

But even on this principle of differentiation much can be said. The word "restaurant" is thus defined in the Standard Dictionary, "A place where refreshments or meals are provided to order; the dining-room of a hotel conducted on the European plan." Webster defines it as an "eating-house"—"It is a place to which a person resorts to for the temporary purpose of obtaining a meal": 10 Fed. Rep. 6; *People v. Jones*, 54 Barb. 311, 317. The Imperial Dictionary defines "restaurant" as "an eating-house where provisions may be had ready cooked at all times." In *State v. Hogan*, 30 N.H. 268; a "restaurant" is defined as "an eating-house where something to eat, ready prepared, or which can be readily prepared, may be obtained."

From these definitions it would seem that under ordinary circumstances food is bought and consumed upon the premises but not taken away. On ordinary week days this distinction may be rejected, because such a place may partake of the character of an ordinary shop as well as of a restaurant, but on Sunday the shop character must disappear, and the restaurant phase is the only one that can be left.

A very celebrated man of Alexandria, who wrote a book on Geometry, which has caused many generations of school-boys many pangs and many thrashings, has a method of proof called "reductio ad absurdum." Let us now apply his justly celebrated logic, or a logic of a similar character. Let it be supposed that candies, because they are food, can be bought at a restaurant on Sunday and taken away for consumption; then any other food can also be bought and taken away. Therefore fruit, bread, cheese, butter, canned meats, canned vegetables, dried meats, maple syrup, sugar, et hoc genus omne, can be bought and taken away, and under the magic of the decision in *Rex v. Devins*,—presto change—the whole Sunday law and custom of the community that has held for a century past is completely altered—which is absurd. Therefore the major premise that candies can be bought and carried away on Sunday is false. For further illustrations see Archbishop Whateley's "Logic."

We have limited the above list to foods ready for consump-