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REGENSBURG CIGAR FACTORY PAY CAR HELD UP BY BANDITS

By ARSENIO M. SANCHEZ



Regensburg Cigar Factory West Tampa

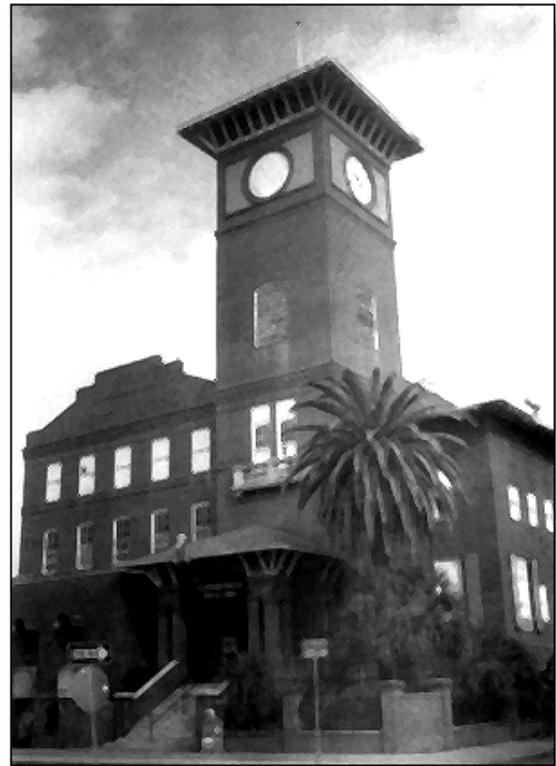
By the time West Tampa was established as a separate city in May 18, 1895, the rapid growth of this municipality brought on great expectations.

The payroll for a large number of cigar factories in the city, in the 1920's was in the thousands of dollars weekly.

Bandits made an attempt Saturday Sept. 3, 1921 to hold up the pay car of E. Regensburg & Sons West Tampa cigar factory of \$20,900.

The holdup, one of the most daring in the annals of Tampa's history occurred in broad daylight on Howard Avenue, near Homer Hesterly Armory which was Benjamin Park at the time and an aviation landing field only two blocks from Grand Central Avenue (Kennedy Blvd.).

Luther M. Davis, head bookkeeper and office manager of the Regensburg factory in



Regensburg Cigar Factory Ybor City.

Ybor City; Laureano Torres, manager of both Regensburg factories here; Eugene L. Brightwell and Jack Hayes, Negro chauffeur, were in the car carrying the payroll when the holdup was staged. In the exchange of gunfire, Hayes was wounded in the shoulders and Davis received a scratch in the back of the neck.

The scene of the holdup was a sparsely settled section on the edge of West Tampa. Howard Avenue at that point was lined by shrub growth on either side. In the growth a



Three Main Figures in Paycar Holdup Trial
Philip M. Licata Arthur Gill DeWit Adams

man could easily crouch so as not to be seen from the street.

Into this street the pay car turned from Grand Central Ave. bound for Regensburg's West Tampa cigar factory at the corner of N.



Will C. Spencer



Laureano Torres

Albany Ave. and Cherry St. to pay off the employees of the factory. The car had come from the Exchange National Bank, where more than \$30,000 had been drawn for the weekly payroll of the two Regensburg factories, one in West Tampa, the other in Ybor City. The Ybor City factory was located on the corner of Columbus Drive and 16th Street and is still standing.

Before turning off of Grand Central Avenue the payroll car's chauffeur, Jack Hayes, observed a Ford touring car sitting at the side of the road unoccupied.

When the payroll automobile had proceeded about two blocks on Howard Avenue going north, another car was seen to back out of an unpaved street into the main thoroughfare, effectively blocking any traffic on the street. The car seemed to start north on Howard Avenue then all of a sudden stall. The pay



Hugh C. Macfarlane assisted in prosecution.

car came to a halt, waiting for the other vehicle to start up and clear the road, when several men leaped from the bushes on both sides and opened fire.

None of the men firing from the street shouted a command of any kind. But the moment the firm', began, the men in the pay car reached for their arms, and a spectacular pistol battle between the bandits and the occupants of the pay car began. Torres and Brightwell fired their weapons, but Davis did not use his.¹

One of the men, who was wearing a handkerchief over his face, leaped into the road in front of the pay car and was struck by a bullet from Brightwell's automatic. Arthur Gill, the wounded bandit was shot in the leg shattering the bone, by a bullet from Brightwell's .45 caliber Army pistol. Davis and Torres were armed with .38 caliber

Army automatic pistols. When Gill fell wounded, the other bandits were frightened and fled in the car obstructing the road. Sheriff's deputies apprehended Philip M. Licata and DeWitt Adams through description and information supplied to them by Gill, who was arrested at the scene of the attempted robbery.²

Gill had been standing at the edge of the bushes bordering the street, and when wounded he dropped in his tracks. The men in the pay car, however, made an effort immediately to get away from the scene. Hayes, the chauffeur, who was severely wounded in the shoulder by a bullet, managed to throw the car into reverse and succeeded in backing it away hurriedly on to Grand Central Avenue. He then drove to the sheriff's office, where Chief Deputy D. B. Givens, who was in charge in the absence of Will C. Spencer, was informed of the attempted robbery.

