcement forces that would prevent them from enjoying the wealth they have accumulated through the years.

At the same time, investigators said, the old bosses have not been willing to share more of their profits with the younger members, who are eager to make their own fortunes and willing to take more risks to do it.

Warning Is Seen

So the younger members killed Mr. Giancana as a warning to the Mafia establishment here that their patience had ended, the investigators believe.

They compared the move to the kidnapping of four leaders of the Mafia family of Joseph Profaci in 1960 by a dissident faction led by Joseph and Larry Gallo who demanded a better share of family rackets. The ensuing conflict resulted in numerous gangland killings in New York. The Young Turks in the Chicago Mafia picked on Mr. Giancana because he was the most vulnerable of the old bosses, according to the theory. Mr. Giancana had let down his guard during years of semiretirement in Mexico. Moreover, he had a serious operation recently in Houston and was physically unable to offer any resistance to an attacker.

Mr. Giancana apparently knew his killer and let him into the house fearing no danger. The killer probably went in coatless and appeared unarmed. The murder weapon used was a .22-caliber automatic, which is small enough to hide inside a sock or even in a shirtsleeve.

The investigators who hold to the generational conflict theory point out that the old bosses have curtailed their movements since Mr. Giancana's murder and travel "heavy"—with more than the usual number of bodyguards—when they do move.

Reaction Expected

"If the theory is right you can expect that some of the Young Turks will be 'hit' soon," said one investigator. "The old dons didn't care much for Giancana, but they're not going to risk letting the murder of a Mafia boss go unpunished."

Some Mafia specialists, however, do not believe the "hits" will happen. They said that while there had been heated differences between younger and older Mafiosi, these were being peacefully settled.

These experts believe that Mr. Giancana was killed by a personal enemy settling an old grudge. "Mr. Giancana was as mean as they come," said one Federal prosecutor. "He made a lot of enemies."

But most investigators have generally discounted the two most popular explanations for the murder—that Mr. Giancana was killed by the C.I.A. or by the old bosses themselves out of fear that he might talk to a Federal grand jury that had called him as a witness on two occasions.

Mr. Giancana and his lieutenant, John Rosselli had been enlisted by the C.I.A. in 1960 to organize an assassination of Premier Castro.

It has been speculated therefore that the C.I.A. killed Mr. Giancana to keep him from telling the Senate committee investigating the agency about the assassination attempt.

But investigators point out that Mr. Rosselli—and not Mr. Giancana—had been subpoenaed by the committee and that Mr. Rosselli had confirmed the assassination ploy. Mr. Giancana could not have damaged the C.I.A.'s reputation any further, they say.

The investigators also discount the theory that Mr. Giancana was killed by fellow Mafia bosses out of fear that he had been talking to the Federal grand jury.

They said that Mr. Giancana had not said anything to the jury and that he was himself a target of the jury's investigation, not his associates.

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Key Mafia Figure Tells of 'Wars' And Gallo-Colombo Peace Talks

By NICHOLAS GAGE

A key figure in the recent Mafia gang wars has offered a rare view into the inner workings of Mafia families in New York, including new details about the shooting of Joseph A. Colombo Sr., the murder of Joseph Gallo, the spate of killings that followed the Gallo murder, and the current negotiations between the Colombo family and its Gallo faction.

Peter Diapoulas, a member of the Gallo gang for 15 years, made the disclosures during a series of interviews with The New York Times, the only ones ever granted by an organized crime member not under official protection. His interviews

provided new insights also into the character and life-styles of major Mafia figures, their ambitions, their fears and their blunders.

Mr. Diapoulas was a close friend of Joseph Gallo since childhood. When Mr. Gallo was killed three years ago at Umberto's Clam House, Mr. Diapoulas was wounded in the gun battle. But recently he has become disenchanted with the Gallo group and especially its current leader, Albert Gallo, Joseph Gallo's younger brother.

The Gallo gang is a faction of the Colombo family, which it has been fighting over division of rackets off and on for 15 years. The latest hostilities, which broke out with the shoot-

ing of Mr. Colombo four years ago, have caused distress among all Mafia families because of the attention the various shootings have brought to organized crime as a whole.

Mr. Diapoulas discussed the Gallo-Colombo war in interviews with this reporter arranged by a friend of his. Mr. Diapoulas took elaborate precautions during the interviews because he believes some of his underworld associates would kill him if they could find him.

Among his disclosures, substantiated through independent sources, are the following:

¶The first attempt to negotiate peace between the Gallo

Continued on Page 22, Column 1



Snapshot taken at a Brooklyn club shows, from left, Peter Diapoulas, Bobby Boriello (rear), Sonny Capellotti, Stephen Gallo, Joseph Musumeci, Albert Gallo, Angelo Parfumi.

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A Key Mafia Figure Tells of Gang Wars and Gallo-Colombo Peace Talks

Continued From Page 1, Col. 3

Hate peace between the Gallo gang and the Colombo group, mediated by Anthony Corallo, a capo in the Luchese crime family, broke down last summer. Immediately afterwards the Colombos tried to shoot several leading Gallo gang members, wounding four and killing one, Steve Cirillo, at a dice table at a "Las Vegas Nite" benefit in a Brooklyn synagogue.

The mistaken-identity shootings of four businessmen in the Neapolitan Noodle restaurant three years ago were carried out by a hit man from Las Vegas who was misled into thinking the four were leading figures in the Colombo family. Two of the businessmen were killed.

