

The Central Guardian

This column is reserved for news of local interest but advertising of a new nature may be inserted at 5 cents a word strictly payable in advance.

DON'T MISS turkey supper Baptist Schoolroom Tuesday, January 25.

NEW GLASGOW CHARGE—New Glasgow Christian Church services Sunday, January 21.

ON HOSPITAL STAFF—Miss Jean Thompson, R. N., leaves by train this morning for Halifax.

CORRECTION—An error was inadvertently made in a heading over an article yesterday describing the marriage of Miss Hilda Cecilia Richardson to Mr. Frank Alfred Johnson of Charlottetown.

TO ATTEND CONFERENCES—W. R. Shaw, Deputy Minister of Agriculture for the Province is to leave for Ottawa today to attend several conferences.

PERSONALS—Friends in the City will be sorry to hear that Mrs. (Dr.) C. H. Beer is seriously ill in the P. E. I. Hospital.

BIRTHS—STEWART—At the City Hospital Jan. 18, 1940 to Mr. and Mrs. Wm. Stewart, Bedford, a daughter.

MORRISON—At the City Hospital Jan. 16, 1940, to Mr. and Mrs. Herbert Morrison, Pleasant Grove, a son.

DEATHS—COX-BELL—At the Baptist Church, Charlottetown, on Jan. 19, 1940, Rev. H. L. Denton, Walter John Cox to Annie Gertrude Bell, both of Charlottetown.

ROBERTS—At Middleton, Jan. 19, 1940, Mrs. John Roberts, age 62. Funeral from her late residence Monday, Jan. 22, at 8 a. m. to St. Maachi's Church.

WALSH—At the Sacred Heart, Jan. 19, 1940, Jane Walsh, 67 years. Remains will be forwarded from the Sacred Heart Home this afternoon by train to Georgetown. Funeral at 9 o'clock Monday morning.

LAIRD—At Kensington, Jan. 19, 1940, J. Mebourn Laird, aged 69. Funeral from the United Church, Kensington, Monday, Jan. 22, at 2 p. m. Interment at Kensington.

In Memoriam—In loving memory of Mrs. Thomas W. Johnson who entered into rest January 20th, 1933. She was always so true, unselfish and kind.

In Memoriam—In Memoriam of my dear Mother Mrs. Martin Mahar, who died January 20th, 1936.

In Memoriam—There is some one who misses you sadly, and finds the time long since you went.

In Memoriam—The regular monthly meeting of the Mt. Buchanan Women's Institute was held at the home of Mrs. John Morrison on January 9th with eight members and five visitors present.

N. D. MacLean—UNDERTAKER EMBALMER—Charlottetown and North Wiltshire—Phone 149

Too Late to Clarify—WANTED—FIRST CLASS EXPERIENCED Protestant male teacher for York School, Louis Vessels, Secretary, 7-748-1-90-A.

Oddities of Neutrality Act Revealed

(By Andre Berling, Associated Press Staff Writer)

WASHINGTON, Jan. 19.—(AP)—The United States neutrality act is a pretty dull, legalistic document, but it has given rise to a number of oddities and curiosities. For example:—

American arms, ammunition and implements of war can be shipped any longer to China on American ships, but they can be to Japan.

It is so because the only ports of entry to China are now through French Indo-China and British Borneo. Japan having occupied all the Chinese ports and the neutrality act says American ships cannot carry arms to belligerent ports anywhere.

An American pilot can fly an American airplane up to the Canadian border but he isn't allowed to fly across it. He can get out at the border and arrange for a transfer of title to the ship to a Canadian, and then (with some assistance) make it across, get in and fly it to his destination in Canada.

The same American pilot could test out planes for Canada in Canada, but he could not test out planes for Canada in France. Why not? Because an American is forbidden to travel on belligerent vessels in the combat area. France is in the combat area, and an airplane is regarded as a vessel.

