REPUBLIC CITY

Weather
Mostly clear today and tomorrow; continued cold.

THE ARIZONA REPUBLIC

THE STATE'S GREATEST NEWSPAPER

Safety Tip
Always think for two — the other driver and you.

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CONVICT ADMITS CAR MURDER

High Court Knocks Out Power Rate Survey

Legislative Strings On Funds Cut

Right Of Commission To Employ FPC Is Upheld

By CLAIBORNE NUCKOLLS

DEATH KNELL of the long-embattled Federal Power Commission utility rate base survey was sounded by the Arizona Supreme Court yesterday in an opinion declaring unconstitutional Chapter 11, first special session laws of the 17th legislature.

Chapter 11 appropriated $50,000 to the state corporation commission with the specific directive the money was to be spent for a state-sponsored rate base study utilizing the expert service of the FPC.

In a unanimous decision written by Justice Arthur T. La Prade, with Chief Justice R. C. Stanford and Justice Levi S. Udall concurring, the high court denied the right of the state legislature to "dictate" to the commission the method or means by which it shall carry out its functions.

THE DECISION, based on a suit initially instituted by Peter H. Ethington and A. L. Bartlett, Casa Grande, as taxpayers, reversed previous judgment of the Maricopa County Superior Court, ordered the case remanded, and commanded the trial court to "enter a judgment for plaintiffs not inconsistent with principles herein enunciated."

The court emphasized that it saw nothing "unusual or illegal in a state's agency's utilizing the facilities of the Federal Power Commission on a rate survey."

However, it pointed out, "the commission must be free to seek assistance or co-operation as its judgment dictates. There can be no compulsion by the legislature, as there is in Chapter 11, to force upon the commission a particular mode of accomplishing its constitutional duties."

The decision means, in effect, that Chapter 11 is null and void,

(Continued On Page 2, Col. 5)

Yuma Killing Charge Filed

YUMA, Jan. 26—(AP)—First degree murder charges were filed late this afternoon against Ray Marvin Graves, 27 years old, of Phoenix for the fatal shooting of Deputy Sheriff Sylvester Villa here Saturday night.

The charges were filed by Fred Louis Ingraham, Yuma deputy county attorney. Graves waived preliminary hearing and is being held without bond in the county jail for appearance in Yuma county superior court.

EARLIER TODAY Sheriff J. A. Beard said Graves had admitted orally that he shot and fatally wounded Villa. Beard quoted Graves as saying:

"I shot the guy because I was scared."

R. H. Lutes, justice of the peace and ex-officio coroner, said he

(Continued On Page 2, Col. 8)

Midwest Plants Shut Down As Cold Cuts Fuel; 156 Die

CHICAGO, Jan. 26—(UP)—Hundreds of thousands of workers in six states were laid off today as prolonged cold cut deeper into fuel supplies and forced industries to curtail production or shut down.

Meanwhile, the fifth great cold wave in 13 days pushed southeastward into the Midwest and the weatherman issued a gloomy forecast that sub-normal temperatures would cover most of the nation for at least another week. The new frigid mass of air will fan out over the East and South later this week, but will moderate slightly as it spreads, the U. S. Weather Bureau said.

THE DEATH TOLL from the long siege of icy weather rose to 156 today. The toll included 107 dead in fires caused by overheated stoves and furnaces; 22 frozen to death; and 27 deaths in miscellaneous weather accidents. In addition, there were uncounted fatalities in auto accidents on icy highways.

The largest industrial shutdowns were in the automobile manufacturing center in the Detroit area and the steel plants of Pittsburgh. States affected by natural gas shortages and shutdowns included Michigan, Indiana, Pennsylvania, Ohio, West Virginia and New York.

At Detroit, 200,000 workers in automobile plants and other factories were idle. The Michigan Consolidated Gas Company supplies to 40 major industrial users.

THREE PITTSBURGH gas companies, supplying fuel to sections

(Continued On Page 2, Col. 1)

New Quake Drives Filipinos From City

MANILA, Jan. 26—(AP)—Panicky residents of Iloilo were driven from their homes late tonight by a strong earthquake, latest of a series which began early Sunday and caused 27 known deaths and vast property damage on the Central Philippines island of Panay.

The new quake, rated at intensity 6—strong—by the Philippines weather bureau, came at 10:12 p. m. (7:12 a. m. Phoenix time) and secondary tremors continued for four minutes.

It brought no further records of casualties, but weakened buildings damaged in the earlier series and caused thousands of persons to flee in night clothing into the streets and open plazas.

MANY OF the population of Iloilo, Southern Panay port of 125,000, had fled to the countryside Sunday.

The Philippines Red Cross announced there were 47 distinct shocks beginning shortly before 2 a. m. Sunday, not counting the latest.

Of those who remained, most elected to spend the rest of the night in the open rather than return to their beds.

Most of the known deaths were caused by falling masonry Sunday morning. Latest additions were two fishermen whose bodies were recovered Monday on the south coast near Miagao, 25 miles west of Iloilo. They apparently were victims of a tidal wave which villagers said swept through the Iloilo strait, between Panay and the small island of Guimaras.

RED CROSS and other relief workers in the field reported meager advices from Antique Province that two families of unknown numbers were buried by a landslide at Hanini on the southwest coast.

Arturo Alcarez, geophysicist of the Philippines Weather Bureau, estimated the epicenter of the disturbance was only three miles from the center of Iloilo, which is 285 air miles southeast of Manila.

Numerous points on Panay reported wide cracks in the earth, and some said mud and water spurted up to the height of tall palm trees.

Monday afternoon, prior to the latest shock, the Iloilo city council had decided at an emergency meeting to pull down many partly-demolished structures.