The new boss of the Colombo family, replacing the incapacitated Mr. Colombo, is Joseph Brancato, a marine veteran who has maintained a low profile in the Mafia. "Brancato is the toughest man in the family," Mr. Diapoulas said. "He bided his time while others tried for the throne, but now it's his and he's going to hold on to it."

Before his death, Joseph Gallo planned to establish his gang as the sixth Mafia family in New York.

Most of the 16 gangland killings that followed the murder of Mr. Gallo on April 7, 1972, had nothing to do with the Gallo-Colombo war. "When a war breaks out, everybody uses it to settle private beefs," Mr. Diapoulas said.

After the shooting at Umberto's Clam House in "Little Italy" Mr. Diapoulas served a year in jail for possession of an unloaded gun. When he got out he went back to the Gallo gang but was dismayed by the policies of Albert Gallo, known as "Blast."

He said that Mr. Gallo "didn't take care of my family" while he was in prison and has not succeeded in doing anything to avenge Joseph Gallo's murder by the Colombo group. Speaking of skirmishes that followed the shooting, Mr. Diapoulas said, "The score is them seven, us zero."

"Blast is a high bleacher," he said. "When there are risks to be taken, he's not down there taking them; he's way up in the bleachers watching."

According to Mr. Diapoulas, a peace settlement between the Colombos and the Gallos seems to be imminent because Mr. Brancato, the new Colombo family boss, has offered Mr. Gallo money to expand the group's racket plus the chance to be "made"—formally initiated into the Mafia.

"Blast will grab the offer because he's greedy and he's proud," Mr. Diapoulas said. "All his life he's wanted to be made, to be called a good fellow, a man of respect."

Mr. Diapoulas said that both of Albert Gallo's older brothers, Joseph and Lawrence, who died of cancer in 1968, were "made" and that being a member of the Mafia was very important to Albert because a nonmember is not allowed to participate in Mafia councils called sit-downs. (He pointed out, however, that many powerful organized crime members were not "made" but were still held in high esteem because they were big moneymakers.)

Mr. Diapoulas believes that



Associated Press

Peter Diapoulas leaving Beekman-Downtown Hospital on April 8, 1972, after being treated for a bullet wound suffered in the gun battle in which Joseph Gallo died.

The peace settlement is aimed along with his older brother, at lulling Mr. Gallo into a false sense of security. "In the end the Colombos are going to whack Blast and the others close to him," he said. "The Gallo gang has been a thorn in the family's side for 15 years and they're determined to wipe it out."

During the three interviews, Mr. Diapoulas, who is known as "Pete the Greek" among his underworld associates, took careful precautions to avoid being recognized or located by his enemies.

During the second and longest session, which lasted for three days and two nights, Mr. Diapoulas picked up this reporter at the airport of a city which is not his home, drove to a previously undisclosed hotel and stayed with the reporter for the entire time—sleeping in the same room, eating all meals in the hotel's restaurant. He spoke English inside the hotel room but Greek in public places. Even so, Mr. Diapoulas selected secluded tables and stopped speaking whenever anyone came near.

Lived Under Alias

In appearance, Mr. Diapoulas is stocky, about 5 feet, 9 inches tall, with the muscular build and swaggering gait of a wrestler. His English has a slight Brooklyn accent and is sprinkled with Italian words popular among the underworld crowds with which he has spent his life—such as "babbania" for drugs and "gummare" for girlfriend.

He was born 43 years ago into a Greek immigrant family living in Brooklyn. Throughout his career in organized crime, Mr. Diapoulas has lived under an alias and his children have no idea what his real name is and what he does.

Mr. Diapoulas first met Joseph Gallo in Brooklyn when they both attended Public School 179. The two became friends but Mr. Diapoulas remembers the young Gallo as an "explosive" personality.

"Once we went horseback riding in Prospect Park," he recalled. "Joey's horse wasn't moving in the direction he wanted him to go, so he got off, walked up in front of the horse and punched it in the face."

He said Joseph was "made"

particularly after Lawrence Gallo died in 1968. Increasingly Gallo men drifted away and joined the Colombo group.

Albert Gallo didn't protest, Mr. Diapoulas said, but did everything he could to remain on good terms with Mr. Colombo, hoping the Mafia boss would "make" him.

"Every Christmas Blast would get us to buy a big, expensive present for Colombo—a diamond watch, a golf cart, things like that," Mr. Diapoulas remembered. "And every Christmas Colombo would come down to President Street [the Gallo headquarters] and pass out the same cheap ties to all the guys."

Gallo Furious

When Joseph Gallo got out of prison on April 11, 1971, he was furious at the low state the Gallo group had reached, Mr. Diapoulas said.

Mr. Colombo sent two of his captains, Nicky Bianco and Rocco Miraglia, to feel out Mr. Gallo, he said. "Nicky gave Joey an envelope from Colombo with \$1,000 in it but Joey threw it back at him."

Joseph Gallo demanded \$100,000, opportunity to expand the group's rackets and fulfillment of the pledge to make four Gallo men. "He told Nicky he wanted Colombo's answer in 24 hours," Mr. Diapoulas said. "Nicky called back the next day and said Colombo was busy planning the next Italian Unity Day rally and couldn't discuss anything with Joey until after that."

At that point Joseph Gallo decided he was going to make his group into an independent organization, a sixth Mafia family in New York, Mr. Diapoulas said. "I'll make all you guys myself," he quoted Mr. Gallo as saying.

"When I pointed out that a lot of us couldn't be made because we weren't Italian—we had an Egyptian, a Jew, an Irishman and two Syrians as well as me—he laughed and said he'd dig up Italian ancestors for us somewhere," he said.

