

EXHIBITION WILL BE OPENED SEPTEMBER 13

COMMITTEES APPOINTED
YESTERDAY BY SOCIETY

Third Week of September Se-
lected—No Action Taken
on Agreement with
City Council.

Dates for the Fredericton Exhibition of 1919 were selected Thursday afternoon at a meeting of the directors of Agricultural Society No. 34. As was expected the third week of September was the period chosen as the best for the big provincial fair of New Brunswick. Organization was begun, committees being appointed and superintendents of departments being selected. There was utmost enthusiasm. The chair was occupied by president William McKay.

The opening day will be Saturday September 13 and the closing day one week later.

Committees Appointed

Committees were appointed as follows the first named in each case being chairman:

Buildings—Wm. McKay, W. E. Farrell, A. C. Fleming.

Grounds—G. Y. Dibblee, H. A. Smith, H. G. Kitchen.

Light—J. Stewart Neill, C. B. Steele, F. L. Cooper.

Printing and Publicity—H. O'Neill, Alex. Murray, J. H. Fleming.

Transportation—C. F. Chestnut, F. B. Edgecombe, H. G. Kitchen.

Amusements—J. Stewart Neill, W. E. Farrell, F. L. Cooper.

Tickets and Gates—F. B. Edgecombe, C. B. Steele, H. A. Smith.

Finance—W. T. Chestnut, Peter Farrell, H. G. Kitchen.

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Thirty-Two Discharges Given

Thirty-two discharges were given at the District Depot this morning and the men are leaving for their homes in the various parts of the Province this afternoon and evening.

Property Sale

Mr. A. A. Shute has disposed of the property in St. John street formerly occupied by him to Mr. James Frink of this city. The purchase price was in the vicinity of \$2600.

Food Sale

The ladies of Christ Church Cathedral will hold a Food Sale in the Board of Trade rooms, Queen street, Saturday, February 15th commencing at two o'clock p. m.

Stephen B. Whitehead III

The casualty list of the Canadian Expeditionary Force includes the name of Private Stephen B. Whitehead of Fredericton, Railway Troops. Private Whitehead is a son of the late W. Turney Whitehead of this city and has been overseas some three years.

Valentine Social Last Evening

A very enjoyable Valentine social was held last evening by the A. Y. P. A. of Christ Church Cathedral at the Church Hall on Carleton Street. Valentine games and dances were carried out and refreshments were served the party breaking up late in the evening.

Arrived in England

Mrs. Vernon Coffyn is in receipt of a cablegram from her husband Capt. Vernon Coffyn of the Royal Army Medical Corps announcing his safe arrival in England. Capt. Coffyn was all through the Mesopotamia campaign and has lately been on duty in Egypt. He is now en route home.

Potatoes Cheaper

The potato trade in this province has flattened out considerably this month. Dealers up the St. John river have marked down the price to \$1.75 a barrel to producers. The markets in Boston are in overstocked condition and the demand is poor. There is an unusually large accumulation in the hands of the Woodstock dealers.

Presentation of Medal

Dr. W. S. Carter, Chief Superintendent of Education today presented the Lieut. Governor's Medal to Miss Margaret Wallace, daughter of Mr. and Mrs. R. B. Wallace of this city, for the highest standing in the recent High School Entrance Examinations. The presentation was made in the Assembly Hall of the High School between three and four o'clock this afternoon.

To Elect Skips This Evening

Only one game was played in the Management Committee Series of games at the curling rink last evening. Skip N. C. Dougherty winning from Skip W. S. Thomas by a score of 24 to 10. This puts the standing 32 to 28, in favor of the West End rinks. At the rink this evening the second series of the Wee Neilly will be played and skips will be elected for the game with Carleton on Monday.

Ferry-Boat Accident

A boy named James B. Charters was killed and five people injured at St. John yesterday when the ferry steamer, Ludlow crashed into the west side dock. A piece of piling was broken off and fell on the boats deck. The passengers were crowded together near the railing and the accident caused quite a panic. The Charters boy was struck by the falling timber and instantly killed. The Ludlow is commanded by Capt. Norwood who at one time was employed on the river steamer Aberdeen.

NEW TRIAL WITH JURY MARCH IN FITZRANDOLPH DIVORCE CASE ACCORDING TO JUDGMENT

Appeal Division, Supreme Court, Allowed Defendant's Appeal With Costs—Application for Jury a Matter of Procedure—Decision in Baxter Case That Physician Can Have Liquor in His Possession in Unlimited Quantities—Action Against ex-Premier Flemming Begun This Morning.