An American can go into Canada carrying a rifle, ostensibly for sport, but he can't take it with him to hunt. If he expresses the rifle to himself in the States he must apply to the State department for an export permit.

If John Smith of Buffalo, N. Y., enlists in the Canadian army while in Canada, he can't be drafted. But if he goes across the border into Canada and enlists he has committed no wrong under the neutrality act.

If a secretary of the British Embassy cashes a personal cheque on a British bank at a Washington bank, the bank is violating the neutrality act. Cashing of such a cheque is regarded as credit.

The bank is in the clear if, before cashing the cheque, it was until the cheque has been honored in London and the cash sent to the bank.

Soldiers in Aldershot Speak To Folks

OTTAWA, Jan. 19.—(CP)—Several Canadian soldiers in Aldershot, England, said the Division of the Canadian Active Service Force spoke to the folks back home in Canada tonight.

Their voices were carried across the sea by the Canadian Broadcasting Corporation through facilities of the British Broadcasting Corporation and transmitted over the national network.

The men of the Canadian soldiers were announced, but their regiments and their home towns were not divulged. Capt. James S. P. Armstrong, who introduced five Canadian soldiers, said the Dominion troops had received a hearty welcome upon their arrival in the United Kingdom, and that it was common for Britons to stop Canadian soldiers on the street and chat with them.

Many had invited the Canadians to their homes for weekend visits. "England has not forgotten the soldiers of the Canadian Expeditionary Force," said Capt. Armstrong. The officer said he found the English people in high spirits and confident of ultimate victory.

Private Fred Cushman described the overland journey by train to an eastern Canadian port. Some soldiers slept in the luggage racks of the coaches, and there was generally an enjoyable journey. He said he crossed the Atlantic, he related, on a "former south seas luxury liner complete with original crew and a first class cabin boy."

Private David McIntyre, a Scot 13 years in Canada, told of visiting his birthplace in Scotland on his first leave and watching Highland troops drilling in the town square. He said he was surprised that they did not understand English.

Private Raymond Ponstord described the daily routine in an English training camp. The Canadian boys got up at 6:30 a. m., he said, breakfasted an hour later and paraded for the day's work at 8:30. They finished at 4:30 p. m., but there were occasional lectures in the evening. There were sports every Wednesday afternoon and plenty of rest over the weekend. The food was good, he said.

"They roll the sidewalks up here at 9:30 p. m.," he joked.

Corporal Fred White recalled that this was the second war he had taken part in, but declared that the Canadians of this first division were "every bit as good" as the Canadians who fought at Great Britain's side 25 years ago.

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MILITARY

(Continued from page 1)

From a military viewpoint the Finnish front is even more important. The Finns have immobilized Russia as Germany's economic partner. They have shown up Russia as a second rate military power which should impress the Balkans and the Near East. They have stiffened the backs of Sweden and Norway, particularly Sweden which has iron deposits which if taken by Germany might prolong her war with the Allies as much as two years.

It is agreed here that Finland's crisis will come in May, after the snow melt and the ground is firm again. Then Joseph Stalin will be able to use the Red Army which is in the Arctic regions. But it is considered here that Finland, although a large force of volunteers from other countries, but with a liberal supply of machine guns, planes and ammunition, could hold out indefinitely because of her geographical advantages.

News of the gravity of his condition did not become known for many hours after he was stricken. The first word given out Tuesday morning had anticipated his recovery. Yesterday Miss Cora Rubin, his secretary for 30 years, announced that he remained ill. Then Mrs. Borah said that his physician, Dr. Worth Daniels, held no hope of his recovery.

With his death will end the long and most colorful careers in American politics came to an end. An uncompromising foe of trusts and monopolies, he remained under President Theodore Roosevelt, he was famous, too, as a staunch champion of complete United States independence in foreign affairs.

He shared with Senator Hiram Johnson, Republican colleague from California, and the late Senator William Borah, Idaho, the leadership in the successful fight against President Wilson's proposal to have the United States become a member of the League of Nations.

