

The \$3,000 should be apportioned in the sums of \$1,250 to the plaintiff and \$1,750 divided equally among the children. If it should be necessary to deduct anything for costs between solicitor and client, the minutes may be spoken to and the apportionment varied. The moneys of the infant children to be paid into Court.

LENNOX, J., IN CHAMBERS.

JUNE 19TH, 1915.

REX v. SINKOLO.

Liquor License Act—Keeping Liquor for Sale on Unlicensed Premises—Conviction — Evidence — Liquor License Act, R.S.O. 1914 ch. 215, sec. 102(2)—Conviction for Selling on same Day—Separate Offences—Sec. 88(3) of Act—Motion to Quash Conviction—Notice—Judicature Act, R.S.O. 1914 ch. 56, sec. 63(2).

Motion to quash a magistrate's conviction under the Liquor License Act for keeping intoxicating liquor for sale without a license.

J. H. Campbell, for the defendant.

J. R. Cartwright, K.C., for the Crown.

LENNOX, J., said that there was ample evidence to support the conclusion reached by the magistrate that the intoxicating liquor found upon the defendant's premises, or most of it, belonged to the defendant and that he had it there for the purpose of sale.

The defendant was the keeper of a store and boarding- and lodging-house; it was a quasi-public place; and the fact, as reasonably found, that there was more liquor discovered than could be reasonably supposed to be intended for the use of himself and his family was, by sec. 102, sub-sec. 2, of the Liquor License Act, R.S.O. 1914 ch. 215, conclusive evidence that it was kept for sale in contravention of the Act.

The main argument was, that keeping and selling make one offence, and that the defendant had been previously convicted for selling on the same day. The selling charged was at an earlier time of the day—the search apparently being made after the hour at which the sale took place. The only evidence of this was the conviction for selling—the other facts resting on the