

on the afternoon of 17th January, was found by the magistrate, and beyond doubt rightly so. Euchre is a well-known game at cards, imported from the States, and is a game of chance. The cards are shuffled, cut, and dealt to the players, and the hand held by each depends entirely upon chance. Whatever adroitness may be contributed by the player, the words used by Mr. Justice Hawkins in reference to another game are doubtless aptly applied to this game of euchre: "It is a game of cards. It is a game of chance; and though, as in most other things, experience and judgment may make one player . . . more expert than another, it would be a perversion of words to say it was in any sense a game of skill." *Jenks v. Turpin*, 13 Q. B. D. at p. 524.

The conviction was quashed by the County Court Judge on the ground that the police commissioners had no jurisdiction to pass the 3rd resolution in pursuance of sec. 4 of the Act (R. S. O. ch. 245), and also because they exceeded the jurisdiction, having regard to sec. 81 of the said Act.

The power of the commissioners under sec. 4 is not restricted by sec. 81. This last section is operative as a piece of substantive law against "gambling" in places licensed to sell spirituous liquors, which attaches to all such places irrespective of the resolutions of the commissioners. But, by the resolutions they pass, the commissioners may impose further safeguards to restrict gambling in licensed premises and games of chance which savour of gambling, and are so easily merged into gambling as to escape detection under cover of lawful pastime.

That this regulation is of such a character appears to be reasonably manifest. The power to regulate given by the Legislature to the board enables them to interfere with liberty of action to the extent deemed necessary to prevent disorder and the abuse of liquor licenses—in other words, to make such provision as shall ensure the good government and orderly keeping of these licensed houses where liquor is sold. The scope of the resolution as to time and place is in line with sec. 81, but extends it to "games of chance" as well as "gambling." As said in *Regina v. Martin*, 21 A. R. 145, the defendant accepted his license on these terms, and must see to it that these terms are observed. . . . And the interference of the Court . . . is only to be undertaken when they are clearly unreasonable.

Now, it is competent for the commissioners to prohibit all card playing on the licensed premises, whether of public guests or private friends of the proprietor, for fear lest unlawful gambling should be collusively carried on in any part