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**NEW FALL COATINGS** in Plain and Mixed Tweeds, 54 inches wide, \$3.75 to \$5.00 per yard.

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AGENT for STANDARD PATTERNS

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LA TOUR FLOUR	\$5.90
KING'S QUALITY	5.90
PURITY or FIVE ROSES	6.10

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Only 18c. for 15 oz. package.

## PATENT MEDICINES

We have a large line of Patent Medicines and we still have the lowest prices.

### TEA

King Cole... 54c. lb. Try our Chase & Sanborn's Red Rose... 54c. lb. fresh ground coffee, 53c. lb.

### COFFEE

## A FEW GOOD QUARTER TRADES

4 lbs. Rolled Oats	25c	3 pkgs Snowflake Ammonia	25c
3 1/2 lbs. Buckwheat Meal	25c	2 bottles Ammonia	25c
2 1/2 lbs. Farina	25c	2 pkgs Corn Flakes	25c
5 lbs. Common Cornmeal	25c	4 rolls Toilet Paper	25c
3 lbs. Gran. Cornmeal	25c	4 lbs Onions	25c
3 cakes Rising Sun	25c		

## SUIT AGAINST FLEMMING STANDS FOR THE PRESENT

Affidavit of Family Physician Shows the Ex-Premier to be in a Precarious State of Health—Not Expected That He Will Ever Rally to Any Great Extent—Letter From Hon. W. P. Jones K. C., and Mr. P. J. Hughes, Counsel in Case.

Fredericton, N. B., Nov. 12.—The solicitors for the prov. gov. in the case of the King vs. J. K. Flemming and the King vs. W. B. Tennant which are under consideration in the supreme court cleared the air yesterday in a report which they made to the attorney-general giving reasons accounting for the apparent delay in bringing to trial the above cases.

In the case against Flemming, the affidavit of Mr. Flemming's physician, Dr. Rankin which forms a part of the report, and is given below, shows how grave is the condition of health of the former premier. This affidavit was read before the supreme court very recently and the first three paragraphs in themselves state that in the opinion of his physician, Mr. Flemming is not capable of attending to any matters of business and it is not to be expected that he will ever rally to any great extent. Quoting the words of the affidavit: "He is now confined to his bed in a very weak condition and is unable to care for himself and the prospects of his again arising from bed are almost gone."

In paragraphs four and five of the affidavit the physician expresses his opinion which shows that the condition is even more serious than outlined in the first part of the affidavit.

In the case of Tennant nothing further can be done until the judgment of Mr. Justice White is handed down.

### Letter From Counsel

The letter of W. P. Jones and P. J. Hughes the government counsel to the attorney-general, is as follows:

Honorable J. P. Byrne, Attorney-General.

Dear Sir: We feel that an explanation is due to you for the apparent delay in bringing to trial the cases of the King against J. K. Flemming and William B. Tennant.

We were instructed as you remember, as the solicitors for the government to proceed as promptly as possible in the prosecution of these actions. After the legislation of last year writs were issued in both cases.

As was to be expected, we were met at every point by any objections which the ingenuity of counsel for the defendants were able to devise. In the case against Mr. Flemming the point was taken that our statement of claim did not contain a cause of action in law. This question was argued before the court of appeal in due course, and the court, after a considerable period delivered its judgment holding that there were three distinct causes of action set forth in our statement of claim.

Pending the decision of the court of appeal it was thought advisable not to proceed with the case against Mr. Tennant because some of the same questions were involved in that case as were being considered by the appeal court in the Flemming case.

After the judgment was obtained from the court of appeal it was thought best in order to obtain more readily the evidence necessary to support the claim of the government to ask for leave to serve interrogatories for the examination of Mr. Flemming and for a commission to take the evidence of Mr. Gould at Presque Isle, and the officials of the Prudential Trust Company at Montreal.

The application for interrogatories had been postponed by His Honor Chief Justice McKeown from time to time because of certificates from Mr. Flemming's medical attendant as to the condition of his health. On the last occasion when the matter came before the judge, the following affidavit of Doctor Rankin was read:

"In the supreme court, chancery division between The King, by his majesty's attorney-general of the province of New Brunswick, the right of the said province, plaintiff and James K. Flemming, defendant.

