

ed and took the goods as security for the debt which he was seeking to collect ; but the complainant said nothing as to this.

*Held*, MEREDITH, C.J. dissenting, that there was no evidence of intent to steal, and the conviction should be quashed.

*Parker*, for the defendant. *Cartwright*, Q.C., for the Crown.

## Province of New Brunswick.

### SUPREME COURT.

Full Court.] QUEEN *v.* PHILLIPS. [June 15.

*Peddlers' Act—Sewing machine agent not a peddler.*

Defendant was convicted for peddling without a license. The evidence was that he opened a place of business at Sackville for the sale of Singer sewing machines, and that he drove about the adjoining country with a machine in his wagon, soliciting orders. It was also shown that he sold one machine on the road.

*Held*, that this was not peddling within the meaning of the Peddlers' Act. Conviction ordered to be quashed.

*A. P. White*, Attorney-General, for the crown. *M. G. Teed*, contra.

Full Court.] CRAWFORD *v.* CITY OF ST. JOHN. [June 1.

*Civic voters' list—Neglect to put name on list.*

The chamberlain of the city neglected to put plaintiff's name on the civic voters' list after he had paid his taxes, and plaintiff in consequence lost his vote.

*Held*, that the city was liable for the neglect.

*G. A. Belyea* and *A. A. Stockton*, Q.C., for plaintiff. *C. N. Skinner*, Q.C., for defendant.

Full Court.] YOUNG *v.* HUBBARD. [June 15.

*Replevin—Defendant sued by initial—Bond.*

Defendant was sued in replevin by the name of "C. Hubbard," and only one surety signed the plaintiffs' bond to the sheriff.

*Held* on appeal by defendant that both the writ and the bond were bad.

Appeal allowed with costs.

*M. G. Teed*, in support of appeal. *W. Pugsley*, Q.C., contra.

Full Court.] DURHAM *v.* ST. CROIX SOAP CO. [June 1.

*Guessing contest—Value of prize piano—Advertised price—Price obtained at auction.*

Defendant offered by advertisement "an \$800 Heintzman piano" at the St. John exhibition, to the person guessing nearest to the weight of a cake of soap. Plaintiff claimed she made the nearest guess and brought an action, in which she recovered a verdict for \$300. The judges of the contest had passed