

to succeed, the shipowners knowing that they were dealing with him as receiver, and that it was immaterial whether they knew he had been appointed by the court. The House of Lords (Lord Loreburn, L.C., and Lords Halsbury, Ashbourne, Atkinson, Shaw, and Mersey) have affirmed the decision because, as the majority of their lordships held, the receiver and not the company was both shipper and consignee, and he owed nothing for back freights. Lord Atkinson considered that a contract by a receiver to give the shipowners a lien on the property of the company for past debts of the company would be invalid unless authorized by the court. Lords Shaw and Mersey, however, dissented, and were of the opinion that the company was a going concern carried on by the receiver, and that both the shipper and consignees of the goods were the company, and that the contract in question was a contract of the company by the receiver as its agent, and the goods in question were, therefore, bound by the lien for past due freight.

CONFLICT OF LAWS—IRISH MARRIAGE ACT (19 GEO. II. c. 13, s. 1)
—MARRIAGE OF PROTESTANT BY ROMAN PRIEST.

Swifte v. Attorney-General (1912) A.C. 276. The appellant filed a petition under the Legitimacy Declaration (Ireland) Act, 1868, claiming a declaration that he was the lawful son of G. M. P. Swifte and Jane Anne Swifte. In 1833, G. M. P. Swifte being a domiciled Irish Protestant, went through a ceremony of marriage before a Roman Catholic priest with an Austrian Roman Catholic, at a place in Austria; and in 1845 while the Austrian lady was still alive, he married Jane Anne. Under the Irish Marriage Act, 19 Geo. II. c. 13, s. 1, it was declared that any future marriage between a Papist and Protestant, if celebrated by a Popish priest, should be null and void, and the petitioner contended that under this Act the marriage of G. M. P. Swifte with the Austrian lady was null and void; but the Irish Court of Appeal held that the marriage of the petitioner's parents was not a lawful marriage and dismissed the petition. The House of Lords (Lord Loreburn, L.C., and Lords Halsbury, Atkins, and Haldane), affirmed the decision, holding that the Act in question did not apply to marriages solemnized abroad.