

Where a parent purchased a large, heavy automobile for the use of his son, 11 years old and weighing 85 pounds, and the machine was kept at a garage subject to the boy's orders, the father paying the bills, and the boy was permitted to drive the machine whenever he wanted to, and he injured a pedestrian on a busy city street, along which he was recklessly driving at the time, it was held that the parent was liable.

So, where a father permits his 16-year-old son to operate the father's car, in violation of a statute prohibiting persons under 18 years of age from operating automobiles, except under certain conditions, is liable for an injury caused by the son's negligent operation of the machine. Such a statute, in effect, declares that such persons do not possess the requisite care and judgment to run motor vehicles on the public highways without endangering the lives and limbs of others.

A petition which alleged that the defendant was a widow, having the exclusive control and custody of her minor unmarried daughter; that defendant was the owner of a certain automobile; and the daughter was riding in said automobile, having authority and command over its movements, when it was negligently caused to run down and injure the plaintiff, was held to state no liability on the part of defendant.

A physician owned two automobiles, which he used in connection with his practice, and regularly employed a chauffeur to drive them. His son 18 or 19 years old, was permitted to use one of the machines for his own purposes when it was not otherwise in demand. On the occasion in question he was so using the machine, having with him two other young men, who were not members of his father's household, and ran down and killed a pedestrian. It was held that the father was not liable for the son's negligence at such time.

Although a child may be a minor, if he is of such an age of discretion and has such ability to operate an automobile that it cannot be said that the father is negligent in permitting him to use his machine, then the father cannot be held liable, aside from the question of agency or the like, if the son takes the car with the father's permission and while operating it for his own pleasure negligently injures someone.—*Central Law Journal*.