Central Plan To Move Fast, Official Says

Bureau Of Reclamation Rushes Report To Secretary

Republic's Washington Bureau
1397 National Press Building

WASHINGTON, Jan. 26—William E. Warne, assistant interior secretary, told The Arizona Republic tonight that "the Central Arizona Project report will move along rapidly from now on."

He said that as he had left his office tonight, the report had not yet reached his desk. It was reported out of the bureau of reclamation at about 4 p. m., en route to J. A. Krug, secretary, who was expected to refer it to Warne.

Meantime, J. H. Moeur, attorney, counsel for the Central Arizona Project Association and a member of the legislative committee of the National Reclamation Association, was prepared to leave for Arizona Tuesday, his task here completed for now.

He said there would be no formal announcement of the reclamation committee action, and that as regards the Central Arizona Project, he feels that definite progress is being made.

The next move, he said, will be toward untangling the situation created by the McCarran-Downey resolution, which has tied up all developments in the Colorado basin until the interstate fight over water rights has ended.

Migration Pact Signed

BUENOS AIRES, Jan. 26—(INS) An Italo-Argentine migration treaty was signed between the two governments in Buenos Aires today. The treaty permits the migration of 100,000 Italians a year to Argentina.

House Asks List Linked To Gaming

Resolution Demands Osborn Back Up His Charges

By CHARLES A. ESSER

AFTER WRANGLING two hours over gambling in Arizona generally, and its injured pride in particular, the house of the 18th legislature yesterday adopted by a 38-13 vote a resolution requesting Governor Osborn to name the legislators he believes are "associated with gambling activities."

The debate was touched off by a statement of the governor that "gambling interests are well represented in the state legislature." Later the governor said he meant no reflection on the legislature as a whole.

But during yesterday's house debate one legislator declared he had been told by Arizona members of the Fraternal Order of Police, a national organization of peace officers, that "it is their opinion there are not enough honest law enforcement officers in the state to enforce the law."

REACTION of the house varied widely, some members calling attention to the governor's ill health and opposing the resolution on the ground nothing could be accomplished by its passage, while others insisted that the dignity of the legislature must be maintained and that its members, as individuals, have the right to be cleared of the implied charges.

The question of whether the governor's statement would have any effect on the attitude of the legislature toward enactment of a groundwater code, only subject before the present fourth special session, was argued pro and con. There were implications that the dispute over gambling would be used as an excuse to avoid the responsibility of considering the groundwater code.

Before the resolution was adopted, the house voted down 29 to 22 a motion by J. M. Combs of Maricopa to bring John L. Sullivan, former attorney general sentenced to prison for gambling conspiracy, before the legislature "to tell a story never before told."

IT ALSO DEFEATED 40 to 10 a motion by Sidney Kartus of Maricopa to direct the speaker to write

(Continued On Page 2, Col. 1)

Three Added To Car Toll

ARIZONA'S 1948 toll from automobile accidents continued to climb yesterday with the death of a Florence church official and an Avondale man.

The Rev. Edward J. Weckwerth, about 35 years old, Episcopal mission clergyman for the Florence-Hayden area, was killed late Sunday night when his car overturned on the Florence-Ray highway.

1948	This Date	1947
21	Jan. 26	18

JACK HUNT, 50, died of a basal skull fracture suffered yesterday afternoon when a tire blew out and his vehicle overturned two miles east of Buckeye on Cemetery road.

They were the 19th and 20th fatalities resulting from motor vehicle accidents in Arizona since January 1.

Elmer Gardenhire, Pinal county deputy sheriff, said a passenger in the Rev. Mr. Weckwerth's machine was given treatment in a Florence hospital for cuts and

(Continued On Page 2, Col. 2)

Colder Weather Forecast Today

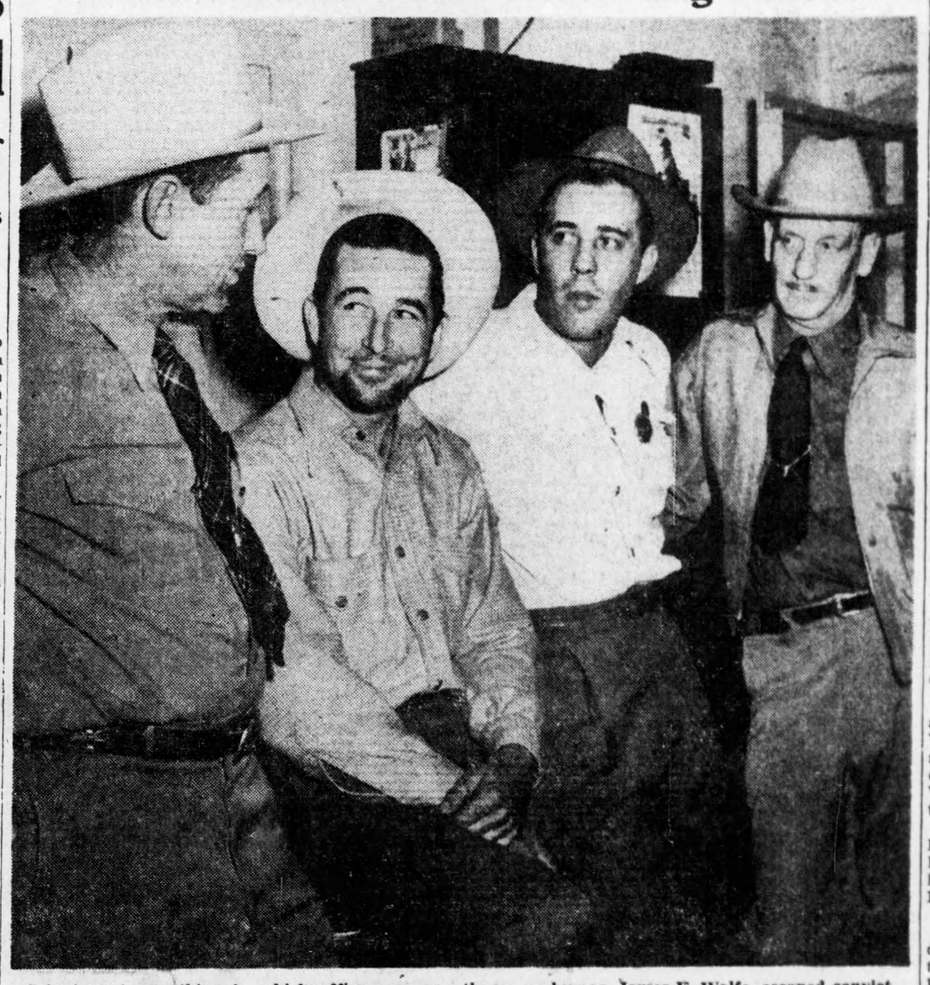
A MAXIMUM Phoenix temperature of 62 degrees yesterday failed by 14 degrees to match the high of Sunday and more cold (warm according to eastern standards) weather is forecast for today.

