

### 'Scorched Earth' of Malaya Proves Bitter Blow to Axis

London, Jan. 22 (BUP).—Axis spokesmen now freely admit that the "scorched earth" policy in Malaya, Borneo and other parts of the Far East has proved a serious deterrent to Japan.

Japanese Prime Minister Tojo told the Diet of extensive destruction of oil wells by the British. He said that 150 such wells had been wrecked in Borneo—though he offered the reassuring word that two wells out of the 150 could be restored to operation within three months.

The effectiveness of the British "scorched earth" policy was likewise affirmed in a radio broadcast from German-controlled Holland. This broadcast told of the destruction of important refineries in North Borneo, as a result of which the crude oil part of the enemy's loot in occupied areas of North Borneo will have to be shipped to Japan for working.

According to admissions by Japanese leaders, their conquest of Tarakan Island is an empty victory, so far as oil yield is concerned. There the machinery for oil flow was wrecked so effectively that it will take six months to install the necessary equipment.

A Japanese spokesman claimed that the capture of Penang brought a lot of 2,500 tons of tin and 2,000 tons of rubber. It is authoritatively stated here, however, that Penang power station and the tin-smelting works in Penang were both completely destroyed.

As the tin-smelting equipment in Japan is limited to handling 5,000 tons yearly, the loss of the Penang smelting plant is expected to present a serious handicap.

The British also destroyed the Penang Consolidated Mine in Malaya. This unit, the world's biggest tin mine, was wrecked by flooding. In other areas all the dredges were put out of commission at many abandoned mines.

British destruction of tin mines was extensive, it was stated by an observer, whose story was cited in a German broadcast. The same observer said British troops had destroyed large stocks of raw rubber, including even supplies in warehouses and shops.

**EDWARD A. MARSH DIES.**  
Ottawa, Jan. 22 (CP).—Edward A. Marsh, 57, former National Revenue Department employee, died in hospital today after a long illness. John Marsh, Toronto, is a brother.

### CHIEF DRAPER COMMITTED ON DRIVING COUNT

**Evidence on Collision When Four Were Hurt Heard by Magistrate**

**NOT GUILTY PLEA**

Port Hope, Jan. 22 (Staff).—Chief Constable D. C. Draper of Toronto was committed for trial on a charge of dangerous driving following a two-hour preliminary hearing before Magistrate R. B. Baxter in police court here today.

The charge against General Draper was laid following an accident Sept. 28, 1941, on No. 2 Highway east of Newtonville. A car driven by the Chief collided with one driven by Burton Miller of Peterborough. Miller and his three sisters, Mrs. Lillian Schneider and the Misses Ada and Ethel Miller were injured, the women seriously.

Chief Draper pleaded not guilty to the charge. He was represented by T. N. Phelan, Toronto, Crown Attorney H. R. Deyman acted for the Crown. At the conclusion of the evidence Magistrate Baxter adjourned the court to Cobourg where he committed the accused for trial an hour and a half later. Bail of \$1,000 was granted, returnable Feb. 9 at Cobourg County Court.

"Unwarranted Publicity."  
In committing the Chief, Magistrate Baxter voiced his regret at "what I consider the unwarranted publicity this case has received in the press."

"He is entitled to the same benefit of that principle of British law which declares that a person is not guilty until he has been so proved," said Magistrate Baxter.

"In committing the accused for trial I do not pass on his guilt or innocence. I find that the Crown has presented sufficient evidence to obtain a committal for trial. I trust the public generally will govern themselves accordingly."

The Magistrate said he had given due consideration to the arguments advanced by the defence counsel. The latter was aware, said Magistrate Baxter, that on preliminary inquiry the Magistrate has only to find evidence of probable guilt.

"I do find such evidence to commit for trial," said the court.

**Witness Unable to Appear.**  
Half a dozen witnesses were called by the Crown, Burton Miller and two of his sisters being the chief witnesses. Mrs. Schneider was unable to appear because of the injuries received in the accident.

Following the evidence of a photographer who took pictures at the scene of the accident, Mr. Miller said he was travelling eastward from Toronto, bound for Peterborough. Near Newtonville he approached a curve to the right. On the straightaway, witness said, he noticed a line of cars approaching from the east.

