

came to the hotel as a traveller in 1895, and continued to reside until 1896. It would seem from the report that she was subject to some mental hallucination, and the defendant thought it desirable that she should leave, and he requested her to do so, which she declined; taking advantage of her absence one day he packed up her effects and refused her admittance on her return, and the present action was brought to recover damages for the alleged wrongful refusal to receive the plaintiff. Wright and Bruce, JJ., were of opinion that the action did not lie, on the ground that the common law obligation on an innkeeper to receive and lodge a guest only applies to such guests as are bona fide travellers, and the plaintiff had ceased to be a traveller; and this decision was approved by the Court of Appeal (Lord Esher, M.R., and Lopes and Chitty, L.JJ.).

BANKER—CROSSED CHEQUE—RECEIPT OF PAYMENT OF CROSSED CHEQUE FOR CUSTOMER—BILLS OF EXCHANGE ACT, 1882 (45 & 46 VICT., c. 61), s. 82—(53 VICT. c. 33, s. 81, D.).

In *Clarke v. London and County Banking Co.* (1897), 1 Q.B. 552, the effect of s. 82 of the Bills of Exchange Act, from which 53 Vict., c. 33, s. 81, D. is derived, is discussed. The English practice of crossing cheques, though adopted in the Dominion Bills of Exchange Act, does not appear to have been very widely practised thus far, perhaps because its advantages both to banks and their customers is not generally understood. Of its benefit to banks this case is an illustration. Section 82 of the English Act provides that a banker receiving payment of a crossed cheque for a customer who has no title to it, shall incur no liability to the true owner by reason only of having received payment. In the present case the customers' account was overdrawn, and the amount was placed to his credit, and it was attempted by the true owner to charge the bank with the money for that reason, but the Court, (Cave and Lawrence, JJ.,) held that the section was a complete protection, and it was immaterial that the effect of putting the money to the customers' credit had the effect of paying off the overdraft to his account.