

which indicates that the time has not yet come for the procuring of that report. The inspector is, after the resolution is passed, to give a permit to the license holder to remove from the licensed premises, and he is not to give the permission until the person applying has filed with the license commissioners a report to the inspector containing the information required by law in the case of the application for a license.

In this case no doubt the reason why that has not been furnished is that the transfer was granted conditionally as it were, upon the premises which were not then fitted for the purpose of the business being made so, and I have no reason and no right to doubt that the license commissioners, if that report be necessary, will require it to be procured before they proceed to act finally by permitting the business to be carried on in the new premises.

Then there is sub-s. 4 of s. 37, which is still another answer to this objection. It provides that where an application is made for the transfer of a license issued to a tavern or shop situate in a remote part of the license district, or where for any other reason the license commissioners see fit, they may dispense with the report of the inspector, and act upon such information as may satisfy them in the premises. I think that if they have acted, if that is the proper conclusion of fact to be arrived at, without the report, they have acted under the powers of sub-s. 4 of s. 37, and acted within their statutory right.

It seems to me, as I said during the course of the argument that it would be a most unfortunate state of things if upon all these questions of the granting or withholding of transfers there should be the right of the parties to resort to the court and bring an action which might tie up the question for a year or two or perhaps more, when the term of the license which is the subject matter of the controversy is but one year at the most. I think there is reasonable ground for the argument that there is no jurisdiction in the court to interfere in matters of this kind.

Sub-s. 18 of s. 11 gives the license commissioners the power to examine witnesses upon oath for the purpose of satisfying themselves as to whether the application ought to be granted. I have no doubt that would enable them to go into any question as to a certificate having been obtained by fraud or as to whether the petition was really signed by the persons by whom it purported to be signed, or to the conclusion which the license commissioners have to come to before granting the license or transfer, that in the public interest it is reasonable that the application