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WEATHER
TUCSON: Maximum temperature yesterday 51, minimum 34; humidity, morning 55 per cent, evening 65; precipitation .03 inch.

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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.—(AP)—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 honest hardship, 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.—(AP)—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.—(AP)—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 considr 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.—(AP)—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 administraton 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 its 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 he 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.

The National WHIRLIGIG

Behind the News in Washington — New York

By George Durno and James McMullin

WASHINGTON

By George Durno

ALIBI—High-ranking Republicans of the Hoover administration involved in the sensational testimony on air mail contracts before the Black committee are giving their defense a quiet preliminary tryout.

Unless many statements now standing in the record are explained away to the satisfaction of Senator Black and his colleagues their argument may be aired in court.

A Washington publicity firm that issues periodic news bulletins in which propaganda is thinly concealed tried out a little rebuttal along the contemplated line several days ago.

Buried among other "items" was one which stated the whole truth might as well be told now; that the dealings under scrutiny by the senate were motivated by a desire to build us up an air service second to none in time of war.

Aviation men in attendance at the hearings are privately assuring one and all that former Postmaster General Walter F. Brown and his aides were justified in handling bids from only the biggest companies for the same reason—stability and dependability.

Many members of the senate recall that this national defense alibi was used more or less successfully by Edward L. Doheny, Harry F. Sinclair and Albert B. Fall in the naval oil trails—although they do not undertake to imply the cases are parallel.

It was argued for the oil magnates in both their civil and criminal trials that storage tanks at Pearl Harbor and pipe lines in this country, built in connection with their leases, were to bolster the navy's guard against a Japanese "invasion."

No one went to jail directly in connection with the oil leases. Bribery tripped Fall; Sinclair got socked for contempt of court.

OLD-TIMERS—Federal guarantee of bank deposits has lured money out of mattresses that is positively moldy.

One batch of old bills from Perth Amboy had almost to be put under a magnifying glass to determine the denominations before they were destroyed. Queenstown, Md., produced a flock of the old-timers stuck together with adhesive. These are mentioned as typical.

HIGHLIGHTS—Although CWA employes are bemoaning their pay cuts and Denver is having its unemployed troubles somebody in this country must be making money.

An inquiring Washington—a 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.—(AP)—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 Roper 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 amendment, but hat it would not be weakened.

AIR SHOW PREPARED FOR TUCSON FIELD

Race-horse and flying starts will be features of the Second Annual Tucson Air show which is to be held Feb. 17 and 18 at the Old Pueblo airport under the auspices of the local chapter of the National Aeronautic association. Five hundred dollars in prizes is being offered professional pilots, while trophies will be awarded amateur sportsmen.

The aviation spectacle will begin at 1 p. m. Saturday afternoon Feb. 17, with acrobatics. 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 Thornburg 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 be judges. An invitation has been issued to the March Field air unit to come to Tucson on maneuvers at the time of the show.

Lt. Col. Robert Coker, in charge of and training for the Eighth corps area with offices at Ft. Sam Houston, has been invited to the ether 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.

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.—(AP)—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 "immediate" authorization to increase its airplane total for 1,000 to 1,650.

These are necessary, he said, to equip ships now building. Eventually, navy officers disclosed, the modernized fleet will need 2,100 planes.

A bill top rovide the immediate 650 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.—(AP)—W. R. Bland, director of the luxury tax division, reported today the luxury tax produced $226,426.30 during the last half of 1933.

Collection of the tax began July 7.

Administration of the tax cost $8,457.05, or four per cent of the amount collected, Bland reported. The balance, $220,969.25, 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 $41,201.37.

LENGTH OF CWA IS EXPLAINED BY WARNER

PHOENIX, Jan. 25.—(AP)—Florence 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 employes 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 proporitionate reduction in salary. When men are in camps, they are allowed a 30-hour week. This, of course, is to cover subsistence."

