

street is valid, since such obstruction is a public nuisance at common law. To constitute the obstruction of a highway, it is not necessary that the whole of the highway be obstructed. *Harner v. Cadman* (1886), 55 L.J.M. 110 followed.

Bird, for applicant. *Kennedy*, contra.

Province of Saskatchewan.

POLICE COURT.

Grant, P.M.]

REX v. PROSTERMAN.

[June 1.

Peddler's license—Fish not "goods, wares or merchandise."

The defendant was summoned under a by-law of the city of Regina on a charge for peddling fish without a license. The section under which the charge was laid provides that a license shall be taken out by "all hawkers, petty chapmen, peddlers and other persons carrying on petty trades or to go from place to place or other men's houses on foot or with any animal bearing or drawing any goods, wares or merchandise for sale." The question was whether fish were included in the phrase "goods, wares and merchandise."

Held, that fish are not covered by the words "goods, wares or merchandise." Case dismissed.

United States Decisions.

FAILURE TO DESTROY CHEQUE ACCORDING TO AGREEMENT AS LARCENY.—In *People v. Shattuck*, 87 N.E. Rep. 775, the New York Court of Appeals passed upon the sufficiency of the evidence to sustain a conviction for larceny under the following facts: The defendant, a real estate agent, was paid a \$200 cheque as commissions in a real estate transaction and gave a receipt therefor. The defendant and the drawer of the cheque then agreed to play a game of chance to decide which of them should pay for supper for those present, and the defendant got "stuck." He said he had no money and asked the drawer of the cheque for a loan and received twenty dollars in cash. He then said he would destroy the \$200 cheque, and, pretending to do so, tore up something and threw it into the waste basket. He was then