

WEATHER

TUCSON. Maximum temperature yesterday 51, minimum 34; humidity, morning 55 per cent, evening 68; precipitation .03 inch.

VOL. 93.

NO. 26

TWELVE PAGES

TUCSON, ARIZONA, FRIDAY MORNING, JANUARY 26, 1934

TWELVE PAGES

An Independent NEWspaper
Printing the News
Impartially

PRICE FIVE CENTS

DILLINGER GANG CAPTURED HERE

JOHNSON DENIES OPPRESSION OF SMALL BUSINESS

90 Per Cent of Complaints Come From Exploiters, Says General

ATTACKED BY SENATORS

NRA Is Passing Fast, Says Dickinson of Iowa; Hits CWA, Too

WORCESTER, Mass., Jan. 25.—(P)—Gen. Hugh S. Johnson, NRA administrator, tonight charged that 90 per cent of the complaints that small business concerns were or may be oppressed by large ones came from establishments which said that "to survive they must exploit their workers."

Johnson made it clear that code authorities would prevent any such oppression.

The administrator spoke at the annual banquet of the Worcester chamber of commerce.

"The line has been drawn at unjustifiable exploitation and we must continue to draw it," Johnson said. "This act must be executed in sympathy and common sense, but the very fundamental of its purpose is that a unit that cannot live except by exploitation shall no longer be preserved. Regional differences of living costs, the higher cost in larger cities, exceptional cases of harshness, all these are recognized."

The other ten per cent of complaints, the administrator continued, came from the effect of price stabilization and other regulatory practices. These were being examined, he said, and true exploitation would be stopped. For this purpose, he added, the President had approved a plan, suggested by Senator Nye with an amendment by Senator Norris, to set up a board which shall have summary powers to receive and inquire into any complaints.

"We are also setting up a division under Mr. Whiteside and Col. Montgomery to try to relieve the intolerable credit facilities now available to the little fellow," Johnson said. "But aside from the conjectural complaints, by large and small business has benefited—by increased price, by protection against chains and monopolistic price practices, by every device which we could invent and apply."

NRA PASSING FAST

SAYS DICKINSON

ROCHESTER, N. Y., Jan. 25.—(P)—Senator Dickinson (R. Iowa) assailed administration policies here tonight, asserting the NRA was "passing and passing fast" and dubbing the entire Democratic legislative program "an economic guessing party."

Speaking before the chamber of commerce, the Iowa senator contrasted the recovery efforts of the United States since 1932 with those of England, and said this country was sending up a "trial balloon" of spending to regain prosperity, while England was saving for the same end.

Business improvement here, he said, has been at a tremendous cost to the American taxpayer, with capital goods being purchased only for public works. He added the CWA was not conducive to permanent improvement and merely "took people from the charity rolls and placed them on a federal pay scale—in reality a dole."

Dickinson criticized the failure to attempt exchange stabilization at the London economic conference, and added that uncertainty in the value of the dollar was retarding all industrial and commercial expansion.

Turning to the recovery act, he said, "any effort to put business in a straight-jacket is bound to and should fail." The codes, he charged, were "practically all dictated by the larger units in every industry."

The Iowan named 34 bureaus and boards which he said had been created by the administration, and charged many of them had no foundation in legislation.

"We are on a grand and glorious campaign of trying everything for something that ails us," he said, "with the hope that somewhere, somehow, someone will guess themselves better off."

MRS. GREENWAY ASKS COMMITTEE DECISION

WASHINGTON, Jan. 25.—(P)—Mrs. Isabella Greenway, Democratic representative from Arizona, in a letter to the Arizona Democratic state committee, called attention today to the fact no action had been taken on her resignation as national committee woman from Arizona.

Mrs. Greenway tendered her resignation as committee woman last April upon deciding to run for congress. She explained at that time she did not consider it proper for her to continue as committee woman.

The resignation has not been acted upon because the state committee has not been in session. In her letter, Mrs. Greenway suggested a meeting be called to take care of the matter.

