lessee for life or years, for it was laches in the lessor that he did not provide against waste:" Com. Dig., tit. Waste A. 2; and see Cruise's Dig. vol. 1, p. 119, s. 25. It has been remarked by a learned judge in the Connecticut Supreme Court that "If it be said that the per ons whose works are cited, found themselves on the doctrine and reasons of Sir Edward Coke, it will not be denied. It only proves that the authority of Bracton cannot stand in competition with the transcendent authority of the great law luminary in the opinion of celebrated jurists, perfectly capable of appreciating their respective merits," per Hosmer, C.J., 3 Conn. p. 488, and see Doc. & Stud. pp. 102-3 (Muchall's ed.).

If Lord Coke is right, then it follows that the liability for waste, except in the cases provided for by the common law, is the result of statute law, and the liability only extends to those tenants to whom the statute, in terms or by necessary implication, applies.

The only statutes which impose liability on tenants for life or lessees for years are the Statutes of Marlbridge and Gloucester.

The Statute of Gloucester (6 Edw. I. c. 5) as now revised and consolidated in Ontario R.S.O. (1897) c. 330, s. 21, reads as follows: "A tenant by the curtesy, a dowress, a tenant for life, or for years, and the guardian of the estate of an infant, shall be impeachable for waste, and liable in damages to the person injured." And here we may note that as regards tenants by curtesy and tenants in dower, the statute is merely declaratory of the common law, but as regards other tenants for life, and tenants for years, it imposes a liability, which as we have seen did not exist at common law, if we accept Sir Edward Coke and Littleton as authorities.

The Statute of Marlbridge (52 Henry III. c. 23), which is now revised and consolidated in Ontario as R.S.O. 1897, c. 330, s. 23, reads as follows: "Lessees making or suffering waste on the demised premises without license of the lessors shall be liable for the full damage so occasioned." This it may be ob-