

ed person, then it is due to the fact that Christin chose to put the car, of which he was the joint owner, and under whose control it was, in the control and possession of a person unfit to drive it. If the accident was due to negligence, it was due to a *quasi-délit* committed by Bourget, who in turn was selected by Christin, and if he selected an improper person to conduct the car, he committed a *quasi-délit*. It was not the act of the partnership or firm, but the individual act of the defendant, Christin. The obligation to repair damages caused by *délits* or *quasi-délits*, is a personal obligation, and I am of opinion that the accident was due to a *quasi-délit* committed by Bourget; that he was enable to commit that *quasi-délit* through the individual personal act of the defendant, and that the defendant is personally responsible.

I take it that the quantum of damages has been proved, the contrary was not suggested at the argument at bar. I should reverse the judgment and condemn the defendant for the amount claimed.

*Jugement de la Cour de revision*:—"Considering that on the evening of 21st day of April, 1917, the defendant had in his possession and in a garage under his control, an automobile which was the property of the partnership of which he was one of two partners;

"Considering that the defendant on the last mentioned date, without the participation of his partner, instructed one Bourget to take possession of the said automobile, on the morning of the 22nd of April, for the purpose of conveying the defendant and his friends to St. Eustache;

"Considering that the said Bourget did take possession and control of the said automobile on the morning of the