Gallo's First Step

Mr. Gallo concluded that the best way to expand his group's influence was to weaken the Colombo family financially so that Colombo men would come over to him and bring their rackets with them, Mr. Diapoulas said.

"As a first step Joey started attacking the Italian American Civil Rights League, which was throwing off a lot of money to Colombo," he said. "By then the other bosses had become disgusted with Colombo's handling of the league and he was getting more and more isolated."

Mr. Colombo became alarmed with Mr. Gallo's moves and tried to set him up to be killed, according to Mr. Diapoulas. "We got word that Colombo had asked someone in another family to invite Joey and Blast to dinner, where Colombo men would come in and whack them," he said.

In retaliation, Mr. Gallo told his men to try to set up Colombo. "We followed Colombo around to catch him offguard," Mr. Diapoulas said, "but he traveled heavy—four bodyguards—and changed his usual movements, so we couldn't get near him."

Even though Joseph Gallo wanted Mr. Colombo killed, Mr. Diapoulas contended, Mr. Gallo was not responsible for the shooting of the Mafia boss. The man who allegedly shot Mr. Colombo four years ago was a black named Jerome Johnson who was killed at the scene (The police have never made any arrests related to the kill

ing although the case is still open.)

"I was as close to Joey as anybody and he swore to me he hadn't set it up," said Mr. Diapoulas. "If he had done it he would have boasted to us about it like he did about Anastasia."

After the shooting it was widely reported that the Gallo gang had close ties with black gangsters, stemming from friendships that Joseph Gallo had made in prison. But Mr. Diapoulas said that was not true. "A few blacks who knew Joey in the can came around looking for work, but Blast just gave them \$50 and sent them on their way," he said.

The Gallo gang did its own investigation into who was behind Jerome Johnson, he said, and decided that the most likely suspect was Tony (Abby) Abbatemarco, a "soldier" in the Colombo family.

"Abby's the biggest numbers operator in Bedford-Stuyvesant and tight with a lot of blacks," he said. "He was mad at Colombo for squeezing money from him, and he hated Joey because Joey had killed his father, who was a made guy, years back. He knew that if a black hit Colombo, Joey would be blamed for it."

After the shooting of Mr. Colombo, who is still alive but totally incapacitated, life became very difficult for the Gallo gang, according to Mr. Diapoulas. Everybody had to be on guard against the Colombos and "business" suffered.

Relations between Joseph Gallo and his younger brother deteriorated. "Blast was jealous of Joey's popularity with the other guys and he tried to keep them away from him," he said. "He was afraid of losing all power to Joey."

On the night he was shot at Umberto's Clam House, Joseph Gallo was celebrating his 43rd birthday in the company of his wife, Sina, her daughter by a previous marriage, his sister Carmella, Mr. Diapoulas and a woman named Edith Russo.

Mr. Diapoulas still shows strong emotion when he talks about the killing of Mr. Gallo. "It's not only that they killed Joey," he said, "but the way they did it—in front of his family, in a restaurant full of people. It's against every rule there is."

He said he was seated next to Joey at Umberto's facing the side door, when he saw Carmine Di Biase also known as Sonny Pinto, walk in.

"I turned to tell him Sonny Pinto's coming in," he recalled. "By the time I could say that I hear Sonny shout, and bang

there were bullet flashes everywhere. Instinctively Joey and I threw the table up, and before I know it I get hit in the left thigh and fall to the floor.

"I don't know how long it took me to revive myself, but I got up and ran out the side door, my gun in my hand. Outside I see a couple of guys running for a car and I start pecking at them and they peck back at me as the car drives off."

A Human Shield

"I come back into the place and I see 'Matty the Horse' Ianniello on the floor in the kitchen, his hands over his head. When Sonny Pinto had walked in I'd seen Matty move down the counter toward the kitchen and I figure he's involved. So I put my piece to his neck and move him ahead of me like a shield through the place and out the front door. There I see Joey flat on the street."

At his trial on gun charges Mr. Diapoulas testified that he did not recognize any of the killers because everything happened so fast. "I was being a stand-up guy at the trial," he said. "I was playing the game."

Joseph Luparelli, who drove the getaway car in the slaying and later became a police informant, said that Mr. Di Biase was one of four men who went into Umberto's and started firing at the Gallo party. Mr. Diapoulas said he saw only Sonny Pinto but knew there were others because of all the bullets fired.

When he came out of the hospital, where he was treated for his bullet wound, Mr. Diapoulas found the Gallo gang on a war footing. "The plan was to hit some Colombo top guys—Alley Boy [Alphonse Persico, Jerry Langella, people like that]," he said.

"Some of our guys were assigned to follow them around and let us know when they were exposed, but they hardly ever went. One guy would say he overslept, another had a cold. It was a farce. And Blast wouldn't push them."

Mr. Diapoulas said that once he was sent to keep Mr. Persico under surveillance. "I was supposed to sit in a panel truck with special glass so you can see out but nobody can see in, but when I get there I see it's only tinted glass, anybody can see inside if they get close," he said. "I go back to Blast and I ask him what's going on. He tells me the special glass costs \$350 so they put in the tinted glass. That's Blast—he'd risk your life to save a dime."

The Gallo gang's major effort against the Colombos came when they heard that Mr. Per-

apoulas said that the Colombos themselves killed him because they thought he had been supplying information to the Gallos.