Delegation of Powers By Congress Monetary Issue

Can't Give President Right to Devalue Dollar, Says One Group; Can, Says Another; Everybody Talking, and Final Vote Will Be Delayed

WASHINGTON, Jan. 25.—(P)—Administration leaders tonight acted to obtain a senate vote on the Roosevelt monetary bill by the end of the week, after a day of inconclusive debate which developed a spirited argument over the constitutionality of giving the chief executive the congressional prerogative of revaluing the dollar. Senator Robinson, the Democratic floor leader, arranged to have the senate meet an hour earlier than usual tomorrow and held out the prospect of a Saturday holiday if a vote can be taken before adjournment tomorrow night. If not, he said in answer to a question by Senator McNary, the Republican leader, the senate will meet Saturday.

The administration has given strong indication that it wants the measure passed at the earliest possible date so that it may put the \$2,000,000,000 stabilization fund it would create to work defending the foreign value of the dollar. Too Many Speeches

Nevertheless, so many speeches still were to be made that a vote tomorrow appeared improbable. Senator Reed (R. Penna.) announced he would make an address opposing the measure and Senator Wheeler (D. Mont.) is planning an effort to obtain a vote on his proposal for huge government purchases of silver by offering it as amendment.

Senator Borah (R. Idaho) announced, however, he had abandoned an intention of seeking to attach an amendment providing that excess gold resulting from devaluation of the dollar be made the basis for additional issues of currency. There were too many votes against it, he said.

Senator Austin (R. Vt.) raised the issue of the constitutionality of giving the President power to revalue the dollar with an assertion that a power of such importance could be exercised only by Congress.

"I contend that minor powers may be delegated to another agency to be carried out," said Austin. "There are numerous instances of this. But I think that this particular power is a power that has been held by the courts to be of the highest magnitude."

Can Choose Agent

"The courts have held over and over," responded Robinson, pounding his desk, "that congress can choose an agent, fix the rules of procedure and when it has done so it is a valid delegation of authority."

Borah of Idaho, independent Republican, a leader in the move to attach an inflationary amendment, reminded Austin that congress in the past has delegated the taxing power to other agencies, in the flexible provisions of the tariff law, in the interstate commerce commission's authority over railroad rates and in many other instances.

Senator Reed of Pennsylvania, a leader among the conservative Republicans, said he agreed with Robinson that by furnishing an agency with a "rule of action" Congress can authorize it to exercise otherwise legislative powers. This was true, he said in the case of the interstate commerce commission, and the flexible tariff law, but added:

"The trouble with this proposition is that the power is delegated with no rule of action prescribed."

Robinson disagreed and asserted that the bill laid down a rule of action as clear as in the instances mentioned.

AIR SHOW PREPARED FOR TUCSON FIELD

An inquiring Washington—Republican incidentally—brings back a rosy report as a result of a motor trip to and from Florida just in advance of the season's real opening in the southern playground.

Nowhere along the route between Washington and Miami where he asked questions did he get pessimistic replies—although he probably would have had he struck the right spots.

Some of the highlights may be (Continued to Page 3, Col. 4)

STOCK REGULATION LAWS IN PROSPECT

WASHINGTON, Jan. 25.—(P)—Secretary Wallace said today that a measure had been drafted for regulation of the commodity exchanges, and it was his understanding the administration proposed to include it in a general omnibus bill for supervision of the stock exchanges.

The proposed changes of the securities act might also be written in the general measure, which may be introduced in congress in the near future.

The commodities section of the proposed omnibus bill, Secretary Wallace said, had been drawn by the special committee headed by Secretary Roosevelt which reported to President Roosevelt on proposed stock exchange legislation.

The chief executive has indicated he wants action on a stock exchange measure this session and that the securities act might be amended, but that it would not be weakened.

FULL STRENGTH NAVY PROMISED IN SEVEN YEARS

Congress Is Ready to Adopt Program Asked by President

GETS RIGHT OF WAY

Republicans Will Join With Majority to Assure Passage of Bill

WASHINGTON, Jan. 25.—(P)—Certain that the President wants the legislation, house leaders today cleared the way for approval Tuesday of a bill to give America a modern, full treaty strength navy by 1940 or 1941—four to five years after present treaties expire.

At the same time, it was disclosed that the navy department hopes eventually to have 2,100 serviceable fighting, bombing and scouting planes instead of the 1,000 now allowed by law.