Despite the fact that some of his last years were handicapped by illness, he remained an active participant in Senate affairs.

Borah took his seat as a fledgling in the Senate in 1907. He would have completed 33 years of service next March 4.

Born in Wayne County, Ill., June 1865, he made his home in Boise, Idaho, but spent most of his senate years in Washington. He and Mrs. Borah lived in an apartment here. They had no children.

The Senator's only close relatives are a sister, Mrs. Mattie Rinfret, of Lincoln, Neb., and a nephew, Wayne G. Borah, who is a federal judge in New Orleans.

In the Borah apartment as the Senator died were his widow and three members of his secretarial staff.

A nurse, in attendance, hurriedly called the Borah physician, who reached the apartment. The Senator died in the pro- found coma into which he had slipped many hours before.

Those at his bedside said death apparently occurred "as if it happened while he was asleep," without any apparent struggle.

Four hours before his death the physician reported that the Senator's pulse was greatly weakened.

ers generally are figures from the Dominion Dept. of Agriculture estimating of potatoes in storage in Canada at January 2, just released at Ottawa.

The report estimates total potato holdings in Canada at the start of 1940 as 162,281 tons as compared with 174,944 tons a year ago, a decrease of 12,663 tons.

The following estimates for the Maritime Provinces:

Table with 2 columns: Province, Tons. Nova Scotia: 7,612 62,622. P. E. I.: 3,655 4,002. New Brunswick: 58,098 51,603.

A decrease of 14,753 tons is noted in the holdings in the Maritime Provinces. While this situation is favorable, it is sound business and in the interests of all to keep a few cars of potatoes moving out steadily and to take advantage of present prices which last week reached \$2 per barrel.

Farmers and all those interested in the potato industry would do well to keep in mind the hundred of cars of Maine potatoes which came into Canada duty free in April, May and June of last year. These imports had the effect of reducing the price from a high of \$2.25 per barrel to 90 cents. If no price improvement develops in Maine, there is no assurance last year's situation may be repeated.

Potatoes in Storage Are Down Slightly

(Hartland, N. B. Observer) Of interest to farmers and read-

Death Ends Career Of Senator Borah

WASHINGTON, Jan. 19.—(AP)—William Edgar Borah of Idaho, 74, dean of the United States Senate, died at 9:45 p. m. AST tonight.

His death followed a cerebral hemorrhage, with which the veteran statesman was stricken about the time he suffered a fall in his apartment here Tuesday morning. It was not known whether the hemorrhage caused the fall or resulted from it.

The Senator was unconscious when Mrs. Borah found him lying on the floor of his bathroom. He regained consciousness only rarely thereafter, sometimes calling for "Mary" his wife, who was constantly in attendance. Visitors to his bedside said his final hours seemed to be free of pain. He breathed easily and rested well.

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Parliament

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repealed, in particular the Dominion Parliament acquired the power to enact extra-territorial legislation valid beyond their own borders and laws incompatible with laws enacted by the Parliament of the United Kingdom.

Prior to the Statute of Westminster, Parliament passed an act to abolish appeals to the judicial committee in criminal cases with the committee held unconstitutional. After the passage of the Statute of Westminster the judicial committee held that statute was valid.

Civil Cases Included—Consequently the bill before the court on a reference from the Dominion Government related only to appeals in civil cases. The majority of the judges held in the Statute of Westminster operated in the same way with regard to appeals in civil cases as it did with regard to appeals in criminal cases.

Sir Lyman Duff—"My opinion is: 'First, that since by the Statute of Westminster, the obstacles have been removed which prevented the Parliament of Canada giving full effect to legislation for objects within its powers affecting the appeal to His Majesty in council, there is now full authority in the section 101 of the British North America Act (relating to establishment of a general court of appeal for Canada) to enact the bill referred to us.

