

at a rate of more than 12 per cent. per annum, if there was no contract of open credit and the discount was made directly upon such notes without the customer himself giving his own note for the gross amount exceeding \$500 as the subject of discount with the smaller notes as collateral only to the advance, so as thereby to make the transaction a single one for more than \$500, to which the statute would not apply.

*N. K. Laflamme, K.C., for the Crown. J. P. Whelan, for respondent.*

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## Province of Manitoba.

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### COURT OF APPEAL.

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Perdue, Cameron and Haggart, JJ.A.]

[Feb. 24.

RE CRABBE AND TOWN OF SWAN RIVER.

(9 D.L.R. 405.)

*Municipal corporations—Revocation of pool-room license—Right of town council to revoke—Right of licensee to be heard before town council.*

*Held, 1.* A town council has the right to revoke a pool-room license for an infraction of a by-law of the town by the licensee, where such by-law existed at the time of the application for the license, and where the infraction was expressly made ground for such revocation at the time of such application.

2. Where a town council, having the right to revoke a pool-room license for certain infractions of a by-law of the town, revokes the license, without giving the licensee a chance to be heard at a judicial hearing, such action is not illegal, where it appears that the town in question is a small place, and the pool-room one of the principal loitering places and one that may very quickly become notoriously objectionable, and the court is satisfied that, even if the members of the council did not have a knowledge from personal observation, there were sufficient grounds to justify their action, especially where there is no suggestion that the council acted arbitrarily or in bad faith.

*Whilla, K.C., and Scarth, for plaintiff. Rothwell, for municipality.*

**NOTE.**—A discussion of the subjects involved in this case appears in an annotation in 9 D.L.R. 411.