On the appeal of Chairman Vinson of the naval affairs committee, the rules committee granted legislative right-of-way to the Vinson treaty naval bill. Under that bill, the President would be allowed to order construction of an aircraft carrier and the submarines and destroyers necessary to replace existing ships of those classes which are so old as to be of no fighting value.

Vinson's idea of obtaining house action on his bill yesterday was blocked because some members were not sure the President approved and consequently did not want to attach it to the regular annual naval appropriation bill.

But today Vinson told the rules committee that the proposed legislation was approved not only by the navy department, but also by the budget bureau and the administration. By unanimous vote, the rules committee approved special procedure under which the bill will be brought out on the floor for three hours of debate. Amendments may be offered.

Representative Byrns of Tennessee, Democratic floor leader, and Representative Martin of Massachusetts, acting Republican floor chief, agreed that the bill will pass with only a few opposing votes.

Even as the rules committee was acting, Admiral William H. Standley, chief of naval operations, was telling Vinson's naval affairs committee that the navy wants "intermediate" authorization to increase its airplane total for 1,000 to 1,660. These are necessary, he said, to equip ships now building. Eventually, navy officers disclosed, the modernized fleet will need 2,100 planes.

A bill to provide the immediate 660 increase has been approved by the navy department and now awaits action by the budget bureau, Standley said.

LUXURY TAX REPORT IS MADE BY BLAND

PHOENIX, Jan. 25.—(P)—W. R. Bland, director of the luxury tax division, reported today the luxury tax produced \$236,426.30 during the last half of 1933.

Collection of the tax began July 7.

Administration of the tax cost \$4,575.05, or four per cent of the amount collected. Bland reported. The balance, \$226,969.25, was paid to the state welfare board for relief work among unemployed, matching federal funds given to the state for the same purpose.

December returns were the largest of any single month, amounting to \$50,748.85. July collections were next largest, amounting to \$48,201.57.

LENGTH OF CWA IS EXPLAINED BY WARNER

PHOENIX, Jan. 25.—(P)—Florida M. Warner, state CWA administrator, today sent to all county chairmen in Arizona latest interpretations of the length of CWA work weeks.

In a circular letter she said all employees of the county administrative offices and of the local re-employment office will work as in the past. In communities of 2500 or more, as of the 1930 census, workers will be on a 24-hour week, while in smaller communities they will work 15 hours a week.

"Certain projects may be classified as professional or clerical," Miss Warner wrote. "These workers have a 30-hour week and will receive a proportionate reduction in salary. When men are in camps, they are allowed a 30-hour week. This, of course, is to cover subsistence."

The aviation spectacle will begin at 1 p.m. Saturday afternoon Feb. 17, with aerobatics. Nearly all numbers on the program will be closed-course events and the show is to be conducted in conference with department of commerce rules.

Prof. Paul Thorneburg of the University of Arizona has been named head time-keeper. A number of trained assistants are to aid him in clocking the speed dashes and other events.

In case a U. S. army wing is in Tucson at that time, a number of officers as well as Tucsonans interested in aviation will be asked to judge. An invitation has been issued to the March Field air show to come to Tucson on maneuvers at the time of the show.

Lt. Col. Robert Coker, in charge of training for the Eighth corps area with offices at Ft. Sam Houston, has been invited to the other fiesta and has replied that he will be here if his time schedule permits.

Several ships from the coast, including commercial "jobs" as well as new planes are coming here for the February events. Flyers in all parts of the southwest are being invited to "fly" to Tucson for the races. The 20-30 club is in charge of the ticket sale.

Later it was lifted, the prince climbed aboard, and they landed, entering a motor car for a drive to Tokyo.

POLICE FORCED TO USE GUNS IN NABBING TWO GANGSTERS OTHERS SUBMIT TO OFFICERS

Three Dillinger Aides Arrested in Tucson



The camera of J. Robert Burns, press photographer, caught the above shots of members of the Dillinger gang as they were brought into the Tucson police station. Left to right, they are: Harry Pierpont, who had to be forced to face the camera; Charles Makley, who dodged behind Detective Franco in an effort to hide his face, and Russell Clark, whose bandaged head shows the result of his effort to shoot it out with the officers when he was arrested. The engravings were made by the Tucson Photo-Engraving company.