After the foiled attempted holdup, two cars, a Haynes touring car which Licata used to block the road so that the pay car could not pass, and a Ford car from which Adams gave a signal to his confederates of the approach of Davis and his party, were confiscated by the sheriff's office.

With the information furnished by Gill, the sheriff's force arrested all accused of the attempted robbery: Philip M. Licata, Arthur Gill, and DeWitt Adams and charged them with an assault with intent to murder, assault with intent to rob and an attempt at robbery. Charges were filed Sept. 22, 1921 by County Solicitor Morris M. Givens. Joe Reina and Gio Cacciatore who never were arrested, were included in the charge. Mr. Givens recommended that bond for the men be set at \$20,000.

Licata was released from custody on Sept. 25, after furnishing a cash bond of \$20,000.³ After a conference between the attorneys for the state and defense and criminal court Judge Lee J. Gibson, it was decided that Nov. 16th was probably the best day for the trial to come before the court. But the trial opened Thursday Nov. 17th and practically all of the day was spent in securing a jury.

Arthur Gill, DeWitt Adams and Philip Licata were put on the witness stand and cross-examined. Witnesses for and against the men on trial were placed on the witness stand.

While on the witness stand, Jack Hayes was asked by Attorney Hugh Macfarlane, if when he returned to Howard Ave., and Grand Central, he had seen anything. His reply was that he saw the Ford car and at that time it was occupied by DeWitt Adams, who asked him, "What's the trouble up there?" Macfarlane also asked Hayes if he recognized in the courtroom the driver of the large car that blocked the roadway. He said "yes," and pointed to Philip Licata.

In the instructions to the jury the Court advised that the testimony of an accomplice should be received with caution, and if you believe from the evidence that Arthur Gill was an accomplice in the commission of the felonies charged against these defendants in the Information, you should act upon his testimony with great care and caution, subjecting it to a careful examination in the light of all other evidence, and you should not convict the defendants Philip M. Licata, and DeWitt Adams upon Arthur Gill's testimony alone unless you are satisfied beyond a reasonable doubt of its truth.

"We, the jury, find the defendants, Philip Licata and DeWitt Adams not guilty, so say we all. E. H. Knight, foreman; J. N.

Aldnage, Chas. Jochumsen, S. C. McDonald, V L. Wadsworth and H. E. Boyett." "Not guilty," was the verdict returned Monday, Nov. 28, 1921, by the Jury in the cases of Philip Licata and DeWitt Adams. The verdict was reached about 1:30 o'clock Sunday morning after the jury had been locked up upon instructions from Judge Gibson. The verdict was sealed and handed to the clerk of the court and opened in the court Monday morning Nov. 28, at 10 o'clock. The case was concluded after *eleven* days of deliberation.⁴

The trial of Gill, a man who had been sentenced to life in the state penitentiary, for murder, but was later pardoned and restored his civil rights, was set aside for a later date. If he was tried again, there is no record available of what happened.

Many well known citizens of Tampa opposed the verdict. Dr. L. A. Bize, president of the Citizens-American Bank & Trust Co. stated that he thoroughly agreed with a critical *Tampa Tribune* editorial, published Nov. 29, and he felt it was a "damnable outrage," for such a verdict to be rendered. The editorial dealt with the "notorious record" of Hillsborough County Juries in this and other recent trials.

The trial had been attended by "packed houses" at practically all sessions and an unusually large attendance was present the morning when the sealed verdict was opened and read in court.

Dr. Bize announced on Dec. 30 that the Citizens-American Bank & Trust Co. had ordered a steel-armored car for the delivery of payroll money to its patrons. The bank hoped to make it impossible for bandits to successfully get away with a payroll.⁵

Macfarlane had assisted County Solicitor Givens in the prosecution of the case, having

been retained by the Cigar Manufacturers Association. The case was termed one of the hardest-fought legal battles in many years. C. J. Hardee defended Adams and W. K. Zewadski, Jr. represented Licata. The two other men implicated in the attempted robbery were never apprehended by the authorities.⁶

ENDNOTES

¹ *The Tobacco Leaf*, Sept. 8, 1921.

² *Tampa Morning Tribune*, Sept. 26, 1921.

³ *Tampa Morning Tribune*, Oct. 25, 1921.

⁴ *Tampa Morning Tribune*, Nov. 29, 1921.

⁵ *Tampa Daily Times*, Dec. 30, 1921.

⁶ *Tampa Morning Tribune*, Nov. 28, 1921.

The Author gratefully acknowledges the assistance of Leland Hawes in proofreading this article.

Photos are from the author's collection.