Yesterday's low was 47 degrees and the low at the Phoenix airport early this morning was expected to be between 26 and 28. Mostly clear skies are forecast for the valley today and tonight.

Flagstaff yesterday received .37 inch of snowfall and rain, the Grand Canyon .31, and Prescott, .04 inch.

Today's state forecast is "cooler and mostly clear in the west portion and partly cloudy in the east portion with scattered snow flurries over the mountains."

Convict Grins After Admitting Murder



Grinning at something in which officers apparently see no humor, James F. Wolfe, escaped convict, is pictured in the Globe sheriff's office yesterday after he confessed strangling a California salesman, dumping his body in a Fresno cotton field and fleeing to Arizona in his car. From left are Sheriff W. H. Richardson, Wolfe and Jack Jones, Globe chief deputy, who with Richardson arrested the slayer, and Sheriff Cal Boies of Phoenix, who unsuccessfully sought custody of Wolfe.—(Republic Staff Photo).

Civil Service Law Campaign Launched

By GLENN TAYLOR

A STATE-WIDE campaign to enact an Arizona civil service law was launched at an open meeting of Local 631, American Federation of State, County, and Municipal Employees, last night at Hotel Adams.

Copies of initiative petitions were submitted to members at the meeting. Provided the necessary signatures, about 12,000, can be obtained, the issue will be submitted directly to the electorate at the general election in November. If approved, the measure would become effective January 1, 1949.

While the union also will push another initiative measure to establish a Public Employees' Retirement Fund, W. J. Eden, business representative of the Arizona State Council No. 31, emphasized "the civil service law is our paramount legislative objective."

NON-MEMBER state employees were guests at the meeting, which was addressed by Joseph M. Casey, general organizer from San Francisco. O. S. French, president of the local, presided. Among other officials present was Elmer Vickers, sr., secretary of the Arizona Federation of Labor.

The civil service law would bring within its scope all positions in the state service except those filled by popular election, public officers, members of boards and commissions, employees of courts of record and of the legislature, and members of teaching staffs of state-supported educational institutions.

The act would be administered by a civil service board of three members appointed by the governor with senate confirmation.

(Continued On Page 7, Col. 4)

Bum Of Month Project Begun

NEW YORK, Jan. 26—(INS) The Bowery Comeback Association today launched the "Bum Of The Month" Club.

Object of the experiment is to give a selected "bum" the chance to make good.

The association said one man will be selected every month. He will receive a rent-free hotel room for the 30-day period, $15 weekly for food and spending money, new clothes, and a shave and a haircut.

The lone stipulation is the man selected must do no drinking during the period.

More than 300 frayed applicants were interviewed today as the association announced its "bum of the month" program.

The committee deviated from its original intention and picked two men instead of the scheduled one.

They were John H. Davey, 34 years old, army air forces veteran from Greensburg, Pa., and Andrew K. Quatrell, 44, a bartender who admitted he was not confining his talents to dispensing the liquor and beer over the bar.

State Sets Cotton Production Record

Republic's Washington Bureau
1397 National Press Building

WASHINGTON, Jan. 26—The Department of Commerce preliminary report on 1947 cotton ginnings, which includes all production prior to January 6, 1948, shows an all-time record for Arizona production was established during 1947.

The total Arizona ginnings in the 1947 crop to date were 215,384 running bales. This compares with a 1946 crop of 139, 896 bales and a 1945 crop of 98,213 bales.

Production of American-Egyptian cotton had declined again until the 1947 total was but 1,151 bales compared with 2,345 in 1946 and 3,960 in 1945.

Debt Paid Swiss

BERN, Switzerland, Jan. 26—(AP)—The United States paid Switzerland $1,056,052 today for the wartime internment of American fliers who landed in this country.

Trio Laid Off For 'Trading'

Agriculture Employees Are Suspended

WASHINGTON, Jan. 26—(INS) The agriculture department said today it has suspended for 30 days three field agents suspected of using "inside" information in commodity speculation.

This disclosure came as the senate subcommittee on speculation ran against a stone wall in its attempt to track down the names of nine Truman administration "insiders" accused by Harold E. Stassen of having made huge profits in commodity operations.

The St. Louis brokerage house of E. G. Edwards and Son—where Stassen suggested the names might be found—informed the subcommittee in effect that it had no federal officials or employees among its customers.

A committee man reported, however, that investigators have received numerous tips, including one not yet explored that another senator has traded in commodities.

Elmer Thomas, Democrat Oklahoma senator, previously announced that he has dealt on the commodity exchanges. Probers are studying his records.

An agriculture department spokesman said that 30 days suspensions had been handed to three field employes after it was learned that they had been dealing in wool futures.

The spokesman said all three men had access to "inside" department information on wool, since all three dealt with wool regularly in their work.

