

LAW OF MORTMAIN IN THE COLONIES—THE GREVILLE MEMOIRS.

Statutes of Mortmain, or other Acts, laws or usages to the contrary thereof notwithstanding." And it further provides (what is not in the other Act), that in order to the validity of such deeds they are to be executed six months before the death of the grantor, and to be registered within six months after his death. It was this clause, that, more than anything else, influenced Robinson, C. J., for he thought that as this condition placed the Church of England under special disabilities not attaching to other churches by virtue of Provincial legislation, it was only fair to all to hold that by the introduction of the English law of Mortmain, all should be in the same plight. Now this would be some justification for the introduction of the laws of Mortmain to a limited extent, in so far namely, as corporations sole and aggregate are concerned. All the provincial legislation relied upon and wherein reference is had to the Statutes of Mortmain, is with regard to *corporate* bodies, and it does not at all deal with or advert to that special prohibition introduced for the first time by 9 Geo. II. c. 36 whereby were forbidden donations to unincorporated trustees for charitable purposes. There was no introduction of this latter branch of the law, even by fair implication.

But we incline to think that the whole structure rests on too slender a foundation, and that an appeal to the highest Court of the Province so often hinted at, if not invited, would result in a change of the law. If this however, be not so, we are persuaded that the legislature might well interfere (a veritable *Deus ex machina*) and declare that the Statute of 9 Geo. II. c. 36, is not in force in Ontario. No special or sufficient reason exists for such an Act. There is no such epidemic here, gendered of a belief that treasures may be laid up in heaven by bestowing it upon churches and chapels on earth, as necessitates legislative intervention. The

theory of the Statute in question is practically the very antithesis of the present spirit of the times. Now-a-days it is idle to talk of people being juggled into a disherison of their heirs for the benefit of "the church." Now-a-days the whole current of popular opinion is setting in an opposite direction. For, changing the figures and adopting that of Dean Stanley, science is now battering at the ecclesiastical citadel, and the strength of that citadel is doubted by many who man its walls.

THE GREVILLE MEMOIRS.

The lawyers appear so frequently in "The Greville Memoirs" that a reference to the work in a legal journal is not out of place. The most prominent figure amongst the lawyers, indeed the most prominent figure in the book next to the Duke of Wellington, is Brougham. Nor is it surprising that a person writing of the period of the English Reform Bill should be constantly occupied with the conduct and motives of one who was suspected of aiming at an authority in the State, such as no man of his profession had possessed since Clarendon.

The remarks of the author upon the character and conduct of Brougham are interesting, as being a record of the impressions of a shrewd, if somewhat cynical spectator, reflecting not only personal observation, but current opinion. But we must not expect to rise from the perusal of the book with an increased respect for the subject of those remarks. Mr. Greville hated him for his politics, and envied him as he appears to have envied most others who attained a success denied to his own abilities. We must expect, therefore, to find him bringing into prominence the meaner phases of Brougham's character; impugning his motives, and detracting from his services. A good life of Brougham has