The Appeal Division, Supreme Court handed down a large number of judgments this morning among which the most important from a local viewpoint was in the case of Charles FitzRandolph vs. Elizabeth FitzRandolph, an appeal from the Court of Divorce and Matrimonial Causes. Chief Justice McKeown of the King's Bench Division who was sitting delivered judgement allowing the appeal with costs. The appeal was from the judgement of Judge Crocket of the Divorce Court who refused an application on behalf of the defendant for a jury for the new trial ordered by the Appeal Court when the judgement of Judge Crocket granting a divorce was reversed.

Trial by Jury March 10th.

The new trial was set for March 10th before the Divorce Court pending the handing down of judgement in the Appeal Court. The judgement having been handed down the new trial will take place on that date with a jury, the first of its kind.

Matter of Procedure

The point taken by the plaintiff's counsel was that provincial legislation of 1902 was ultra vires and that the full power of disposition of a cause rested in the hands of the divorce judge. Chief Justice McKeown in his judgement which was lengthy took the ground that the application for a jury was a mere matter of procedure and not of substantial law.

Chief Justice Hazen and Judge Grimmer concurred.

Insurance Case

Harry S. Wetmore vs. British and Canadian Underwriters of Norwich, England, and the Norwich Union Fire Insurance Company of Norwich, England. Judge Grimmer gave judgement Chief Justice Hazen concurring and Judge Barry dissenting. Appeal was dismissed with costs. The case concerned an insurance claim for property destroyed by fire. The company alleged that the plaintiff was not the real owner of the property, that statutory conditions requiring notice of loss were not complied with, that statements and proofs of loss were not furnished. The judgement stated that the plaintiff had assumed that he had complied with conditions and must get full benefit of the remedial qualities of the policy.

Prohibition Conviction Quashed

The King vs. C. N. Vroom ex parte Hugh McDonald. Chief Justice Hazen delivered judgement that the conviction should be quashed. The case was under the Intoxicating Liquor Act 1916. At the defendant's residence, Milltown, a bottle of champagne was found in a pantry and seized. The defendant was charged with unlawfully keeping liquor for the purpose of selling and the charge was later amended to having liquor at a place other than place of private residence. The court took the ground that the house was a private dwelling the shop in the building not having been used as such since the act went into force.

Pulpwood Case

Quebec Forest Products Company vs. Peter M. Shannon. Judgement for plaintiff under the appeal was confirmed and appeal was dismissed with costs. The case concerned the ownership of two cars of pulpwood which the defendant sold applying the proceeds to his own use. Benjamin F. Peters contractor for the company got out the pulpwood and disposed of it to Shannon. The contention of the company was that as soon long as the mark of the company was placed on the logs they became its property. Judge Barry the trial judge supported that contention.

Doctor Can Have Liquor

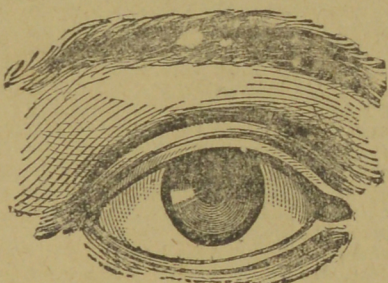
The King vs. R. J. Ritchie ex parte George O. Baxter, M. D. The defendant was a physician of St. John in whose office were seized twelve bottles of gin and one of brandy. The judgement was delivered by Chief Justice Hazen, the rule to quash conviction being made absolute. The portion of the judgement relating to the rights of a physician is as follows: "The intention of the legislature was that duly registered physicians should have the right to obtain liquor from anyone holding a wholesale license, or from any retail licensee under that Act, in sufficient quantities to meet his professional requirements, and to fill such prescriptions as he might consider it necessary to give, and no limit is set upon the quantity that a physician at any one time may have in his possession for such purposes. It is therefore no offence under the Act for a physician to have liquor in his office and this is the offence with which Dr. Baxter was charged. On the con-

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All new Carpets. Good Patterns.

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Table Linens, Table Cloths, Lunch Cloths and Sets, Napkins, Serviettes, Centre Pieces, Runners, Doyleys Tray Cloths, Embroidered and Hem-stitched, Pillow Cases, Day Cases, Shams, Guest Towelling, Guest Towels Linen Huckabuck Towels and Towelling, Bath Towels, Table Padding, etc., etc.

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