

partners. The business of the firm in question was that of a cinematograph theatre. The articles of partnership expressly provided that no partner should borrow money for the firm without the consent of the other partners. In violation of this article, one of the partners borrowed money from the plaintiff, and for which the plaintiff sought to make the other partners liable, on the ground of the borrower having an implied authority to contract the loan. The borrowed money was misappropriated by the borrower. The County Court Judge who tried the case gave judgment for the plaintiff, but the Divisional Court (Horridge and Lush, JJ.) held that the implied authority only existed for the purpose of trading businesses, and that a cinematograph theatre was not a trading concern. The judgment was therefore reversed.

ILLEGITIMATE CHILD—MAINTENANCE—PROOF OF PARENTAGE—  
CORROBORATIVE EVIDENCE—PREVIOUS CONVICTION OF PUTA-  
TIVE FATHER—(R.S.O. c. 154, s. 2 (2)).

*Mash v. Darley* (1914) 3 K.B. 1226. This was an appeal from the decision of the Divisional Court (1914) 1 K.B. 1 (noted *ante* vol. 50, p. 115), affirming an order for the maintenance of an illegitimate child, in which the Court of Appeal (Buckley, Kennedy and Phillimore, L.JJ.), though affirming the decision, do so on different grounds from those taken by the Divisional Court. The proof of the prior conviction of the defendant for carnally knowing the applicant, by oral testimony, their Lordships hold was insufficient proof of the conviction; but the oral testimony of what took place before the magistrates and at the trial of the defendant they hold was nevertheless admissible as, and was corroborative evidence, within the meaning of the Act (see R.S.O. c. 154, s. 2) of the applicant's evidence as to the paternity of the child.

ILLEGITIMATE CHILD—CHILD BORN ABROAD—AFFILIATION ORDER  
—(R.S.O. c. 154).

*The King v. Humphrys* (1914) 1237. This was a motion for a certiorari to bring up an order of justices adjudging the applicant to be the father of an illegitimate child. It was contended that the child having been born abroad, though now with its mother domiciled in England, was not properly the subject of such proceedings. The Divisional Court (Banks and Lush, JJ., Avory, J., dissenting) overruled the objection.