"Secondly, that neither the prerogative power of His Majesty to refer appeals from Canadian courts, nor the exercise of that power in adjudicating such appeals nor the jurisdiction of the statutory tribunal, the judicial committee of the Privy Council, in respect of such appeals or appeals of right, is subject matter for the legislative jurisdiction of the provinces as one of the local matters assigned to the legislature by section 92 (British North America Act).

"The answer to the interrogatory addressed to us by His Excellency in council is that the bill mentioned in the Statute of Westminster is in the jurisdiction of the Parliament of Canada in its entirety."

Mr. Justice Rinfret—Since all powers in Canada were vested in either the Dominion Parliament or the Provincial Legislatures the power to abolish appeals must be found in either one or the other. Mr. Justice Rinfret said he found the power assigned to the legislature by the British North America Act. So it must belong to Parliament.

Mr. Justice Kerwin—Mr. Justice Kerwin said counsel for both Ontario and British Columbia had argued that the right to regulate appeals belonged to the Provinces because of Pre-Confederation legislation. Quebec would be in the same position.

"Without the use of express words," he said, "it could surely not have been intended in a provision of this kind three provinces should be able to exercise a power denied to the others."

Mr. Justice Hudson—Mr. Justice Hudson said the British North America Act vested in the Dominion the reserved power to legislate for the peace, order and good government of Canada. Unless the power to abolish appeals was expressly conferred on the Provinces it belonged to the Dominion. He was unable to find it among the powers allotted to the provinces.

The bill would annul any statute now in force in any province providing for appeals to the judicial committee in criminal cases. Mr. Justice Kerwin in his dissenting judgment.

The Statute of Westminster in conferring extra-territorial jurisdiction on Parliament could not reasonably be held to apply the royal prerogative to grant leave to appeal from Canadian courts. It was not intended to confer any new power on Parliament as distinguished from the legislatures.

It was fundamental to the Canadian constitution, however, that the authority of provincial legislatures over matters coming under their jurisdiction was complete. The British North America Act. It would place "the final disposition of all litigation in Canada, no matter how important the constitutional and civil rights involved may be in the hands of a court established and exclusively controlled by Dominion legislation."

Mr. Justice Davis—Mr. Justice Davis said it was now settled that no appeal could be taken to the judicial committee in any criminal cases from any

Saint John Man To Head Underwriters

TORONTO, Jan. 19.—(CP)—Malcolm L. McPhail, branch manager of the Imperial Life Assurance Company at Saint John, N. B., today was elected President of the Life Underwriters Association of Canada at the annual meeting here.

Provincial vice-presidents elected included W. G. Hogg, Charlottetown, Prince Edward Island; A. R. Fraser, Halifax, Nova Scotia; L. B. Hutchinson, Moncton, New Brunswick.

The Association is a Dominion-wide organization with about 60 local groups from coast to coast. The objects of the Association cover a wide field, including improving the ethics of the insurance business, better education of salesmen and promotion of satisfactory legislation covering the insurance field.

Mr. McPhail, an expert in the legislative field, has been a member of the association for more than 20 years. He is a past president of the Life Underwriters Association of New Brunswick. A native of Monctone, N. B., he has been associated with the Imperial Life Assurance Company since 1903 when he entered service as a stenographer.

W. C. Laird of Toronto was elected honorary president.

Cape Breton Man Acquitted Of Conspiracy

HALIFAX, Jan. 19.—(CP)—Six Cape Breton Island men charged with conspiring to defraud the federal government through illegal liquor activities, were acquitted by a Supreme Court jury after 11½ hours more than two hours' deliberation.

The six were Archie and Nell MacKinnon, Bartolo Gatto, John Carpenter, all of New Waterford, Louis Goldman, Glace Bay, and Joseph Bianchini, Reserve.

The six were members of a group of 24 charged with rum-running by Royal Canadian Mounted Police more than a year ago. Of the group, all Nova Scotians, five were dismissed after preliminary hearings, six, in addition to today's six, were acquitted by a Supreme Court jury and six have yet to be tried.

