

REVIEW OF CURRENT ENGLISH CASES.

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CERTIORARI—LICENSE FOR CINEMATOGRAPH EXHIBITION—(CONDITIONS OF LICENSE—OBJECTION TO CONDITIONS BY THIRD PERSONS—"PERSON AGGRIEVED."

Ex p. Stott (1916) 1 K.B. 7. This was an application to quash a notice given by a licensing authority in the following circumstances—the licensing authority had granted a license for the holding of a cinematograph exhibition subject to a condition that the licensee should not exhibit any film which the licensing authority should notify him not to exhibit. The licensee made an agreement with a firm which had acquired the sole right to exhibit a certain film in the district in which the licensed theatre was situated for the exhibition of the film at his theatre, and thereafter the licensee was notified by the licensing authority that he was not to exhibit that film. The application was then made by the proprietors of the film to quash the notice, they contending that the condition in the license above referred to was unreasonable, and therefore void. Avory, J., refused the motion on the ground that the applicants were not "persons aggrieved" by the condition, and had no *locus standi* to make the application.

CARRIER—FURNITURE REMOVER—LIABILITY AS INSURER—PERSON EXERCISING A PUBLIC EMPLOYMENT.

Walkins v. Cottell (1916) 1 K.B. 10. The plaintiff in this case had employed the defendant, who carried on business as a furniture remover, to remove his furniture from one town to another. The defendant made an estimate of the work to be done, and agreed to do it for a certain price. There were no special terms or conditions agreed to. While the goods were in the defendant's custody a fire broke out among them and they were damaged. The fire was not due to negligence by defendant. It was admitted that the defendant was not a common carrier; but the plaintiff sought to make the defendant liable for the loss on the ground that he was exercising a public employment and as such impliedly took upon himself the liability of a common carrier. The judge of the County Court held that the defendant was liable, but a Divisional Court (Avory & Rowlatt, JJ.) held that there was no evidence on which it could be held that the defendant had taken upon himself that liability.