

holders of every company, whether incorporated in California or elsewhere, are personally liable for the debts of the company in the proportion which the shares which they hold bear to the whole subscribed capital. The plaintiff company, therefore, claimed to recover from the defendant the proportion of the debt due by the defendant under this California law. Kennedy, J., however, held that though the defendant might have been made liable therefor if sued in California, while within the jurisdiction of the Courts of that State, yet that the plaintiffs could not succeed in an English Court, because under English law the limitation of liability was the legal basis of the shareholder's relation to the company. English Courts cannot recognize as a valid cause of action a debt arising by virtue of a foreign law, which is inconsistent with the English law of the limited liability of shareholders; and that the defendant in becoming a shareholder upon the terms of the memorandum and articles of association, did not authorize the directors of the company to pledge his personal credit for the price of the goods supplied.

EMPLOYER AND WORKMAN—"WORKMAN"—COMPENSATION FOR INJURIES—PARTNER WORKING AT WAGES.

In *Ellis v. Ellis* (1905) 1 K.B. 324 a very simple question was involved, viz., whether the partner of a firm who worked as a foreman for wages, was a workman within the Workmen's Compensation Act, 1897 (60 & 61 Vict. c. 37) s. 1, and as such entitled to compensation for injuries sustained in the course of his employment. The Court of Appeal (Collins, M.R., and Mathew and Cozens-Hardy, L.JJ.) decided that he was not. That the Act contemplates that the workman shall be employed by some other person or persons, and that the deceased, being himself one of the partners of the firm for which he was working, could not be said to be employed by them. This decision would probably be deemed an authority on the construction of the word "workman" in The Workman's Compensation for Injuries Act (R.S.O. c. 160).

WEIGHTS AND MEASURES—WEIGHING MACHINE—FALSE OR UNJUST SCALES—WEIGHTS AND MEASURES ACT, 1878 (41 & 42 VICT. c. 49,) s. 25—(R.S.C. c. 104 s. 4).

London County Council v. Payne (1905) 1 K.B. 410 is another instance of the strictness with which the Weights and Measures Act, 1878 (see R.S.C. c. 104, s. 4) is construed. In this case the defendants were wholesale tea merchants and received orders from some of their customers for quantities of tea to be