

Where an accident occurred while an automobile was being operated by a chauffeur at the direction of the owner's daughter it was said that the owner was not liable simply because of the relationship, but that to render her liable there must have existed an authority from the mother to the daughter to do the act, or a subsequent ratification of it.

A mother, riding in an automobile with her son, merely at his invitation, is not liable for his negligent operation of the car.

The plaintiff, in a personal injury action, was struck and injured by defendant's automobile while it was being driven by defendant's stepson, who was grown and married, and who occupied an apartment in the same building in which defendant lived. The defendant owned and maintained the automobile as a pleasure car for his family, and the stepson drove the car for defendant and his family at times, but did not have authority to get or use the car without permission from defendant or his wife. He had used it by express permission on a few occasions. On the day of the accident neither defendant nor his wife was at home, and the stepson took the car to go after his wife, and while returning home the accident happened. It was held that the stepson was liable, but that defendant was not.

The fact that the agency is not a business one, and the services of the child not remunerative, does not affect the question of liability.

*Minor Child.*—Aside from the question of agency or the relation of master and servant, in order to render a parent liable for an injury caused by the negligence of his minor child, it is essential that the parent might reasonably have anticipated the injury as a consequence of permitting the child to employ the instrument which produced the injury, and that the parent's negligence made it possible for the child to cause the injury complained of.

Thus, if a parent should place his automobile in charge of a child of tender years, who is incompetent and unable on account of his youth to safely operate such a machine, he will be held liable for injuries caused thereby. But this liability is on account of his own negligence in intrusting his automobile to the child, and does not arise from any imputed negligence of the child.