Agreement Seen Near In Indian Relief Fight

AS A RESULT of conferences last week in Washington, a tentative agreement has been reached to end the federal-state Indian relief controversy and assure the uninterrupted flow of federal matching funds for public assistance purposes, officials said yesterday.

William P. Mahoney, chairman of the Arizona State Board of Social Security and Welfare, explained the gist of the proposed plan as follows:

"We (the state board) are to process Indian applications and the Indian department will take care of the financial end.

THIS IS a temporary measure pending legislation in congress sponsored by the Arizona and New Mexico congressional delegations to place the whole thing (Indian public assistance) under the Indian department."

Mahoney said he thought the state welfare board will ratify the plan when it meets here Thursday.

Meantime, Mahoney said, the Federal Social Security Administration has given assurance that Arizona will receive its regular allocations of welfare funds on time.

MRS. ANA FROHMILLER, state auditor, said she was advised yesterday the state's February check from the FSSA is "on its way" and, on the strength of that in-

(Continued On Page 2, Col. 4)

California Death Ride Is Solved

J. F. Wolfe, Escapee, Confesses; Body Is Recovered

By GENE McLAIN
(Republic Staff Correspondent)

GLOBE, Jan. 26 — A twice-escaped California convict was arrested early today in remote Pleasant Valley and a few hours later confessed slaying C. C. Peters, 67-year-old Vallejo, Calif., auto parts salesman.

But the convict, James F. Wolfe, 35, stoutly denied knowledge of the disappearance of Peters until word reached Globe, hours after the arrest, that the missing salesman's body had been found this morning in a shallow "grave" near Fresno, Calif.

Then Wolfe admitted strangling Peters, claiming the salesman "made improper advances" after he had hitched a ride in Peters' car near Richmond December 30.

"I JUST LOCKED my arm around his neck and squeezed," Wolfe told Sheriff W. H. Richardson of Globe and Sheriff Cal Boies of Phoenix, who came here to take Wolfe to Phoenix for identification.

"It didn't take very long at all. He just went 'gawk', and then relaxed. Then I let him go and looked at him. He just lay still so I listened to his heart.

"He was dead."

Wolfe said he became panicky, drove the car a short distance and then turned off into a little lane. He said he shoved Peters' body from the car and covered it with cotton stalks.

That's how Peters' body was found—under cotton stalks in a field six miles west of Selma, Calif., in Fresno county.

WOLFE DENIED taking from Peters' body a money belt reported to have contained $750 to $1,000, or the salesman's two-karat diamond ring and pearl stickpin.

He said he found 10 traveler's checks for $20 each in the salesman's coat in the car's rear seat, and admitted cashing nine of them between the slaying scene and Needles, Calif.

Oddly, the two significant events which closed the widespread search for the salesman and his slayer occurred with startling suddenness almost 1,000 miles, but only a few hours, apart.

And Sheriff Richardson pursued

(Continued On Page 2, Col. 3)

Soldier Held For Treason

NEW YORK, Jan. 26—(AP)—A 27-year-old former air force lieutenant from St. Louis, was arrested on treason charges today by the Federal Bureau of Investigation, which said he broadcast for the German propaganda ministry during the war over a Berlin station.

The FBI identified the man as Martin James Monti and said he was discharged from military service today at Mitchell Field, N. Y. The FBI said he broadcast from Berlin under the name of Martin Wiethaupt.

Edward Scheidt, special agent in charge of the New York FBI office, gave this account of the man's wartime activities:

While stationed in Karachi, India, in October, 1944, he hitched a ride to Italy in an army plane. Upon arrival there, he stole an army photographic plane and flew to German-held territory.

Subsequently he broadcast for the Germans.

When Germany capitulated, the man made his way to Milan, Italy, and joined the U. S. Fifth Army.

He was returned to this country by military authorities and court martialled for theft of the photographic plane and desertion. The sentence later was remitted and Monti was allowed to re-enlist as a private. He had advanced to sergeant by the time of his discharge today.

Judge Sees Double In Narcotics Cases

LOS ANGELES, Jan. 26—(UP) Judge Thomas L. Ambrose today saw double as Alfonso Enrique Alvarado, 22 years old, and Alfonso Enrique Alvarado, 22, both pleaded guilty to narcotics charges.

And not only do the two young men have identical names and ages, but both were arrested the same day on identical charges—possession of marijuana. They are from the same home town—Albuquerque, N. M.

The Alvarados were happy to make each other's acquaintance, not having met before.

Arizona 'Week-End Vacationers' Find Air Jaunt To Guaymas Huge Success

Feminine members on the flying tour to Guaymas lost no time in visiting shops in the little seaport town and, despite confusion with the peso and Spanish, most bought souvenirs. Bargaining with leather shop clerks for a fancy Mexican purse are, left to right, Connie Gomes, Martha Flandro, Alta Farris, accompanied by Dr. H. W. Davis (right).—(Republic Staff Photo).

By AL LEACH
(Republic Staff Correspondent)

GUAYMAS, Sonora, Mex., Jan. 26—Flying tourists from Arizona—more than 60 strong—departed today after a highly successful "week-end vacation" of sightseeing, deep sea fishing, hiking and festive activitits at this pleasant Gulf of California resort town.

All were enthusiastic about the pleasure flight and already new cross-country hops to resort and scenic areas were being discussed.

THE FLIERS LEFT Phoenix and other Arizona points Saturday for a quick flight to the seashore resort more than 200 miles below the international border, via Nogales. Twenty-one planes were flown on the trip and the smallest types covered the distance in less than 3½ hours flying time.

Lodgings were provided at the spacious Playa de Cortez Hotel and in guest houses of the Miramar resort on a long, curving beach some five miles from the Guaymas business section. Gourmets feasted on fish, lobster, shrimp and wild duck.

