considerations of local expediency, is still more pointedly brought out in a famous judgment of Sir William Grant, Master of the Rolls. In *The Attorney-General* v. *Stuart*, 2 Mer. 143, he passed upon the question whether this Act was applicable to the Island of Grenada, in the West Indies. He laid down the proposition, that there was no doubt that the English law was the received and acknowledged law of the Island. Then he points out the various reasons for regarding the statute in question as being a law growing out of local circumstances and meant to have merely a local operation. And he concludes his judgment with these words: "Framed as the Mortmain Act is, I think it quite inapplicable to Grenada, or to any other Colony. In its causes, its objects, its provisions, its qualifications, and its exceptions, it is a law wholly *English*, calculated for purposes of local policy, complicated with local establishments, and incapable without great incongruity in the effect, of being transferred as it stands, into the code of any other country." Sir William Grant's words have also peculiar weight, not only from his eminence as a Judge, but from his Colonial experience, of no ordinary kind. For he was at one time a member of the Canadian bar, practiced in the city of Quebec, and ultimately became Attorney-General of the Province.

This decision was in 1817; in 1851 the same question as to the extension of this Statute to the Colonies arose in *Whicker* v. *Hume*: 14 Beav. 524, in which case the land was situated in New South Wales. By a Colonial Statute it was expressly provided that all laws and statutes in force in England should be applied in the administration of justice in the courts, so far as the same could be applied within the Colony. Lord Romilly followed *The Attorney-General* v. *Stewart*, and held that the Mortmain Act was not applicable to the Colony, and that it was not intended by the local statute that all the laws of England should apply to New South Wales, without any limitation or qualification, whatever. This decision was affirmed by the Lords Justices, in 1 De G. M. & G. 506, and afterwards by the House of Lords in 7 Ho. L. C. 124, (1858.)

Sir Wm. Grant had suggested various reasons against the application of such a statute to a Colony, unless the legislature of the Colony had thought fit *expressly* so to apply it. This position is adopted by Knight Bruce, L. J. in *Whicker* v. *Hume*. When this case was carried to the Lords, the counsel for the appellants pointedly raised the question, as to the anthority of Sir Wm. Grant's decision. It was contended that inasmuch as he founded his judgment on the reasoning that the Mortmain Act was passed in England on account of circumstances of a peculiar character, and those circumstances did not exist in the colony, that his argument was fallacious and his conclusions unsound. But the Law Lords unanimously upheld the decision impeached and Lord Cranworth observed that it did not appear that the evil which the statute was meant to remedy, namely, the increase of the disherison of heirs was at all an evil which was felt, or likely to be felt in the colonies (p. 161).

(To be Continued.)

THE LIABILITY OF INNKEEPERS.

In this age of travel the law relating to innkeepers and carriers is of such importance as to be the subject of legislative enactments, and of many reported judgments. Every one, moreover, is interested in knowing the law which protects him and his property in the hotel or railway train; in knowing the extent of the liability of those in whose hands he is for the time being placed, and the amount of caution which is required of himself in order to make that liability arise. We propose to