"I, William D. Rankin, of the town of Woodstock in the county of Carleton, doctor of medicine, make oath and say:

"1. That I am and have been the physician and medical attendant of James K. Flemming the above mentioned defendant for a number of years.

"2. For the past three years the said defendant has been suffering from pernicious anaemia, and during the past six months he has been gradually losing ground. Since August 1, the de-

cline in his condition has been very marked, and his disease has been accompanied by gastro-intestinal symptoms. At the present time he is unable to receive or assimilate almost any form of nourishment, and he is now in a condition of extreme prostration, both physically and mentally, from which state or condition it is not to be expected that he will ever rally to any great extent. He is now confined to his bed in a weak condition and is unable to care for himself and the prospects of his again arising from the bed are almost none.

"3. He is quite unable to pull himself together in order to undertake any serious examination or protracted investigation and I do not think he is able even to carry on any sustained conversation with his own solicitor or counsel, without very serious prejudice to his health.

(Sgd.) "W. D. RANKIN."

"Sworn to at the town of Woodstock in the County of Carleton, this thirty-first day of October, A. D., 1919, before me.

(Sgd.) "C. M. AUGERTON,

"A commissioner for taking affidavits to be read in the supreme court."

And the chief justice stated that in fixing the time for the taking of any testimony he would have regard to the condition of Mr. Flemming's health.

We wish to assure you that we have made every reasonable effort to have these cases brought to trial, but as regards the Flemming case we feel that the government should know that there is nothing more we can do and in our opinion nothing more will be done by the court until Mr. Flemming regains his health to a sufficient extent to enable him to deal with the matters involved in the action.

### Tennant Case

The case against Mr. Tennant is being dealt with before His Honor Mr. Justice White. After the disclosures made in the potato investigation we decided to apply for an amendment to our statement of claim in this case adding another distinct cause of action to the effect that the defendant Tennant offered to the late Premier Clarke who at that time had charge of the government and all matters pertaining to the St. John & Quebec Railway that if the company for which Tennant was acting should receive a contract for the construction of a portion of the railway that Tennant would pay certain moneys to various persons to be designated by Clarke, and that the contract in pursuance of this understanding was given to the company represented by Mr. Tennant, without tender, and in consequence the railway company agreed to pay \$200,000 more for the work than it could have been obtained to be done upon fair and open competition, it was thought advisable to have this cause of action added in case any questions would be successfully raised as to the applicability of the legislation to this case or the sufficiency of the proof obtainable in support of the action under the legislation. This application for an amendment was made to His Honor Mr. Justice White sometime ago, and he has the matter now under consideration. Until his judgment is given in respect to the amendment there is nothing further that we can do to expediate the determination of this action.

We are satisfied that you yourself, from your legal knowledge and experience, will quite readily appreciate the difficulties which have been experienced by us, but to those who are not familiar with the technicalities incident to legal procedure it may appear that there has been delay which could have been avoided.

Yours respectfully,

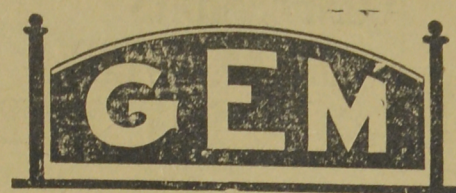
(Sgd.) W. P. JONES,  
P. J. HUGHES.

FOR SALE—An Eastman folding camera, 4x5, in good condition; will be sold at a bargain. Apply at the Mail Office.

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The Great English Remedy.  
Tones and invigorates the whole nervous system, makes new blood in old veins, cures nervous debility, mental and brain wear, loss of energy, palpitation of the heart, failing memory. Price 21 per box, six for \$1. One will please, six will cure. Sold by all druggists or mail, 11c. plain pkg. on receipt of price. New pamphlet mailed free. THE WOOD MEDICINE CO., TORONTO, ONT. (Formed, Plastic.)



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About 16 Tons of Sydney still unsold from car now in. Is going at \$9.50 per ton.

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Softens and Beautifies the Skin. Cleansing and Antiseptic  
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