One man elected summary trial, was found guilty and sentenced to jail but was released before he had served the full term.

Firemen Fight Losing Battle

LOWELL, Mass., Jan. 19.—(AP)—Hampered by lack of water because of frozen hydrants and bothers by frequent explosions of grain dust, firemen fought a losing battle tonight with a fire in the Great Eastern Feed Mills.

The three-story brick building, containing raw and manufactured products, grain and a quantity of cattle and poultry feed, was destroyed. Loss was estimated at \$100,000. The cause was undetermined.

Judgment of any court in Canada. The same result would necessarily follow under the bill before the court in respect to any legislation relating to a subject under the jurisdiction of the Parliament of Canada.

He said the abolition of appeals to the Privy Council was not legislation in relation to administration of justice in the province.

It was fundamental to the Canadian constitution, however, that the authority of provincial legislatures over matters coming under their jurisdiction was complete. The British North America Act. It would place "the final disposition of all litigation in Canada, no matter how important the constitutional and civil rights involved may be in the hands of a court established and exclusively controlled by Dominion legislation."

Mr. Justice Davis—Mr. Justice Davis said it was now settled that no appeal could be taken to the judicial committee in any criminal cases from any

CONSERVATIVE

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him to carry on the work. A physician's certificate was attached to the letter.

The meeting passed a resolution accepting the resignation with regret, thanking Mr. Squires for his service and extending wishes for his restoration to health.

Mr. Squires was elected opposition leader in the Legislature in 1935. A member for Carleton since 1925, he led his party in the Provincial Elections last November when Conservatives made 14 gains, winning 19 of the 48 seats.

Mr. Mackay's recent election in Kings marked the New House leader's first public appearance in politics. He is president of W. O. Pitfield and Co. Ltd., investment dealers; Canadian International Investment Trust, Ltd.; W. Malcolm Mackay, Ltd., and a director for numerous companies. He was born at Saint John 52 years ago.

Mr. Mackay was chosen House Leader by elected Conservative candidates, whose report was adopted unanimously by the general meeting. Plans for party activities at the next session of the Legislature were discussed.

Senator George B. Jones, Apolonia, was elected a life member of the executive committee in appreciation of his services to the party.

Reports of the situation in Victoria, B. C., where a riotous mob will be held Jan. 29, were heard and a close battle was said to be expected between Attorney-General J. B. McNair, who was defeated in York last November, and Thomas Wainwright, Conservative.

Mr. Squires will retain his Carleton seat.

Hepburn, King Conflict Keeps Ottawa Excited

OTTAWA, Jan. 19.—(CP)—Warrior Europe ran second to the conflict between Prime Minister Mackenzie King and his erstwhile supporter, Premier Hepburn of Ontario, was the subject of conversation in the capital tonight.

On all sides was heard speculation as to the probable effect of Mr. Hepburn's personal attack upon Prime Minister Mackenzie King, and his alliance with the Ontario Conservative opposition in putting through the Legislature a motion censuring the Dominion Government.

It is expected House of Commons Liberals, at the first caucus held after Parliament opens next Thursday, or possibly before, will consider the potentialities of this new situation in view of the fact a general election is in the offing.

Mr. Hepburn's quarrel with the Prime Minister is so long-standing, except for the brief Armistice in the first months of the war, that political observers have become accustomed to it.

But with Mr. Hepburn uniting with his political opponent, Conservative Leader George Drew, in an attack upon the Dominion Administration, the situation takes on new importance.

For several years Mr. Hepburn has spoken freely in public in his personal condemnation of the Prime Minister and Mr. Mackenzie King has always adopted the "soft answer" attitude. But now Mr. Hepburn has spoken such strong denunciations of the Prime Minister that it would seem to observers in the Capital another reconciliation is too much to expect.