"I had passed all but three cars when suddenly the last car darted out to my side of the road," said Mr. Miller. "I headed for the ditch on the south side in an attempt to avoid a collision. The front of my car left the pavement and at the point of impact skid marks showed my front wheel was on the shoulder of the road. My right front wheel was definitely off the pavement."

**Car Went off Road.**  
As a result of the impact the Miller car went off the road in a southerly direction and the other car followed. His sister, Mrs. Schneider, was unconscious beside him, and his other sisters in the rear seat appeared to be badly hurt, he said.

Witness, asked about his rate of speed, said he had stepped on the brakes and reduced speed to very little. The Draper car appeared to be "nosing out to pass other cars in the stream of traffic," he declared.

In cross-examination by defence counsel, Mr. Miller told of a conversation with Chief Draper following the collision.

"Would Be in Office."  
"He said if I or my friends wanted to see him he would be in his office in Toronto and he would be glad to see me or my friends there," said witness.

Asked by the magistrate if he had any theory as to what the Draper car was attempting to do, witness said he believed Chief Draper was trying to get to the shoulder of the road ahead of him.

Still weak from her injuries, Miss Ada Miller, 67, was accompanied by a nurse. She said the Draper car darted out suddenly when the car in which she was riding came around the curve.

Miss Ethel Miller said the two cars collided just around a bend in the highway, about two miles east of Newtonville.

**Visibility Poor.**  
J. K. Hughes, Peterborough, who was travelling behind the Miller car, said it was raining and visibility was poor. He placed the time of the accident at about 5:45 p.m.

Traffic Officer W. F. Thompson gave figures as to the length of skid marks made by the Miller machine. He said he did not find any skid marks of the Draper car. The front bumper of the Miller car was imbedded in the grillwork of the Draper machine, he said.

In a brief summation at the conclusion of evidence, Mr. Phelan said the question was not as to the guilt or innocence of the accused, but as to whether sufficient evidence had been adduced to send him to trial. The most careful driver was apt to get into difficulties, he argued, and the Crown had to convince the court that the accident was not the result of some difficulty, but was the result of dangerous driving.

"This is a criminal offense," said Mr. Phelan. "In order to establish dangerous driving there must be established the mental attitude of the driver. All that has been found is that a competent motorist finds himself on the wrong side of the road. Was it by misadventure? A committal would be tantamount to finding that every time a competent driver finds himself out of place on the road, he is guilty of dangerous driving. There is no evidence that the accused failed to ensure proper care."

### Sky Fight Claims More Lives



P.O. R. HINES, Bracebridge, (Killed). SGT. E. C. McMANAMAN, Montreal, (Killed). SGT. A. J. MONSERET, Waskatenau, Alta., (Killed). SGT. J. H. TURNER, Edmonton, (Killed).

### R.C.A.F. Lists 10 Deaths Overseas and in Canada

Ottawa, Jan. 22 (CP).—Death of ten airmen—six overseas and four in Canada—was reported today in the Royal Canadian Air Force's one hundredth and sixty-eighth casualty list of the war.

Three were reported seriously ill in Canada.

Total Air Force dead and missing reported since the outbreak of hostilities now stand at 1,332.

Following is the latest list of casualties with official number and next-of-kin:

**OVERSEAS.**  
**Killed on Active Service:**  
Hines, Roy Reginald, Pilot Officer, 2417, killed. Mrs. G. R. Hines (mother), Bracebridge, Ont.  
Boudreau, Gerald Charles, Sergeant, 162274, killed. Mrs. T. C. Boudreau (mother), Wedgeport, N.S.  
Hornung, Robert Lewis, Sergeant, R71714, killed. Mrs. R. L. Hornung (mother), 88 Sydenham Street, Dundas, Ont.  
McManaman, Edward Carroll, Sergeant, R56323, killed. Mrs. E. McManaman (mother), Montreal.  
Monseret, Arthur Joseph, Sergeant, R61119, killed. Mrs. C. Monseret (mother), Waskatenau, Alta.  
Turner, John Blackwell, Sergeant, R60962, killed. Mrs. J. Turner (mother), Edmonton, Alberta.