A large group of the visitors chartered trim cruisers for fishing Sunday in the Gulf and, al-

(Continued On Page 2, Col. 4)

REPUBLIC CITY

House Asks Gaming List

(Continued From Page One)

to the governor asking him if he desired to refute "in toto" his charges against certain unnamed lawmakers.

The resolution asking for the names of the legislators involved and the grounds on which the allegations are founded was introduced by W. G. Rosenbaum of Gila, dean of the house.

Referring to the governor's statement that he did not intend to reflect on the whole legislature, Rosenbaum said:

"I can't see that the governor has retracted any statement he originally made. I don't know who the governor is referring to. If it's me, I want the public to know it. If it is not me, I want the public to know that, too. The governor's statement has reached every corner of the state. Our citizens have a right to know who in the legislature is involved in these charges, if anyone is."

KARTUS POINTED out that the governor did not deny "that he was accusing some one, and the finger of suspicion still points at all of us until they are named."

John E. Hunt of Maricopa said "if there is one member of this house guilty, we should know it, but if there isn't, then we all should be exonerated."

W. R. Palmer of Maricopa declared: "This will split the house asunder and we will get nothing done. It is natural for the house to resent any insinuations. But we have important work to do and we should get down to business and forget about this gambling matter."

G. N. Baker of Maricopa reiterated his appeal to the legislature to enact a county grand jury law to look into gambling and other vice.

LEO F. FOSTER of Cochise, commenting on the Combs motion to bring Sullivan before the lawmakers, asserted: "It would be a waste of time. We know there is gambling all over this state. I have talked with the Fraternal Order of Police and it is their opinion there are not enough honest law enforcement officers in the state to enforce the law."

F. W. Timmerman of Maricopa called attention to the governor's illness and asked: "Who is behind him doing these things? He is one of the best governors we ever had, but he is sick. I think he had better go to another state and get well. The hands of a lot of people in the state are a lot dirtier than John L. Sullivan's. I'm no friend of Sullivan, but I like to see any man get a square deal."

Claire Phelps of Maricopa asserted: "Perhaps we'd be better off if we legalized gambling and brought it out in the open. I know the ministerial association would object, but maybe it should be done."

R. S. Hart of Maricopa, referring to the veteran Rosenbaum, said:

"I'M SURPRISED that a seasoned politician should be so easily offended. The governor's statement hasn't bothered me. I can't see where we would be getting anywhere with this resolution. The progress of the legislature will only be delayed by this child's play."

Lorna Lockwood of Maricopa said she hoped the governor would make an explanation so the people of the state will know.

Dwight Solomon of Maricopa expressed the belief the governor "has made a grave mistake," but said he hoped "the press will present the legislature's feelings in the matter. We have already accomplished what we are after, so let's get on with our work."

Raymond R. Earhart of Santa Cruz expressed surprise that any politician should be offended at anything said about him that was not a fact.

The Rosenbaum resolution will come before the senate today. No member of the upper chamber would predict what action will be taken.

Plants Close In Cold Wave

(Continued From Page One)

of Pennsylvania, Ohio and West Virginia, reported that pressure in all gas lines was running low.

Among the great steel producers, Carnegie-Illinois Steel Corporation closed 12 of its finishing plants and curtailed operations in three others.

Republic Steel Corporation also cut production.

About 10,000 workers were idle in industrial shutdowns at Evansville, Ind.

About 1,200 Detroit bus drivers staged a one-hour sitdown strike when one driver refused to operate his bus. The bus had no defroster fan.

IN UTAH, where temperatures were near zero in several cities, strong winds, gusting up to 50 miles per hour, caused considerable damage. An airplane hangar was blown down at Ogden and two planes were demlished.

The coldest spot in the nation today was West Yellowstone, Mont., where the mersury dropped to 34 degrees below zero. Watertown, S. D., had -27. Boston had a low of one degree above zero; Albany, N. Y., -6; Washington, D. C. seven above.

German Building Workers Strike

HAMBURG, Jan. 26—(UP)—Ten thousand building workers walked out in Dusseldorf today on a 24-hour strike to press demands for reduction in working hours.

Leaders of the strikers—painters, carpenters, and bricklayers—said it was, in effect, the same type of strike for more food that has plagued most of Western Germany this month, but that outward appearances have been changed.

The reduction in hours asked—from 46 to 40 hours a week—would have the same effect nutritionally as increased rations would have, strike leaders said.

Legislative Log For January 26

Following is The Arizona Republic's daily log of the bills, resolutions and memorials in the fourth special session of the 18th Arizona legislature, including the introduction, progress and action by the governor. H-house, S-senate, B-bill, R-resolution, M-memorial, J-joint, C-concurrent.

INTRODUCED

House

HCR-2 (Cummard of Maricopa) Proposing a constitutional amendment setting up an order of succession to the governorship in the event of his death, permanent or temporary inability to serve or removal from office, with the secretary of state the first in line of succession.

HCR-3 (Rosenbaum of Gila)—Requesting the governor to specify the grounds on which he has charged members of the legislature with being interested in gambling activities and asking that he name the members of the legislature so involved.

HB-4 (Gilbert of Pinal)—Prohibiting the sale or lease of state lands for agricultural purposes in groundwater areas as one means of conserving groundwater supplies.

HB-5 (Committee on appropriations) — Appropriating approximately $81,500 out of unexpended balances from previous sessions of the 18th legislature to pay expenses of the fourth special session. (Emergency).

HB-6 (Committee on appropriations)—Appropriating $2,200 to the department of library and archives for the state legislative bureau. (Emergency).

Senate

None

PROGRESS

House to Senate

HCR-3 (Rosenbaum of Gila)—Requesting the governor to specify the grounds on which he has charged members of the legislature with being interested in gambling activities and asking that he name the members of the legislature so involved.

