245, at p. 246. See also Watson v. Threlkeld, 2 Esp. 637. A case in our own courts is to the same effect, Hawley v. Ham (1826), Tay. 385, in which Campbell, C.J., says (p. 390): "The woman having been recognised by the defendant as his wife . . . renders him liable."

The learned County Court Judge, in his considered judgment, does not dissent from this view: but, assuming that the defendant Inwood would be in precisely the same position as though he and Mrs. Zimmerman had been lawfully husband and wife, he thinks credit was not given to Inwood but to the woman.

I can find no evidence to justify this view. There can be no doubt that the woman was thought by the plaintiffs to be Inwood's wife and was treated as such by them. It was just as in the ordinary case of a wife buying necessaries for her own use. Then we have the visit of Inwood to introduce her, his accompanying her at least twice on her purchasing visits, his paying the account twice, and promising to pay the balance—and also the fact that no inquiry was made as to the woman's means, no establishing of a line of credit for her—no one swears that the goods were furnished on her credit—the book-keeping entries, the charges, etc., are just such as in the practice of the plaintiffs are made in the ordinary case of a wife buying as agent of her husband; and so (even if not self-serving evidence) do not assist in shewing that the woman was the person credited.

In all the case I find nothing to indicate that the defendant was buying or the plaintiffs selling on any but the credit of Inwood.

Paquin Limited v. Beauclerk, [1906] A.C. 148, may be looked at on this question.

I am of opinion that the appeal should be allowed with costs and the action dismissed with costs.