On the other hand, the Colombos have killed or wounded seven Gallo men, he said. The rest of the 16 killings that followed the murder of Mr. Gallo were not related to the Gallo-Colombo war, according to Mr. Diapoulas.

"Gang wars are always used to clean house and settle grudges, he said. "If you kill someone during peacetime, you may have to answer to the bosses, but in wartime nobody asks questions."

Having failed to seize the initiative by wiping out the Colombo leadership at the Neapolitan Noodle, the Gallos agreed to peace negotiations a few months after the incident, Mr. Diapoulas said.

Back to the Table

"When I got out of the can, negotiations were already under way," he said. "But they broke down last summer and the Colombos tried to whack Blast's key people."

Since they were able to kill only one Gallo gang member, Mr. Cirillo, while superficially wounding four others, the Colombos failed in their attempt to weaken the Gallo group beyond retaliation, Mr. Diapoulas said, so they went back to the negotiating table.

Mr. Diapoulas said that when he got out of prison he returned to President Street for a while, but that his heart wasn't in it anymore. "I saw how things were," he said. "Blast-looking for No. 1 all the time and the others thinking they're all Jimmy Cagney. So I took off."

Although he admits to having been involved in a variety of criminal activities, his imprisonment on the gun charge was the first time that he had been in jail and he says he doesn't want to go back.

While Mr. Diapoulas was in prison, Albert Gallo failed to follow the tradition calling for the leader of a Mafia group to provide financial assistance to the family of an imprisoned member. "Six weeks after I went in the can, he sent over \$200 and after that he sent \$50 a few times," Mr. Diapoulas said. "That was it. I had to borrow money from my relatives to feed my family."

Mr. Diapoulas said he made considerable money during his years in organized crime, mostly in stolen securities, labor racketeering and gambling. "But I blew it all because you have to keep up a big front on that kind of life," he said. "There's a lot of money in organized crime, but in the long run, unless you're Carlo Gambino, there's no future in it."

Pornographic Periodicals Tied to Organized

By NICHOLAS CAGE

Nearly all of the major hardcore pornographic newspapers and periodicals in the United States are distributed by companies controlled by organized crime members, according to law enforcement officials, underworld figures and some of the newspaper owners themselves.

The largest of these publications is Screw, a weekly tabloid-sized newspaper that has a circulation of 85,000. The total circulation of the dozen leading pornographic papers, all distributed by the same two companies is about 300,000.

In an interview, Al Goldstein, publisher and editor of Screw, openly discussed the ties of the two companies that distribute these papers.

"We have no options as to who we deal with," he said.

"No legitimate distributor will touch us. I'd deal with Hitler if I had to. I'll deal with anyone I can do business with."

Screw is published by Milky Way Productions, Inc. Which was founded in 1968 by Mr. Goldstein and James Buckley, who recently gave up his interest to his partner to devote his time to producing and distributing movies.

The Liberalization of city state and Federal obscenity laws has spawned dozens of papers containing sexually explicit articles and pictures. They bear such names as, Pleasure, Hooker, San Francisco Ball, Whips & Chains, Hot Stuff and Smut. According to law enforcement officials, Mafia members are involved in the distribution of all of them'

These papers had difficulty finding distributors when they started and ultimately turned to companies connected with organized crime.

Police officials and Federal agents who have been investigating organized-crime involvement in the pornography industry said that publishers of such publications had to give these companies a higher share of profits than is customary or an outright interest in their paper to obtain distribution.

Mr. Goldstein who is 39 years old, said that neither of the two distributors he dealt with owned any interest in Screw, but he said that he paid them much higher rates than regular publications paid. Most pornographic papers are distributed nationally by a company called Star Distributors. Which is situated at 150 Lafayette Street, in Manhattan. In New York City, distribution of pornographic papers is mainly handled by Astro News, with offices at 118 8th Street Brooklyn.

Bolt Star Distributors and Astro News have strong Mafia ties, according to law-enforcement officials and underworld sources.

The officers of Star Distributors are Theodore Rothstein president; Robert DiBernardo vice president and Nathan Gramer, secretary-treasurer. DiBernardo is listed by the New York police and the Justice Department as a member of the Mafia family of Sam DeCavalcante, which is based in New Jersey.

Shipment for cash

Star originally was operated by Theodore Rothstein says a report of the State investigation Commission. Its operation, according to one witness, were severely hampered by its need for cash shipments to Star were on basis of cash payments, whereas most firms at that time received materials on a consignment basis.

"However Star's financial position and credit rating suddenly improved and it began receiving merchandise on consignment," the report said. "Along with this financial change, came a new corporate office, Robert DiBernardo. It was also clear, according to one witness, that in all subsequent business transactions, DiBernardo had the last word in Star."

Astro News, the major New York distributor for porno papers, is operated by Richard DiMatteo who is listed by the police as a member of the Gallo faction of Joseph Colombo crime family. Peter Diapoulas, a member of the Gallo group for 15 years until his recent defection, says Mr. DiMatteo was the "front" at Astro News for Albert Gallo the leader of the Gallo group, who actually controls the company.

Fear at Newstands

The experience of Milky Way Productions in distributing Screw follows the pattern of most companies publishing pornographic newspapers.

When Screw was first published, distributors and operators of newstands refused to handle the papers out of fear that they would be arrested on obscenity charges, the cofounders said.

In fact, Mr. Goldstein and Mr. Buckley have each been arrested 10 times on obscenity charges, and they have had to pay \$210,000 in legal costs for 162 newsdealers arrested for selling Screw.