HB-5 (Committee on Appropriations) — Appropriating approximately $81,500 out of unexpended balances from previous sessions of the 18th legislature to pay expenses of the fourth special session. (Emergency).

HB-6 (Committee on Appropriations)—Appropriating $2,200 to the department of library and archives for the state legislative bureau. (Emergency).

Expenses Voted For Legislature

The house yesterday passed a bill reappropriating unexpended balances from previous sessions of the 18th legislature to pay expenses of the fourth special session now in progress.

Unexpended balances amount to approximately $81,500, considerably more than the fourth special session is expected to cost. That left from the $81,500 after this session will be used to pay expenses of the fifth special session, to follow immediately. The third special session, which ended last week, cost about $32,000.

In addition, the house passed a bill appropriating $2,200 for the legislative bureau of the department of library and archives.

The senate is expected to approve the two house measures today.

Three Added To Car Toll

(Continued From Page One)

shock. He was identified as Otis Williams, about 21.

Bishop A. B. Kinsolving of Phoenix said Mr. Weckwerth had conducted services in St. David Church at Ray and was returning home when the accident occurred. Details still were unavailable last night.

SURVIVORS are his mother, Mrs. Marcella Weckwerth, Brooklyn, N. Y., and a brother, Charles F. Weckwerth, Springfield College, Mass.

Hunt died in St. Monica's Hospital about four hours after the accident near Buckeye. Harold Clark, highway patrolman, said a passenger with Hunt, Sherman Robbins, 33, Perryville, was unhurt.

FOURTEEN - MONTH - OLD Jacklyn McGirr of the Government Housing Project at Ajo, who was killed Saturday by an ice truck at the project, became Arizona's 21st traffic fatality victim last night by a ruling of the traffic safety office of the Arizona Highway Patrol that her death would count.

The child was in front of the ice truck when the driver, J. W. Nicholson, 20, Ajo, started to move on. He told John Bliss, investigating deputy sheriff, he did not see the girl and did not know he had run over her until a woman down the street told him.

Patrol Dirigible Visit Slated Here

First visit to Arizona of the dirigible Flying Red Horse will begin February 4, when the ship arrives from Los Angeles for a stay of 12 days.

It will be based both at Sky Harbor in Phoenix and Gilpin Airlines field in Tucson.

The airship, latest addition to General Petroleum's fleet, is the former Navy dirigible L-12, which was credited with more than 3,000 hours of anti-submarine and convoy patrol during the war. In charge of its operations is Capt. R. F. Tyler, veteran of 30 years in the navy, who has logged 8,500 hours of flying time in airships.

In connection with the visit, civic luncheons are scheduled February 5 at Hotel Westward Ho and February 9 at Hotel Pioneer, Tucson.

Probation Granted

Herman B. Pierce, 29 years old, transient of Oklahoma, yesterday drew two year's probation on a charge of writing a bogus check. Judge Dudley W. Windes ordered Pierce to make restitution.

Car Slayer Is Captured

(Continued From Page One)

information provided by The Arizona Republic to arrest the slayer at a worker's camp of the Globe Asbestos Company mine on Cherry Creek, 12 miles southwest of Young and 90 miles northwest of here.

RICHARDSON had recognized a photo of Wolfe printed in last Saturday's Republic as a man he saw on a Globe street recently. Intensive checking disclosed that Wolfe had been recruited in a Globe bar for employment at the asbestos mine.

Accompanied by his chief deputy, Jack Jones, Richardson went to Young last night and checked farther. With his deputy at Young, Den Marley, the sheriff and Jones went to the camp and surrounded Wolfe's tent just at daybreak.

"Get up, Wolfe," Richardson aroused the sleeping fugitive. "I want to talk with you."

The convict squirmed; covered his tatoo-marked hands. Richardson dragged him from bed and Jones clapped on handcuffs.

"I KNOW WHAT you want me for," Wolfe said. Richardson told him he was wanted for escape and Wolfe replied, "Yes, two places."

A small caliber, unloaded pistol Wolfe had obtained from a Globe girl was on a suitcase under his bed, but the convict made no attempt to reach it.

The disappearance of Peters was not mentioned until the party reached the sheriff's office here, and then Wolfe disclaimed any knowledge of it. Richardson telephoned Sheriff Boies, who had given a state-wide alarm for Wolfe.

Boies started for Globe, accompanied by Stephen Shadegg, a special deputy, and a Federal Bureau of Investigation agent, but news of the finding of Peters' body reached here first. Richardson again visited Wolfe.

"I'VE GOT BAD news for you, Jimmy; they've found Peters' body." The escapee demanded to know where the body was located and the sheriff said, "Up near Fresno."

"Well, I'm messed up anyway," Wolfe replied. "I guess I might as well go back and take my medicine."

Wolfe then dictated and signed a confession and extradition waiver for Sheriff Richardson and his deputies.

Sheriff Boies, who has spearheaded the Arizona investigation since Peters' car was found abandoned at a Wickenburg Auto court, arrived to learn that Fresno, Calif., officers had notified Richardson two sheriff's deputies had left for Globe to return Wolfe there.

THUS THE FUGITIVE remained here tonight in the Gila county jail for California authorities.

Wolfe said he escaped December 26 at Ignacio, Calif., from a deputy escorting him to San Quentin prison for cashing a forged $122 check in Woodland.

He and his escort were in a restaurant, Wolfe said, and he went to a toilet on a pretense of being ill, then slipped out a window.

For 2½ days, he said, he climbed across a rugged range of mountains while posses sought him in jeeps, with bloodhounds and by air. Finally, he reached a small town and hitched a ride to Richmond, where he stayed in a trailer.

STARTING south from Richmond, he was given a ride by Peters. The salesman had a fifth of whisky and some beer, the convict said, and Wolfe became ill after drinking some of it. Peters stopped to allow him to vomit, he claims.