MDIVANIS UNITED ON BOARD STEAMER

YOKOHAMA, Japan, Jan. 25.—(AP)—Prince Alexis Mdivani and his bride, the former Barbara Hutton, met on the liner Tatsuta Maru at the breakwater today after 21 days of separation on a honeymoon voyage to the Orient.

Princess Barbara's vessel reached port this morning but an outbreak of scarlet fever in the steerage held the vessel at the breakwater in quarantine.

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 France 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.

FOUR ARRESTED AFTER LYNCHING

Kentucky Governor And Legislature Insist on Punishment

HAZARD, Ky., Jan. 25—(AP)—Four men were held and more arrests were predicted by Perry county officials tonight as they pressed their investigation into the lynching of a Negro accused of killing a coal miner.

Murder warrants were sworn out today against three miners, Lee Gibson, 37; Andy Workman, 30, and Pettie Carroll, 38. Another man, James Collins, 32, was held on orders of County Judge A. M. Gross. A special grand jury was ordered to convene Monday.

"We have some good information, but can't talk about it yet," Judge Gross said.

Telegrams poured in upon Governor Ruby Laffoon at Frankfort deploring the first 1934 lynching and urging him to aid in convicting the members of the mob of 150 to 250 masked men.

The governor through his secretary H. H. Haleman tonight gave out a premise 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.

Alex Johnson, 21, a coal miner, whom Scott was alleged to have beaten with a stick here last Saturday night, died shortly after the lynching. All four men held today were said by county officers to have worked in the same coal camp as did Johnson, who left a widow and a four year old daughter.

Mrs. Atwood R. Martin of Louisville, chairman of the Kentucky division of the Association of Southern Women for the Preventing of Lynching, telegraphed the governor urging him to take an opposite stand from that of Governor James Rolph, jr., of California, who promised pardons after a lynching in that state.

The Kentucky house of representatives unanimously adopted a resolution by Representative W. R. Belknap, Democrat, of Goshen, declaring "the terrible crime of lynching tends to spread when not punished," expressing confidence that the governor desired to prevent mob violence and offering its support in any such action he might take.

Governor Laffoon conferred with Attorney General Bailey P. Wootton, whose home is in Hazard. Under Kentucky law the governor upon complaint that a jailer has surrendered a prisoner must remove him from office and then grant a hearing to show whether he should be reinstated.

RAMON ROSS DIES

MEIXCO, D. F., aJn. 25.—(AP)—Ramon Ross, an important figure in foreign affairs of the Mexican government ten years ago, died today at the age of 70.

Indiana Police Ask Return Of Three Dillinger Bandits

Trio Held in Tucson Accused of Three Murders in Ohio And Robberies Throughout Middle West and East; Three of Gang at Large

INDIANAPOLIS, Jan. 25.—(AP)—Indiana state police will start to Tucson, Ariz., tomorrow to return members of the John Dillinger gang arrested there. Capt. Matt Leach will head the police guard, which will leave by train tomorrow morning.

INDIANAPOLIS, Ind., Jan. 25.—(AP)—Capt. Matt Leach of the Indiana state police tonight said he has requested custody of three members of the notorious John Dillinger gang of Indiana desperadors and escaped convicts, under arrest at Tucson, Ariz. He expressed gratification at the arrest of Harry Pierpont, reputed "trigger man" and one of the most dangerous of the gang. The others held were Charles Makley and Russell Clark.

Leach said Indiana officers were prepared to leave at once, if assured the three convicts, members of a group of ten who shot tehir way from the Michigan Ciy (Ind.) prison last September 26, would be turned over to them.

Pierpont, who is 31 years old, had a long criminal record before he was sentenced from Howard county, Indiana, to 10 to 20 years for bank robbery in 1926. During his first years in prison he made numerous unsuccessful attempts to escape.

Since the break from prison last September, Pierpont has been named as the man who shot and killed Sheriff Jess Sarber at Lima, Ohio, when Dillinger was liberated from jail there, and also as a participant in the $74,000 robbery of the Greencastle, Ind., Central National bank.

Arrest of the three at Tucson narrows the number of the escaped convicts still at large to three. They are Joseph Fox, John Hamilton and Joseph Burns.