"It's the law that forced us into Mafia distribution," Mr. Buckley said during an interview in his office at 116 West 14th Street.

Mr. Goldstein and Mr. Buckley eventually signed a contract with Star Distributors, who agreed to handle the paper outside New York, but not in the city.

Mr. Goldstein said that he did not know why Star refused to distribute the paper within the city, but law enforcement officials believe the reason is that Star is linked with the DeCavalcante Mafia family in New Jersey who fear angering New York Mafia families by encroaching on their territory.

In need of a New York distributor, Mr. Goldstein turned to an independent group of three men who began distributing the paper in the city, but he quickly discovered that the men had little experience or competence in distributing newspaper.

An ok. From Blast

His dissatisfaction with his New York distributors reached the ears of Peter Diapoulas, the Gallo gang member, and his partner at the time, Robert Bongiovi, who is also known as Bobby Darrow. They considered it an excellent business possibility.

“We went to see Blast [Albert Gallo] and got his O.K. To try to move in,” Mr. Diapoulas recalled recently. “Then we went to Goldstein and told him we could solve all his problems for him if he'd let us distribute his newspaper. He told us it was O.K. With him if we would settle things with the three guys that were doing it.”

According to Mr. Diapoulas the three men were at first reluctant to give up the distribution and maintained that they were with Vincent Gigante, a reported captain in the family of the late Vito Genovese.

Mr. Diapoulas arranged a “sit-down” - an arbitration meeting - with the three and Mr. Gigante, who, he said, disclaimed any connection with them.

Nevertheless, the three still refused to turn over the distributorship, according to Mr. Diapoulas. “So we got a bunch of guys from president Street [the Gallo headquarters] and started busting up their trucks.” Quickly the three independent distributors capitulated.

At the start Mr. Diapoulas and his partner, Mr. Bongiovi, who is now serving a life term for murder, rented a truck and undertook the distribution of Screw by themselves. But it proved so profitable (the two paid themselves each \$ 600 a week and the business made an average of \$ 800 a week profit on top of that) that Albert Gallo decided to set a regular company to handle the distribution of Screw and other pornographic papers.

“By that time I was tired of the whole thing,” Mr. Diapoulas said, “and he put Ricky DiMatteo in there.”

'I Don't Doubt It'

Mr. Goldstein confirmed the details of the negotiations with Mr. Diapoulas and Mr. Bongiovi. But he said he did not know that strong-arm tactics had been used against his original New York distributors, although he added, “but I don't doubt it happened.” During an interview in his East Side apartment, Mr. Goldstein said that he not feel threatened by anyone at Astro News or Star Distributors, “As long as I produce money for them I feel my life is safe,” he said.

But he said that he had had two “disturbing” encounters with underworld types. Once, he said, four men came to him and said he should end his relationship with Astro News and deal with them instead. “But I told Ricky [DiMatteo] about it and never heard from them again.”

The second incident occurred two years ago, he said. Two men

walked into Mr. Goldstein's office, put a gun to his head and stole \$ 2,000 from the office.

“I was never so frightened in my life,” he recalled. “I realized then what a real coward I am. Later I asked the people I deal with if the men were Mafia and they told me no, they were punks out to make a quick score.”

The agreement between Micky Way and the distributor of Screw are weighted heavily in favor of Astro and Star Under the agreement Milky Way has little control over printing, distribution or book keeping after the paper is put together.

When an issue is ready, it is taken from the offices of Micky Way, at 116 West 14th Street to the paper's printer, Balan Printing Company, at 537 Kings Highway in Brooklyn. After the newspaper is printed trucks from Astro and Star pick up the papers and distribute them to newsstands and stores.

According to Mr. Goldstein between 85,000 and 100,00 papers are printed each week . Slightly less than half are distributed in New York by Astro News and the rest to other cities by Star Distributors.

The New York edition sells for a dollar and the national edition for \$ 1.25. Micky Way Productions gets 40 cents for each paper sold in New York and 30 cents for each paper sold outside the city.

'I Hate Myself for It'

Out of Micky Way's piece of the pie the company must pay its employees, its overhead and all legal fees if there is an arrest involving the publication, whether it involves the distributors, the printers or the street-level sellers.

“The deal stinks,” said Mr. Goldstein. “I know I could do better if I dealt with so-called legitimate distributors, but they won't come near me.”

He said he had contracted with a legitimate distributor, P.D.C. Inc to distribute a forthcoming monthly periodical- a glossy magazine version of Screw.

“The magazine will sell for \$2 and I'll get \$1.07 of that which is a much better split,” he said. “But the distributor will have the right to censor what goes in the magazine. It's the only way I could make a deal, although I hate myself for it.”

In addition to editorial freedom, Mr. Goldstein said, there are other advantages to doing business with the Mafia. For one thing he said he got his money faster than he would from other distributors, he explained, pay several months after the date of publication. “Astro pays me within two months and Star within six weeks” he said.

Neither Astro nor Star has censored what goes into Screw. Mr. Goldstein said. “They've tried a few times, but when push came to

shove they backed off," he said

That is not to say, however, that Mr. Goldstein underworld associates are always happy with the content of Screw.

"They say Screw is a sex magazine and I should stick to that," he said. They get mad as hell when I run something ridiculing the Catholic church or the pope." he said. "In fact they don't like it when I attack anybody in authority."

Although other publishers of pornographic papers grumble about the division of profits with their Mafia-connected distributors, law-enforcement officials believe that they are happy with one another.