**CANADA.**  
**Killed on Active Service:**  
Peterson, John Arthur, Flight Lieutenant, 6999, killed. Mrs. J. A. Peterson (wife), Regina, (Killed south of Moose Jaw, Sask., Jan. 19).  
Lawson, Clavel Fay, Flying Officer, 23282, killed. Mrs. F. C. Lawson (mother), St. Joseph, Missouri, (Killed south of Moose Jaw, Jan. 19).  
Matheson, Ian George, Pilot Officer, 35530, killed. Mrs. G. S. Matheson (mother), Milner, B.C.  
Palmer, Donald, Pilot Officer, 3474, killed. Mrs. G. S. Palmer (mother), Saskatoon.

**Seriously Ill:**  
Mundrick, Peter, Leading Aircraftman, R59890, seriously ill. Mrs. P. Mundrick (wife), Winnipeg.  
McIntyre, Walter Vernon, Aircraftman, R112288, seriously ill. Mrs. W. V. McIntyre (wife), Charlottetown, P.E.I.  
Rynski, Joseph Barney, Aircraftman, R148252, seriously ill. J. Rynski (father), Montreal.

**Three in R.A.F. List.**  
London, Jan. 22 (BUP).—The names of three Eastern Canadians listed as casualties by the R.A.F. were released today by the Air Ministry. They are:

**Missing and Believed Killed in Action.**  
Sergeant R. T. Quiller, London, Ont.  
**Previously Reported Missing, Now Believed Killed in Action.**  
Pilot Officer E. H. Atkins, whose next-of-kin was listed as his mother in Ottawa.  
**Previously Reported Missing and Believed Killed in Action, Now Presumed Killed on Active Service.**  
Sergeant W. L. Brown, listed as coming from Ontario.

**MRS. T. CATHCART DIES.**  
Ottawa, Jan. 22 (CP).—Mrs. Thomas Cathcart, 60, resident here thirty-eight years, died today following a brief illness. Survivors include a daughter, Mrs. J. L. McCleisch of London, Ont., and two brothers, Wesley, Featherstone of Saskatoon and Alfred Featherstone of Tessier, Sask.

### NEW DEADLOCK ON AXIS BREAK AT RIO PARLEY

**U.S. Senator's Remarks Arouses Argentine Ire; Wording Change Sought**

**OBJECTIONS RAISED**

Rio de Janeiro, Jan. 22 (AP).—Argentine deadlocked the Pan-American conference again tonight with efforts to weaken still more the already revised resolution calling for an eventual diplomatic rupture with the Axis. Some observers attributed these new difficulties to Argentine resentment over United States Senator Tom Connally's remarks yesterday in Washington.

Political leaders here said that Argentina apparently had swung its vote last night about the time the chairman of the United States Senate Foreign Relations Committee declared: "We are trusting that Castillo (Acting President of Argentina) will change his mind, or that the Argentine people will change their President."

Connally's statement had followed one by Castillo in which the Acting President in Buenos Aires declared that "right or wrong" Argentina would not modify her opposition to the rupture resolution.

In Buenos Aires tonight, Castillo, in another published interview—a method by which he is making himself heard over his own delegates at Rio de Janeiro—declared that Argentina is "in solidarity with the American nations, but we do not agree that an attack on one of the nations of America signifies that all others take the position of belligerency."

The present resolution does not call for a state of belligerency, but it is Argentina's implicit fear that a break with the Axis would put her into the war.

Castillo, which had accepted the original compromise along with Argentina, was reported to be standing firm in that acceptance.

The wording which the Argentines first accepted and then rejected was the statement that the American Republics "cannot continue" relations with the Axis.

Argentina was reported insisting on changing it to read: "may not be able to continue."

The "cannot continue" text was reported received by Castillo at 1 a.m., and the formal acceptance meeting scheduled for 4 p.m. subsequently was called off.

The new deadline for Argentina was to be the political committee session scheduled for Friday afternoon, but the secretary to the Argentine delegation said "that word has not been received from Buenos Aires."