Wolfe said he got into the rear seat of the car to get a handkerchief and the salesamn "grabbed me and I just couldn't take it any more." He claims he reached around the salesman "and locked my arm across his neck."

He insists he did not intend to kill Peters.

After dumping the body, Wolfe said he picked up a hitchhiking soldier and, later, three marines. He let the marines out at McFarland, near Bakersfield, the convict said, but the soldier accompanied him to Salome, in Arizona.

IT WAS THE marines who, after reading accounts of Peters' disappearance, reported riding with him and identified a photo of Wolfe as a man they knew as the missing Peters.

Wolfe said he decided to get rid of the salesman's car after crossing into Arizona at Ehrenberg, and so told the soldier that he (Wolfe) intended to spend a few hours sleeping at Salome. The soldier started hitchhiking again.

Sheriff Boies said a search for the soldier, who may have been on leave from Davis-Monthan Air Force Base at Tucson, will be started today.

After a cup of coffee in Salome, Wolfe said he drove on to Wickenburg, registered under an assumed name, got a shave and boarded a bus to Phoenix, leaving Peters' car.

He spent two nights and a day in Phoenix, in a "dollar" hotel, the name of which he couldn't recall, and insisted he had spent on liquor and food for himself and the soldier all but $4 of the $180 he obtained for Peter's traveler's checks.

(The Associated Press reported from Fresno that only $2.75 in coins were found on Peters' body and that the money belt, ring and stickpin were missing.)

THEN HE STARTED hitchhiking here, explaining he formerly worked in Globe and in Safford and "knew the country quite well."

Wolfe stoutly contended he didn't search Peters' body, explaining he "certainly wouldn't have stopped here" if he had found the money belt or the jewelry. He had no money when officers arrested him.

"I knew they'd get me eventually," Wolfe said. "But I didn't think it'd happen so quickly. When I got that job at the mine, I figured I was free for as long as I wanted to stay.

"I've been out four years on my first escape, you know."

THE BEWHISKERED, easy-going truck driver, who at times during the questioning smiled rather amusedly at officers' questions, alluded to his escape from the Indiana State Prison dairy farm in 1944.

He said he served four years and had 2½ remaining of a term imposed for "auto banditry" when he walked away from the trusty farm. "You won't believe this," he said, "but I wasn't guilty of that."

Search for Peters was started by Sheriff Boies January 10, when his disappearance was connected with the abandoned car. He was en route to visit relatives in Glendale, Ariz., when he was slain.

An intensive hunt, even employing an airplane, was conducted in the areas between Vidal and Blythe in California and between Ehrenberg and Wenden in Arizona in the belief Peters had been slain and buried on the desert.

RELATIVES even posted $500 rewar for recovery of his body.

When the marines identified the photo of Wolfe, the entire West was alarmed for his apprehension.

Officers tonight declared they doubted much of his story of the slaying, and expressed belief it was to have the car for flight from pursuers—after Peters told the convict he was only going to Bakersfield—that Wolfe killed the salesman.

In Los Angeles tonight, according to word received here, Wolfe was charged by federal authorities with fleeing, while an escaped convict, across a state line.

Relief Fight Plan Favored

(Continued From Page One)

formation, and begun preparing February warrants for the state's nearly 11,000 old-age assistance recipients.

State welfare board officials declined to go into detail concerning the agreement worked out at Washington, but said results there were "very encouraging" and predicted they will culminate in an amicable solution of the whole Indian relief question, the subject of bickering for many months.

WELFARE department heads are scheduled to meet today with the 18th legislature's interim committee on social security matters to review the progress made at Washington.

In attendance there were Harry W. Hill, commissioner of the state welfare board, and Perry M. Ling, chief assistant attorney general, who were sent to the conference by the interim legislative committee to meet with FSSA heads and congressional delegates of Arizona and New Mexico.

NEITHER HILL nor Ling had any statement in advance of the welfare board's meeting at which the entire "compromise" plan is to be explained and, it is expected, approved.

Ling commented, however, that he found A. J. Altmeyer, FSSA commissioner, most co-operative and "not at all antagonistic."

Wind Starts Serious Glendale Grass Fire

GLENDALE, Jan. 26—A gusty northwest wind today scooped burning paper from a trash incinerator at the home of H. M. Welborn, 325 West D street, and started a serious grass fire in the lot behind the shed and barn.

A bucket brigade combined with garden hose brought the blaze under control. Damage was confined to fences.

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Rate Survey Knocked Out

(Continued From Page One)

and the $50,000 appropriation along with it.

IT APPARENTLY closed the door to the commission's last hope of financial relief except legislative action. Majority commission members had been hoping the court would strike out the FPC directive in Chapter 11 and at the same time leave the $50,000 available to it, but the court instead dealt a knockout to the entire act.

The court concluded that Ethington and Bartlett had the right—contested by the opposition—to quesion legality of the proposed expenditure because it increased their taxes.

"We believe," said the opinion, "that in sustaining the right of a taxpayer to question expenditure of state funds on any grounds of illegality or unconstitutionality of the enactment calling for their expenditure, we are adopting a salutary rule."

In leading up to its findings that the corporation commission is not subject to the dictates of the legislature, the opinion commented last the commission, unlike such bodies in most states, "is not a creature of the legislature, but is a constitutional body which owes is existence to provisions in the organic law of this state."

JUSTICE LA PRADE remarked that in the field of prescribing classifications, rates, and charges of public service corporations and in making rules, regulations, and orders concerning such, the commission "is supreme and such exclusive field may not be invaded by the courts, the legislature, or the executive."

Likewise, he said, the duty, power and procedure to be followed in ascertaining the fair value of utility property is "within the exclusive prerogatives of the corporation commission and may not be exercized by any other department or body."

The language of Chapter 11, the court added, purports to invest the legislature with the "right to set iself up as the judge of when the values of the property of public service comporations shall be ascertained by the commission, and to dictate to the commission what particular kinds of public service corporations require such valuation proceedings."