"Both the publishers and the organized crime people that they deal with know they need each other to keep the gravy train they're on rolling," said Detective Donald Gray of the police Department "It's mutually rewarding arrangement."

THE NEW YORK TIMES PUBLISHED OCTOBER 13, 1975

Cutrone, Organized-Crime Figure, Is Robbed and Killed in Brooklyn

By EMANUEL PERLMUTTER

John Cutrone, an organized-crime figure with a long police record, was robbed and shot to death yesterday morning in a Brooklyn luncheonette.

One of the two assailants was masked and carried a submachine gun. Although there were other customers at the counter of Danny's Luncheonette, at 202 Avenue M in the Flatbush section, none of the others were robbed or harmed.

Detectives were trying to establish whether the 55-year-old victim was the target of a holdup or a casualty in a gang war.

Mr. Cutrone was said by the police to have been a former member of both the Colombo and Gallo crime "families." Ten days ago, Anthony Pappadio, reputed head of the Luchese crime family, was shot to death on Long Island.

This was the police account of yesterday's shooting in Brooklyn:

Pursued to His Death

There were a half-dozen people in the luncheonette when one of the gunmen entered at 10 A.M. He ordered three doughnuts and three containers of coffee to go.

He was followed by the masked man with the machine gun, who said: "Everybody hit the floor!" All the customers obeyed except Mr. Cutrone, who started for the rear door.

The first assailant then pulled out a pistol, fired a shot into the air and followed Mr. Cutrone into the back room. Two shots rang out.

When the man returned to the front of the luncheonette, his partner asked, "Did you get it all?"

"Yeah," the killer replied, showing a

handful of money. Then the gunmen left.

Mr. Cutrone had a record of many arrests, but no convictions. He first came to police attention as a member of the Joseph Colombo family.

When Joseph Gallo and his brother Larry broke away from the Colombo family in the 1950's, Mr. Cutrone went with them as a member of their gang, the police said.

Larry Gallo and Mr. Cutrone allegedly were partners in bookmaking, policy gambling and some legitimate enterprises. Larry Gallo died of cancer a few years later; Joseph Gallo was murdered soon afterwards. Albert, the youngest of the Gallos, took command of the gang.

Mr. Cutrone then broke with Albert Gallo and formed his own group, and a shooting war ensued in 1973 and 1974, according to the police. It ended with a peace pact.

Mr. Cutrone and Joe and Larry Gallo were the only members of the Gallo gang who had been "made"—formally inducted into the Mafia—the police said yesterday.

They said that if Mr. Cutrone was a gang victim yesterday, the murders must have had the approval of Mafia higher-ups, because of his status.

The New York Times

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Gallo Gang Veteran Is Rubbed Out

By Albert Davila and Pual Meskil

Mafia capo John (Mooney) Cutrone, a veteran of Brooklyn's gangland wars, was shot and Killed yesterday morning in a luncheonette where he had stopped for coffee.

Cutrone, a captain in the Colombo crime family and boss of a mini-mob of former Gallo gangsters, was the second prominent Mafioso to be Killed in the last 12 days.

Andimo (Tommy Noto) Pappadio acting head of the Luchese mob, was Killed by a fusillade of bullets on the night of September. 24 outside his home in Lido Beach L.I. Which is less then 15 miles from Cutrone's residence at 75 Marine ST, Massapequa, L.I.

Although Pappadio and Cutrone reportedly were both active in the Long Island rackets of their organizations, the police were unsure whether the two rubouts were connected.

“It could very well be that the first Killing led to the second,” a police official said.

Cutrone, 56, was sipping his coffee at the counter of Big Danny's Luncheonette on the corner of E. Second St. and Avenue M, in Midwood , Brooklyn, when two men walked in at 10:25 a.m. One wore a ski mask, but it was the other who pulled out an automatic pistol.

“Hit the deck,” everybody, one of the men said.

Cutrone jumped up and ran to the rear of the lunchroom. The four other customers dropped to the floorm as did owner Donald Big Danny Murer and Thomas Frangapane.

The gunmen ran after Cutrone and fired one shot that hit himin the back of the heard. Then the Killers drove off, leaving Cutrone's body at the kitchen entrance. Witnesses gave the police the licence number of the getaway auto.

Anthony Dell' Arena, a former counterman at the luncheonette, said that Cutrone was a regular customer and a friend of Big Danny. “He was a nice, quiet, friendly guy,” Dell' A rena said.

Cutrone was unarmed and without a bodyguard. He drove to the lunchroom in a large blue automobile with a bumper sticker,proclaiming “Skate With the Islanders.” A red plastic “devil's horn” to ward off evil spirits dangled from the rear view mirror.

Shell Casing Found

Detectives found two pairs of eye glasses on the front seat, a red jacket and a medical chart ebttled “Human Pharmacology” in the back and an imitation leather hat, a telephone extension cord and two bottles of antifreeze in the trunk.

A 38- caliber shell casing was on the lunchroom floor near the body. The police believed that the ski mask was worn by a

fingerman who knew Cutrone and identified him for the hit man. “ We have no idea what the motive was, said Lt. Ben Pulice, commander of the 10th Homicide Squad. Nassau County detectives investigating the Pappadio murder expressed an interest in the latest mob hit.

Cutrone was an original member of the South Brooklyn gang formed by the three Gallo brothers Larry, Joey, and Al. He took part in the bloody Profaci Gallo war in which a score of Brooklyn mobsters bit the dust. The war ended when Joe Colombo took over the Profaci mob.

