and Mr. Justice Anglin in *Re Dewar and East Williams* (1905)
10 O.L.R. 463, has expressed the opinion that this section is not
imperative. That case also decides that the council may pass
the by-law notwithstanding that they have refused to do so at
a previous meeting. But it would seem that the final passing
must be within the six weeks after its approval by the electors
(s. 373, Municipal Act, 1903).

By-laws may be either for total prohibition, that is, may in-
clude both shops and taverns; or for partial prohibition, that
is, may be confined either to shops or to taverns: see *Frawley
and Orillia* (1907) 14 O.L.R. 99; *Re Hickey and Orillia* (1908)
Divisional Court. In the opinion of one learned judge if a by-law
is passed affecting shops only, no total prohibition by-law can
then be passed: see *Re Hickey and Orillia*, ante, but the effect
of both the Orillia cases gives an apparent majority against that
view.

The day for voting on local option by-laws is now municipal
election day. though the polling subdivisions need not be identi-
cal, and indeed must not be, if a larger number of voters than
can be conveniently accommodated is included in the municipal
polling subdivision: *Wynn* v. *Weston* (1907) 15 O.L.R. 1, and
Re Hickey and Orillia, ante.

If a by-law is passed by the requisite majority then notwith-
standing its quashing by the court either for technical or sub-
stantial reasons, no liquor licenses can be issued without
the written consent of the Provincial Secretary, and where such
consent is withheld, leave to appeal against the quashing has in
one case been refused apart from the merits: see *Re Hickey and
Orillia* (1908), Osler, J., in Chambers, not reported.

The provisions of the Municipal Act regarding the prelim-
inaries to the submission to the electors are found in ss. 338
et seq. of the Act: see *Sinclair* v. *Owen Sound* (1907) 39
S.C.R. 239.

Those preliminaries are the first and second reading of the
by-law by the council, which by-law shall (1) fix the day and
hour and places for taking the vote, which may now be done