JAP INVADERS

(Continued from page 1)

China, Ceylon, said. The pursuing Chinese were said to have established lines forming an arc, with their right, or western wing, only 18 miles from Canton and their left 25 miles from Hong Kong.

The Japanese for several days have maintained silence on their Kwangtung campaign. They acknowledged a week ago that some of their forces were withdrawing from the northern area of the province after completing what they said was merely a drive to mop up remnants of the Chinese Army there.

Hong Chinese sources in Hong Kong said their successes were achieved only by great casualties numbering between 15,000 and 20,000 Chinese troops. They said a "moderate estimate" of Japanese losses would be about 5,000 men.

Neutral observers said the Chinese admission of such a great proportion of losses over those of the Japanese and the silence on the part of the invaders gave considerable credence to the Chinese reports.

Days Of Slave Trade Recalled By Nazi Ship

By Harold K. Milks Associated Press Staff Writer

MONTEVIDEO, Jan. 19.—(AP)—A secretly-built warship—a combination raider, supply and prison ship—was reported tonight to have been the auxiliary vessel which accompanied the Nazi raider Admiral Graf Spee over three oceans and carried 300 prisoners under conditions which British captives said recalled the "days of slave traders."

A reliable source said the Graf Spee's auxiliary was the "Altmark," a disguised 12,000-ton vessel capable of making 25 knots. She apparently has reached the port of Montevideo with 300 prisoners, this source indicated.

(In London, British authorities charged the Graf Spee supply ship had not been reported for more than a month and it was possible she might have reached a German port. They described the ship as a "tanker.")

British statement charged food on the auxiliary was "scarce and bad," a quart of water was rationed to each man daily for drinking and washing, the prisoners were forced to sleep on bare wooden planks and British officers were humiliated before East India crewmen.

(Authorized sources in Berlin acknowledged the British knew about the ship's movements but they did not seize her. These sources also asserted the cleanliness of German ships was known throughout the world.)

British authorities said, however, conditions on the prison ship were described by British skippers who were freed from the Graf Spee when she put into Montevideo Harbor last month after a running fight with three British cruisers. Later the pocket battleship was blown up by her captain, who then shot himself.

It was said here the last contact between the Altmark and the Graf Spee occurred Dec. 8, less than a week before the battle off Uruguay. At that time the Altmark flew the Norwegian flag and bore the name of a vessel of that nationality.

The new warship was developed under cover in pre-war Germany and kept hidden until the start of the war, the naval sources asserted. Especially built as an auxiliary for Germany's 10,000-ton pocket battleships, she appeared in the guise of an innocuous merchantman on the high seas but actually the same sources said, she carried three six-inch guns hidden behind shutters, plus an anti-aircraft gun.

In addition to the armament, the Altmark allegedly is equipped with a large number of prison cells designed to confine the crews of merchantmen sunk by the Altmark or the warship it was accompanying.

The Altmark, flying flags of various nationalities, was reported seen in South Atlantic trade routes by merchantmen who did not suspect the ship was a raider. The German and neutral tankers at designated locations during her cruise with the Graf Spee.

Doctor Claims Said Unfounded; Is Dismissed

MONTEVIDEO, Jan. 19.—(AP)—President Alfredo Baldomir today dismissed from the staff of the government-operated Pasteur Hospital, Dr. Walter Meero, a German physician, on the basis for German contentions that members of the Admiral Graf Spee's crew were burned by mustard gas in the Dec. 13 naval battle off Montevideo.

Meero, an eye specialist, installed in articles in the local press that 14 wounded taken on the German pocket battleship after her fight with three British cruisers showed effects of gas. He maintained this even after a Uruguayan medical commission appointed at the request of the British legation reported there were no signs of gas on any of the German wounded examined.

Each of the pigeons in the wartime postal service inaugurated by the Duchess of Kent at Port Dunlop carries 35,000 words of photofilm in a tiny cylinder.

In the past year, sulfanilamide has been used in treating 1,063 Indians suffering from the eye disease called trachoma,