After Larry Gallo died a natural death and Joe was shot dead in Little Italy restaurant in 1972, Cutrone defected to the Colombo camp and took 15 Gallo soldiers with him. Albert(Kid Blast) Gallo, the surviving brother, put out a contract on Cutrone and his crew. In the mini-war that followed in the summer of 1974, a Gallo loyalist was killed and at least seven hoods were wounded.

Daily News Wednesday, October 6, 1976

Colombo 'Family' Seeking Peace In Classic Style—By More Killing

By NICHOLAS GAGE

The Brooklyn crime "family" of Joseph A. Colombo Sr., torn by factional strife for the last 17 years, is trying to achieve a lasting peace in classic Mafia style—with a few more killings, according to law enforcement officials and underworld informants.

John Cutrone, a family member and a seasoned veteran of Brooklyn's gangland wars, was killed last Oct. 5 in Danny's Luncheonette, at 202 Avenue M in Brooklyn, by two men who tried to make the murder look like robbery.

The police have found evidence linking the killing of Mr. Cutrone with the murder of a close friend, Gennaro Basciano, who was shot twice in the neck last June 16 in Frank's Diner at 305 Nevins Street in Brooklyn.

According to informants, the killers have a third victim in mind, an ally of the two murdered men named Sam Zahralbam, who has recently taken to eating his meals in private.

The central piece in the pattern that links the two murders and a possible planned "hit" on Mr. Zahralbam, the informants say, is a man who apparently does not exist, one John Valone.

As the killers of Mr. Cutrone fled in a 1967 Buick, witnesses made note of its license plate number, 183-CUC. Last June, witnesses had also remembered the license plate number, 506-2KZ, of the 1971 Ford van in which the killers of Mr. Basciano escaped.

Both vehicles are registered to the same name, John Valone, with a different address for each vehicle. No one named John Valone lives at either address.

The police also determined that three more vehicles were registered to the same name—a fact, informants say, that does not bode well for Mr. Zahralbam. The three cars were a 1966 Pontiac, license plate number 241-CTO; a 1968 Pontiac, 110-CTD, and a 1969 Oldsmobile, 355-CTZ.

Mr. Cutrone, Mr. Basciano and Mr. Zahralbam, who is known as Sammy

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A Mafia Family Seeking Peace By More Killing

Continued From Page 1

the Syrian, were all members of the Gallo gang led until two years ago by Albert Gallo Jr.

The Gallo gang itself was a splinter of the Colombo family that broke away in a revolt fomented in 1959 by Larry and Joseph Gallo, Albert's older brothers, when the family was headed by Joseph Profaci.

After years of bloodshed and the deaths of the two older Gallo brothers—Larry from cancer in 1968 and Joey from gunshots suffered during a birthday dinner at Umberto's Clam House in Little Italy—an uneasy truce prevailed between the Colombos and the Gallos.

Then Mr. Cutrone decided to leave the Gallo gang, taking Mr. Basciano and Mr. Zahralbam with him, because he did not like the way Albert Gallo was running the gang, according to the informants.

Outbreak of Fighting

The departure of the three men led to an immediate outbreak of fighting between those siding with the defectors and those remaining loyal to Albert Gallo. Four Gallo loyalists, including Albert's cousin Frank Illiano, were wounded and one was killed during the fighting.

The three rebels fared nearly as badly—Mr. Basciano and Mr. Zahralbam were wounded and Mr. Cutrone narrowly escaped an ambush.

Other Mafia families in the city—long tired of the fighting between the Gallos and the Colombos, when the Gallos would "go to the mattresses" and barricade themselves in their President Street headquarters—were upset by this latest outbreak of violence, informants said.

Crime leaders reportedly felt that the shooting was interfering with business and bringing attention on all Mafia activities.

As a result, several respected leaders got together about a year ago and negotiated a broad peace to bring the shooting to an end, according to the informants.

Under the terms of the peace, the three defectors from the Gallo gang—Mr. Cutrone, Mr. Basciano and Mr. Zahralbam—were taken in by the Colombo family, the informants said, while Albert Gallo joined Vincent Gigante, one of the leaders of the Vito Genovese family.

Peace Is Shattered

The Gallos had scarcely put away their mattresses when, last February, the peace was shattered by two shots fired into a social club on President Street maintained by the remnants of the Gallo group. The assailant evidently fired from a roof across the street, the police said.

In the club at the time were Mr. Gallo's father, Albert Gallo Sr., his nephew Stephen, the son of Larry Gallo; Rosario Musico, who runs the club, and Steve Boriello, a young Gallo stalwart who was wounded in the cheek from one of the shots.

Albert Gallo, now under the protection of the powerful Genovese family, made a formal protest to the Colombo family about the shots having been fired and the peace having been violated by the Cutrone rebels, according to the informants. They added that they were the responsibility of the Colombo leaders.

The Colombo bosses reportedly invited Mr. Cutrone, Mr. Basciano and Mr. Zahralbam to a "sitdown" to explain their unauthorized attack on the Gallos. The three men, evidently aware how such "sitdowns" sometimes end, did not show up for the meeting, the informants said.

The Colombos called in the three men again, and again they failed to appear, according to the informants. Then, on June 16, Mr. Basciano was killed as he was eating ham and eggs at Frank's Diner.

Told Fear Was Unwarranted

After that, Mr. Cutrone and Mr. Zahralbam were careful about their movements, but Mr. Cutrone received word that the death of Mr. Basciano had ended the problem and he had nothing to fear, according to informants.

