

the proprietors of a Brighton hotel for unlawfully expelling her from their hotel. The plaintiff, it appears, went to the hotel in November, 1895, and remained there continuously till August 31st, 1896, on which day she went out for a short time, and on her return was refused admittance. It was not alleged that she had failed to pay her bill, or that there was not accommodation for her. The justification put forward on behalf of the proprietors of the hotel was that she was subject to certain delusions, and interfered with the comfort of the other inmates of the hotel, but the County Court Judge held that her conduct had not been sufficient to justify the hotel authorities in refusing to allow her to remain. He held, however, that as she had ceased to be a "traveller," having stated herself that she intended to remain at the hotel till it was burned down, the proprietors were not bound to allow her to remain. This decision was appealed against, and on behalf of the plaintiff it was argued that the common law obligation on an innkeeper to take in "travellers" was not limited, but that it extended to those who might more properly be called "guests"—that is, persons who had no immediate intention of travelling. It was also argued that if at a certain period in his stay a visitor lost the status of traveller, the innkeeper must at the same time lose the common law privileges which were correlative to the obligation to receive guests.

On the other hand, Mr. Asquith, on behalf of the defendants, maintained that the plaintiff's claim amounted to a claim of a sort of freehold interest in the hotel. Her position would be better than

that of an ordinary tenant, as she would enjoy fixity of tenure, and her occupation would only be terminable by mutual consent. Justice Wright had no difficulty in holding that the obligation to receive a guest existed only in the case of a "traveller," and found for the defendants; but he said the question was one of considerable importance, and granted leave to appeal. The question may therefore be still further discussed. To the ordinary non-legal mind, which would decide a question of the kind by considerations of expediency and not by rules of law, the most remarkable feature of the case is, that it should require the united wisdom of a Judge and two Queen's counsel to dispose of a claim which on the face of it seems so absurd. That a man should have a right to remain in a hotel for life seems so ridiculous an idea that it is strange to find it seriously put forward in a court of justice. The truth of the matter is that the case is an illustration of the manner in which the law or rather its elucidation often lags behind the development of custom. In the olden times an inn was never considered anything but a temporary lodging. Men were known to express the desire to die in an inn, but no one was ever heard to wish to live there. There, perhaps, they found their warmest welcome, there did they love to take their ease, but permanent occupation was undreamt of. The result is that when the legal customs of those days have to be applied to the case of a lady who expresses the intention of staying in an hotel till it is burned down the whole machinery of the law has to be set in motion.—*Scotsman*.