

Mr. Haverson contends that the word portends something permanent and lasting, so that the use of an additional bar for only one day under special circumstances for meeting increased demands of the public, and for their accommodation supplying greater facilities for handling the business of the hotel under circumstances of a particular and temporary emergency, such as existed on the day in question when a fair was being held, was not an infraction or violation of the Act, and cites *Ree v. Lewis* (1905), 41 C.L.J. 842.

Mr. Clement contends that the meaning of the section is that no more than one bar shall be used at any time in an hotel, or for any period whatever, and that the using of one for even one day, or less, is an infraction and violation of the Act, and cites *Shelley v. Bethell*, 12 Q.B.D. 11.

The words "keep open" as applied to places of business, particularly saloons, when it has been provided that they should not keep open after or during a certain time, have been held to imply a readiness to carry on business therein, and a single occasion of being open would be an infraction of the prohibition, and in connection with fire insurance when it is provided that a policy shall become void if certain articles are kept or used on the premises, a temporary or occasional having of such article on the premises may be sufficient to avoid the policy: 24 Cyc. 792.

In a case above referred to, under a certain Act that enacts that "it shall not be lawful for any person to have or keep any house or other place of public resort for public performance of stage plays without a license," an owner and occupier of a building, which he gratuitously allowed to be used on a few occasions for the performance of stage plays, to which the public were admitted on payment for the benefit of charities, without a license, was convicted of "having or keeping" a house for the public performance of stage plays without a license," and upon appeal the conviction was affirmed, the court stating that one day of such performance when the house was so "kept" open for such purpose was without legal authority: *Shelley v. Bethell*, 12 Q.B.D. 11.

It seems to me that, taking the ordinary meaning of the English language, and the meaning of the word "kept" as it occurs to one at the first reading of the section in question, (and as to which one is still further impressed upon consideration of the matter) the true interpretation and meaning of this section is that more than one bar should not be *had in use*, in any