Mr. Cutrone relaxed and on Oct. 2 attended the wedding of a Colombo capo's son, where he was warmly received by family leaders.

Two days later Mr. Cutrone made the mistake of visiting his favorite luncheonette unarmed. He was sitting at the far end of the corner finishing a cup of coffee when a man walked in and ordered coffee and doughnuts to go. Then a second man entered wearing a ski mask and carrying a machine gun.

Mr. Cutrone bolted for the back room, but was followed by the man who had ordered the doughnuts. He shot Mr. Cutrone once in the head, then came back into the luncheonette, carrying money he had taken from Mr. Cutrone in an apparent attempt to make the assassination look like a robbery.

But after discovering that the killers fled in cars belonging to the same group that murdered Mr. Basciano, the police have ruled out robbery as a motive and have called Mr. Cutrone's death a gangland assassination.

Mr. Cutrone was a "made," or fully initiated, member of the Mafia, according to informants, and as such could not be killed without the approval of his leaders.

If he were, it would be the responsibility of the leaders to avenge his murder, and informants say they have shown no displeasure at his death.

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Part of the crowd that gathered outside the restaurant yesterday after hearing of the shootings.

Shootings Recall Other Gangland Slayings

By DONALD G. McNEIL Jr.

Yesterday's murder of Carmine Galante and two other men recalled earlier gangland-style killings in New York City.

On April 7, 1972, Joseph Gallo, the reputed head of an organized-crime family, was shot to death at 5:30 A.M. as he celebrated his 43d birthday in Umberto's Clam House, a restaurant at 129 Mulberry Street, in the Little Italy section of Manhattan.

He was shot three times, apparently by one of four men who had entered the restaurant. Mr. Gallo's bodyguard, 42-year-old Peter Diapoulas, was subsequently wounded in a gun battle that spilled out into the street.

Mr. Gallo, a number of relatives and his wife of three weeks had spent the evening drinking champagne at the Copacabana nightclub, then had driven at 4 A.M. to Umberto's, taking seats at two tables in the back.

Presence Was Noticed

Their presence was said to have been noticed by a member of the Colombo crime family, who went to a nearby restaurant where he apparently sent word to the gunmen.

According to the police, Mr. Gallo was marked for assassination after reports began circulating in organized-crime circles that he had ordered an attempt on the life of Joseph A. Colombo Sr. in 1971.

Mr. Gallo's assassins walked in the side door, and one began firing with a .38-caliber pistol. Mr. Gallo's bodyguard and an unidentified man sitting at the bar returned the fire and chased the gunmen into the street.

Mr. Gallo staggered to Hester Street and died beside his Cadillac, with his sis-

ter and wounded bodyguard standing over him. No one was ever brought to trial in the killings.

Wounded at Columbus Circle

The attempt on Mr. Colombo's life was carried out by a man identified as Jerome A. Johnson. Mr. Colombo was shot three times as he prepared to address a rally at Columbus Circle for the Italian-American Civil Rights League.

Mr. Colombo was left paralyzed and died last year in a coma at the age of 54.

His assailant, who was said to have made home movies of Mr. Colombo before shooting him, was himself slain during the uproar that followed the shooting. No one was ever charged in Mr. Johnson's death, nor was he ever officially linked to a third party, and no one was indicted for the Colombo shooting.

Touched Off a War

Police officers said the attack on Mr. Colombo touched off a war between the Gallo and Colombo crime families, a war that led to the murder of Mr. Gallo.

Sixteen killings, which the police described as part of a struggle between the Gallo and Colombo gangs, followed Mr. Gallo's death.

In one attack, in August 1972 at the Neopolitan Noodle, a restaurant at 320 East 79th Street, four meat wholesalers, whom the police believe were mistaken for mobsters, were shot. Two died.

On Oct. 25, 1957, another underworld figure, Albert Anastasia, was shot to death as he sat in a barber chair in a shop at the Park Sheraton Hotel at Seventh Avenue and 55th Street. His assassins were two men who walked into the ground-floor shop and fired 10 shots as dozen people watched.

The police said at the time that the kill-

ers may have been Sicilians recruited by Vito Genovese and other reputed crime leaders who were worried that Mr. Anastasia was trying to take over more than his share of gambling in pre-Castro Cuba.

However, Mr. Gallo's former bodyguard, Mr. Diapoulas, said in an interview with The New York Times in 1975 that Mr. Gallo and his brother Lawrence had been "made" members of organized crime's inner circle as a reward for the Anastasia killing. The reward, Mr. Diapoulas said, came from Joseph Profaci. Mr. Diapoulas alleged that Mr. Profaci, another reputed underworld figure, had ordered Mr. Anastasia's death.

On Oct. 23, 1935, Arthur (Dutch Schultz) Flegenheimer, head of an organized-crime family, and three of his lieutenants were mortally wounded in the back room of a Newark tavern, around the corner from the Robert Treat Hotel.

Members of Charles (Lucky) Luciano's crime family were sought for questioning, but there were no convictions.

Murders in Chicago

The most famous American gangland slaying took place not in New York, but in Chicago on February 14, 1929. On a cold snowy morning at 2122 North Clark Street, seven men associated with George (Bugs) Moran were killed in what was called the Saint Valentine's Day Massacre. Mr. Moran, whose car had been rounding the corner as the Cadillac pulled up, went into hiding and later sent police a message, "Only Capone kills like that."

The police later named several gunmen who had allegedly been hired by Mr. Capone for \$10,000 each. Two were indicted, one of them murdered before the trial, and another found not guilty.