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Forty Arrested In Disturbance

ELYRIA, Ohio (UPI) — At least 40 persons have been arrested in connection with a civil disturbance on the Elyria's southwest side where firefighters were shot at as bands of black youths roamed the streets and smashed store and automobile windows, police said today.

Gov. James A. Rhodes ordered the Ohio Highway Patrol into the racially-mixed area Wednesday night in an attempt to restore calm to this usually placid city of 53,000. But as one harried police dispatcher said: "It looks like the same thing all over again. But it's spreading more into the city."

Rhodes' executive assistant, Tom Moyer, said the troopers were sent in at the request of Mayor Leonard P. Reichlin because "apparently they are concerned about the possibilities of looting."

At least three businesses off W. River Rd., about a mile from downtown, were burned and looted and several motorists were dragged from their cars and beaten, while some white residents took to the streets with firearms, police said.

"The situation might be over in a week if we're lucky," said Patrolman H.R. Riley, who also noted several black adults were also out trying to soothe passions. "Then again, we might not be lucky."

The 90 highway patrolmen, police and deputy sheriffs from Lorain County moved to regain a 30-block area on the city's southwest side which they had surrendered to gangs of black youths for nearly four hours Wednesday night.

Reports of firebombings, shooting, looting, rock-throwing and assaults were common throughout the night.

Authorities speculated the disturbances were set off Tuesday when Daryl Maxwell, 19, Elyria, a suspected burglar who is black, was shot and killed inside the Mayfair Bar by Patrolman Michael Killean, who is white.

Police said they noticed a broken window at the bar about 3:40 a.m. and saw Maxwell inside. He was ordered to stop and when he didn't the patrolman fired twice.

Maxwell was unarmed when

shot in the head by Killean, who has been suspended pending an investigation of the incident by City Solicitor J. William McCray. Killean has been on the police force for 4 1/2 years.

Wednesday afternoon about 100 blacks, lead by Maxwell's older brother, Walter, converged on City Hall and asked to meet with Reichlin, mayor here 10 years. Afterward, 13 blacks met with Reichlin and Safety Service Director James T.

Tracey and struck a bargain.

Reichlin said the group complained about police harassment and a lack of recreational facilities in the city. They also insisted that police should have fired a warning shot to stop Maxwell, the mayor said.

"I felt some regret that I had not in the past paid more attention to the problems of the black community," Reichlin said after meeting with the black group.

The mayor said he agreed to let the group monitor the investigation of the shooting. In return, Reichlin said the group said it would try to relieve tension in the black community.

However, about 6 p.m. Wednesday a firebomb was tossed onto a drive next to the Mayfair, but it did not explode. An hour later, a small fire of undetermined origin began at the Baltimore & Ohio Railroad Co. depot.

PUCO Helpless To Take Fuel Adjustment Action

COLUMBUS (UPI) — Nearly all fuel adjustment charges are set by the Federal Power Commission and the Public Utilities Commission of Ohio is "helpless to do anything about it," a joint legislative committee studying utility rates has determined.

State Rep. Thomas J. Carney, D-Boardman, said Wednesday there is "considerable support" among public interest groups

lems that we were having was to get a definitive answer on what happens on the fuel adjustment regarding natural gas, and it was determined today through testimony of the commission that about 95 per cent of the fuel adjustment charges are set by the Federal Power Commission as they relate to Ohio gas companies," Carney said.

"They (PUCO members) have rule of power in restraining

a failure now of our administration, the federal administration, to come forward and to solve this very critical problem. So I really believe we're going to have to do something to the Ford administration in getting it to bring about a more realistic policy on pricing in terms of increasing production before these increased prices come about," said Carney.