eral corporate purposes, or in and of the indigent and poor, or for the general purposes of education, or for charitable purposes of any description whatsoever, within its limits. The legal capacity of the city, therefore, corresponds with that of the city of New Orleans. Do the laws of Louisiana make a discrimination?

The code declares "that all persons may dispose of or receive by donations, inter vivos or mortis causa, except such as the law declares *expressly* incapable." (C. C., 1456.) There is no distinction between corporations and natural persons in the power to receive by donation, nor do we find any discrimination between domestic and foreign corporations, except perhaps, in a single article. "Donations may be made in favor of a stranger, when the laws of this country do not prohibit similar dispositions in favor of a citizen of this State." C. C., 1477.

We greatly doubt whether this article applies at all to the citizens or corporations of the States of the Union. The constitutional relations between the citizens of the different States are those of equality, in reference to the subject of this article. This court, in the case of the Bank of Augusta *vs.* Earle, (13 Peters, 520,) said, "that by the law of comity among nations, a corporation created by one sovereignty is permitted to make contracts in another, and to sue in its courts; and that the same law of comity prevails among the several sovereignties of the Union. This comity is presumed from the silent acquiescence of the State. Whenever a State sufficiently indicates that contracts which derive validity from its comity are repugnant to its policy, or are considered as injurious to its interests, the presumption in favor of its adoption can no longer be made.

These principles were applied to a purchase of lands by the corporation of one State in another.—Runyon *vs.* Coster, 14 Peters, 122.

The principles of these cases have been adopted in Louisiana. —4 Rob. La. R., 517; 17 La. R., 46, 312.

We know of no departure from these principles in Maryland, and do not doubt that the corporations of Louisiana would take in the same manner as those of Maryland in that State.

The question remains to be considered whether the destination of the legacy to public uses in the city of Baltimore affects the valid operation of the bequest. All the property of a corporation like Baltimore is held for public uses, and when the capacity is conferred or acknowledged to it to hold property, its destination to a public use is necessarily implied. Nor can we perceive why a designation of the particular use if within the general objects of the corporation can affect the result; nor is there any thing in the nature of the uses declared in this will which can withdraw from the legacy a legal protection.

Neither do we concede that the uses, being in a degree foreign to the State of Louisiana, impair the effect of the will. It is well settled, that where property is conveyed to a use which would be protected, if to be executed at home, in the absence of a prohibition, the conveyance would be valid if the execution were ordered to take place abroad. This question was considered by Mr. Justice Story, in the opinion prepared by him for the case of the Baptist Association *vs.* Smith, published in 3 Peters, 482, 500.

He says, "there is no statute of Virginia making such bequests void; and, therefore, if against her policy, it can only be because it would be against the general policy of all States governed by the common law." He concludes: "there is no solid objection to the bequest founded upon the objects being foreign to the State of Virginia." In the late case of Whicker *vs.* Hume, 14 Beavan, 509, on appeal, 16 Jurist, 391, a bequest to trustees, to be appropriated in their absolute and uncontrolled discretion, for the benefit and and advancement and propagation of learning in every part of the world, as far as circumstances will permit," was pronounced valid. We find nothing in the code of Louisiana indicating a spirit less comprehensive or catholic; we shall not, therefore, infer the existence of a restriction where none has been declared. We are of the opinion that the uses for which the testator has devised his estate to the city of Baltimore, are approved alike in the legislation of Louisiana and Maryland, and that the execution of them may be enforced in their courts.