'Triggerman' Pulls Gun On Chief In City Lockup

IDENTITY IS SURE

Men Are Wanted In East For Murders, Bank Robberies

By FRED FINNEY

John Dillinger and three members of the "Dillinger mob" bank robbery artists, jail delivery specialists and machine gun terrorists supreme in the midwest, were captured here yesterday afternoon and evening by Tucson police.

In a series of breath-taking captures, each of which might have at any moment culminated in a stream of lead and death, which included lightning displays of gangster armament and as sudden squashing of murderous hopes by officers, Dillinger himself, Charley Makley, 50, Russell Clark, 39, and Harry Pierpont, 31, the "trigger-man" of the gang were apprehended, were stripped of a young apache, subdued, identified, and locked up in the county jail for safe-keeping.

The jail was under double guard last night.

The four are being held under fugitive warrants and, in addition, charges of assault with deadly weapons were preferred by the county attorney, Clarence Houston, against Clark and Pierpont. All will be arraigned at 9:30 this morning in justice court before Judge C. E. Budlong.

Dillinger, Pierpont, Clark and Makley, sought throughout the country for months, are wanted for the murder of Sheriff Jess Barber, of Lima, Ohio, following their jail-break last October 12. At the time of the jail break and murder of the Ohio sheriff, Dillinger, Pierpont, Clark and Makley were being held, charged with the robbery of the Bluffton, Ohio, bank of \$2300. Sheriff Barber's widow has named Pierpont, Dillinger mob "trigger-man," as the murderer. In addition, Ohio, Indiana, Pennsylvania and Wisconsin banks charge the quartet with robberies aggregating more than \$154,000 gained from sensational bank holdups.

Women Also Held

Three women companions were also arrested and held as material witnesses. These are Ann Martin, Mary Kinder, nabbed with Pierpont, and Opal or Bernice Long, arrested with Clark. A fourth woman, said to be the companion of Makley was released when it was learned that she was an entertainer in a local cabaret and had no connection with the gangsters prior to their arrival here a few days ago. The Kinder woman is said to be wanted by Chicago City, Ind., in connection with murder charges there.

After three members of his mob had been arrested yesterday afternoon, Dillinger, one of the most sought-for criminals in the United States, walked into the arms of three waiting traffic officers at 927 North Second avenue, totally ignorant of the arrest of his men. The three traffic officers, who throughout the afternoon had been speculating in the arrest of notorious eastern gangsters, were on watch at the house occupied by Makley and Clark "just in case."

Snearing at the effrontry of the "small-time cops" who had nabbed them, Dillinger, Pierpont, Clark and Makley were taken to police headquarters, stripped of numerous hand guns, five sub-machine guns, enough ammunition to run three Mexican revolutions, and a half dozen bullet-proof vests of the latest design. Of the four only Makley was unarmed at the time of his arrest.

Photographs and fingerprint identifications were fixed positively by a U. S. department of justice agent and Mark Robbins, local identification expert. Search of the four men and three women held disclosed nearly \$27,000 in currency, serial numbers of which were noted by C. J. Endres, U. S. operative, sent here from Phoenix on order of J. Edgar Hoover at Washington for further check against currency losses of the mid-western banks.

When booked at the police station, Makley, Clark and eight companions escaped from the prison at Racine, Wis.

Makley, Clark and eight companions escaped from the prison at Racine, Wis. (Continued to Page 4, Col. 6)

(Continued to Page 4, Col. 1)

DISORDER RESUMED IN BITUMINOUS AREA

HARRISBURG, Pa., Jan. 25.—(P)—

—Disorders punctuated strikes in Pennsylvania's two big coal centers today—the bituminous regions in the southwest and the hard coal fields in the northeast.

The governor through his secretary H. H. Holman tonight gave out a promise to "do everything within my power" to bring the lynchers to justice.

The Negro, Alex Scott, 20, an ex-convict, was forcibly taken from jail here last night, hanged in a mountain grave yard in adjoining Knott county and a score or more of bullets fired into his body.</