One source said, "We seem to be back where we were before," and Mexico's Foreign Minister Ezequiel Padillo summed up: "It is a dramatic drama."

The United States Secretary of State, Cordell Hull, quickly disavowed Governmental responsibility for Connally's remarks, but the Argentine delegation nevertheless presented new demands when the conference's political committee met today.

Argentine delegates denied that they had received fresh instructions from Buenos Aires as a result of Connally's remarks.

An authoritative source said that important Brazil might sever relations independently with Germany, Italy and Japan even before this Foreign Ministers' conference ends, both as a token of her temper and to encourage others to act swiftly in fulfilling the spirit of the resolution.

### U.S. Ship Sunk; No Fatalities

New York, Jan. 22 (BUP).—The American steamer Brazos, 4,397 tons, has been sunk off the Atlantic coast in a collision, the Third Naval District announced tonight. The announcement coincided with the arrival here of twenty-three survivors of the Brazos. Nine others will arrive tomorrow. Two of the crew were injured, one of whom still is in the hospital. There were no fatalities.

The identity of the other vessel was not revealed, but it was indicated officially there was no reason to suppose the other ship had sunk or that there was any loss of life.

The collision occurred on the evening of Jan. 21.

The collision occurred at 10:30 p.m. about 150 miles southeast of Cape Hatteras.

The navy said it was probable there were more than thirty-two members in the crew. It said it understood some other survivors had gone to Charleston.

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### MacArthur Uses Canada's Trucks By Permission

(Special to The New York Times and The Globe and Mail.)  
Washington, Jan. 22.—The Canadian Legation in Washington made it clear today that the Canadian mechanical equipment originally destined for the use of Canadian troops in Hong Kong, which never got there, but instead was used by General Douglas MacArthur for the defense of the Philippines, was so used by arrangement with the Canadian Government.

Reports of the debate in the Canadian Parliament yesterday over the failure of the equipment to reach the beleaguered Canadian garrison in Hong Kong were misinterpreted in some circles here as indicating that it had been commandeered instead for use in the Philippines.

Actually, its employment by General MacArthur was arranged between the American and Canadian Governments.

### PRICE CONTROL BASIS FOUND

Washington, Jan. 20 (AP).—A joint Congressional committee reached agreement tonight on a broad wartime price control measure which spokesmen of the Senate and House of Representatives said would win final Congressional approval.

Senate conferees bowed to the criticism of President Roosevelt by dropping the controversial attempt to exempt prices to urban vendors. However, the conference committee turned down his request for a "single responsible administrator" and gave the Secretary of Agriculture a virtual veto power over any price ceilings fixed by the price administrator.

The conference committee had labored seven days to iron out differences between price control bills previously passed by Senate and House. Spokesmen said the compromise contained several provisions, among them the following:

A licensing system for business affected by price maximums. Businesses violating the maximums would risk losing their licenses to do business.

A single price administrator, whose orders could be appealed to the courts.

A clause empowering the price administrator to buy and sell commodities in order to affect prices. This power could be used only to increase production.

### Keitel Leaves To See Hitler

(By Telephone to The New York Times and The Globe and Mail.)  
Bern, Jan. 22.—General Field Marshal Wilhelm Keitel remained only two days in Budapest and left this afternoon for Germany on his way to Hitler's headquarters to report on results.

The visit was shorter than anticipated, which fact would tend to show that it had been well prepared by his two days in Budapest, Joachim von Ribbentrop and Count Ciano, who preceded him in the Hungarian capital.

### Winston Wishes Winston Well

Vancouver, Jan. 22 (CP).—If Winston Hayashi, 11-month-old son of Mr. and Mrs. Frank Hayashi of Vancouver, isn't a success when he reaches manhood he'll fail to meet the good wishes expressed toward him by Prime Minister Churchill of Great Britain.

When the Prime Minister was in Washington a friend of the Hayashi family sent him a photograph of the little Japanese-Canadian boy and received the following letter from Mr. Churchill's secretary:

"The Prime Minister has asked me to thank you very much for sending him a photograph of Winston Hayashi. He wishes him every prosperity. To judge by the photograph, Mr. Churchill thinks it certain he will make a great success of his life."

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