MOEUR CLAIMS STATE NOT INVITED TO PARLEY

PHOENIX, Jan. 25.—(AP)—An announcement from the office of Gov. B. B. Moeur today said Arizona never was invited to attend a conference in California on the Colorado river water question at any time during the past year.

Governor Rolph, of California, yesterday in answer to a letter from Governor Moeur warning that Arizona would take steps to prevent construction of a diversion dam at Parker unless an agreement between the two states is arrived at first, was quoted as saying it was "regrettable" Arizona had not been represented at a conference held last March in Sacramento.

Records at the governor's office here revealed that Governor Moeur had been advised the conference was to be held but there was no invitation to Arizona to send a delegate.

DISORDER RESUMED IN BITUMINOUS AREA

HARRISBURG, Pa., Jan. 25.—(AP)—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.

Three men were injured in a factional quarrel today near the Isabella mine of the Weirton Steel company, where two deputies and two miners were hurt last night. State police were called.

Screaming, jeering women, armed with clubs, and stones clashed at a colliery in Wilkesbarre, where with police on a hillside overlooking the New United anthracite miners of Pennsylvania are striking for recognition.

Not far from Wilkesbarre, a school house was damaged by a bomb and the dwellings of several miners were dynamited.

MELLON ALUMINUM IS PROBED AGAIN

WASHINGTON, Jan. 25.—(AP)—The Aluminum Company of America, described by Attorney General Cummings as a "100 per cent monopoly" in the production of aluminum, is being reinvestigated by the department of justice.

Attorney General Cummings told reporters tonight that the company, dominated by the Mellon family was interested in the fabrication angle of the business through subsidiaries and that he had ordered a detailed account of its acivities along that line.

THREE MURDERS CHARGED TO MAKLEY AND CLARK

CHICAGO, Jan. 25.—(AP)—Charles Makley and Russell Clark, reported arrested today in Tucson, Ariz., are escaped convicts from the Indiana state prison and members of the notorious Dillinger gang, wanted for several murders and major robberies.

Makley, who is 50 years old, and Clark, aged 39, along with Dillinger and other members of the ex-convict band, have been sought for the slaying of Jess Sarber, sheriff of Allen county, Ohio; the killing of a policeman here two weeks ago during a roadhouse holdup and the murder of another officer who attempted to arrest John Hamilton, an associate of the pair.

Among other crimes attributed to the gang are:

$21,000 holdup of the Massachusetts Avenue bank at Indianapolis.

$53,000 holdup of the New Carlisle (Ohio) bank.

$24,000 holdup of the Farrell (Pa.) bank.

$2,800 holdup of the Bluffton (Ohio) bank, for which Dillinger was held in jail at the time of his delivery.

$3,500 holdup of the Daleville (Ind.) Commercail bank.

$12,000 holdup of the Montpelier (Ind.) National bank.

$27,000 holdup of the American Bank and Trust company at Racine, Wis.

Makley, Clark and eight companions escaped from the prison at

(Continued to Page 4, Col. 6)

'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 arsenal apiece, 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. V. Budlong.

Dillinger, Pierpont, Clark and Makley, sought throughout the country for months, are wanted for the murder of Sheriff Jess Sarber, 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 $2800. Sheriff Sarber's widow has named "Pierpont, Dillinger mob 'triggerman,'" as the murderer. In addition, Ohio, Indiana, Pennsylvania and Wisconsin banks charge the quartet with robberies aggregating more than $154,000 gained from recent sensational bank holdups.

Women Also Held

Three women companions were also arrested and held as material witnesses. These are Ann Martin, Dillinger's companion, 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 specializing in the arrest of notorious eastern gangsters, were on watch at the house occupied by Makley and Clark "just in case."

Sneering at the effrontery 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 $27,0000 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, first in the series of arrests, gave the name of J. C. Davies, and his business as a "gargeman." Clark gave the name of Art Taylor, business tailor. Pier-

(Continued to Page 4, Col. 1)

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