THE DECISION warned "it is not for the legislature to say whether the valuations of public service corporations ascertained by the corporation commission represent the fair value or that additional or different determinations as to their fair value should be made. Such matters are within the exclusive prerogatives of the commission subject only to judicial review."

If any doubt, Justice La Prade wrote, exists that the legislature intended by enactment of Chapter 11 to assume the right to exercise powers in a field forbidden by the constitution, "such doubts are set at rest by the language contained in section (1b) which directs the commission to, without delay, initiate negotiations for assignment to it of rate experts and professional assistants in accordance with terms of the Federal Power Act providing for co-operation with state regulatory agencies, to assist the commission in making the investigation . . . No choice is permitted the commission."

The proposed FPC-conducted rate study has been enveloped in court attacks from one source or another almost from the time of the enactment of Chapter 11 in 1945.

With its hopes of using the $50,000 now dissipated, the commission is expected to appeal to the legislature for emergency relief funds. Yale McFate, minority member, charged recently the commission has been spending money at such a rate—relying on the availability of the appropriation or upon legislative relief—that it faces a $10,000 deficit and will have to "close shop" before the end of this fiscal year.

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Big One Taken In Gulf

This 100-pound beauty was hooked by John A. Rockwell, president of Hotel Adams, right, during the "week-end vacation" aerial visit of Arizonians to Guaymas, Sonora, Mexico. The fish, a grouper, was landed by Rockwell after a 30-minute fight. Helping him hold the king-sized catch is Robert W. Reed, owner of the Apache Chief hotel in Springerville.—(Republic Staff Photo.)

Guaymas Air Trip Lauded

(Continued From Page One)

though extemely rough water made most of the anglers seasick, they managed catches of yellowtail, sharks and even a pelican who went after a baited hook. John Rockwell of Phoenix made the biggest catch—a grouper weighing more than 100 pounds.

OTHERS SPENT the day hunting shells on the beach. While the tide was out Bill Piper, Jr., and Frank Shelton demonstrated the adaptability of their Piper Super Cruisers by making landings and take-offs from the shoreline sand.

Most of the guests joined in a Saturday night dance at the Playa de Cortez and then held an unofficial aviation convention until nearly daylight.

The successful air tour was originated by William J. Ralston, coproprietor of Paradise airport, who with his wife, Jane, obtained clearances for three score guests across the border and handled reservations for lodging.

UNDER A NEW SYSTEM of the U. S. and Mexican immigration officials at Nogales, fliers were granted permits in less than five minutes and throughout the trip there was no delay by the government officials in Mexico. Most planes also made landings in Hermosillo, capital of Guaymas.

The majority of the crowd was from Phoenix, with Tucson, Casa Grande, Ajo, Gila Bend, Prescott and Springerville fliers represented. Several Arizona winter visitors among them elderly couples, also made the trip.

as I see it

There used to be in Phoenix a Cairn terrier by the name of Skippy, a small, shaggy dog, beloved of his owners. During his full and abundant life, Skippy spent a good deal of time in and out of the Kindness Hospital, and when he died of old age at last, his owners, who wished to remain anonymous, established at the hospital the Skippy Memorial Blood Bank.

For something like two years now the dog blood bank has been in use at the hospital, operating under much the same conditions and techniques used in the blood banks where the patients and donors are members of the human species.

There are a few differences, though, the chief one being that it is unnecessary to "type" the canine blood. The transfusions are of most value in treating accident victims, where the animal has suffered excessive loss of blood, and in treatment of distemper.

Officials at the hospital explain that blood donations are obtained from hospital-owned dogs who are boarded at their kennels for that purpose. Properly fed and cared for, they are allowed to donate only small, safe amounts at intervals of time scheduled far enough apart to be sure they will suffer no ill effects. These dogs are usually animals brought to the hospital by owners who no longer want them, and ask that they be put to sleep or found new masters.

As I see it, a proud and honorable service is rendered by these dogs who were considered "unwanted" by someone.

Clark Smith

ARIZONA'S LARGEST CAR DEALER
Second Avenue and West Van Buren

Yuma Killing Charge Filed

(Continued From Page One)

would hold an inquest into the death of Villa tomorrow.

Sheriff Beard said information given his office by a Mexican national had aided in Graves' capture yesterday. When trapped on the desert by three Yuma city policemen, members of a big posse of officers who trailed him to the vicinity of Blaisdell, 16 miles southeast of here, Graves was barefooted.

THE SHERIFF SAID Graves was armed with a pistol when arrested, but offered no resistance.

Villa died early Sunday of the bullet wound received Saturday night as he trailed a burglar who had broken into a Yuma dwelling.

Street Widening Begun

Work has been started on widening and oil-surfacing of the two main streets in Alzona Park, county housing project in West Phoenix. When complete, the streets will be 60 feet wide. Park maintenance crews are doing the work with rented equipment, J. W. Hollar, park manager, said.

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Yuma Killing Charge Filed

YUMA, Jan. 26—(AP)—First degree murder charges were filed late this afternoon against Ray Marvin Graves, 27 years old, of Phoenix for the fatal shooting of Deputy Sheriff Sylvester Villa here Saturday night.

The charges were filed by Fred Louis Ingraham, Yuma deputy county attorney. Graves waived preliminary hearing and is being held without bond in the county jail for appearance in Yuma county superior court.

EARLIER TODAY Sheriff J. A. Beard said Graves had admitted orally that he shot and fatally wounded Villa. Beard quoted Graves as saying:

"I shot the guy because I was scared."

R. H. Lutes, justice of the peace and ex-officio coroner, said he

(Continued On Page 2, Col. 8)

The Arizona Republic

Tuesday, January 27, 1948

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(Continued From Page One)

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