

Board, he was appointed its chairman. Although Mr. Mabee gave ample promise of being a great success as a judge, it was in connection with the Railway Commission that he is best known. He was an ideal chairman, and his administration of the many important and complicated problems which came before the Board for consideration and adjudication was marked by a masterly grasp of the situation followed by a prompt and intelligent decision which, as a rule, carried conviction, by its wisdom and righteousness, even to those whose claims were refused or modified.

Mr. Mabee's death is a distinct loss to the country, and it will be hard to find one as competent as he was for the position he occupied.

**DEDUCTION OF INSURANCES IN THE COMPUTATION
OF DAMAGES PAYABLE UNDER LORD CAMP-
BELL'S ACT.**

The provisions of Lord Campbell's Act, 9 & 10 Vict. c. 93, reproduced in 10 Vict. c. 6, and in the Civil Code of the Province of Quebec, article 1056, are well known. But we are not considering, at present, the rights granted to certain relatives by the above Act, as representatives of the deceased.

The victim of an accident, of course, would not have the right to claim as extensive damages as his wife or children would have after his death. Although the deceased may have received an indemnity representing the prejudice personally suffered by him, his children and wife can nevertheless claim damages for loss sustained by his death, which is an ulterior consequence of the accident: Dalloz, *Jurisprudence Generale*, 1872, 2 p. 97.*

*This does not appear to be the law in Ontario. If the deceased recovered damages in his lifetime in respect of injuries from which he subsequently died his representatives would, in that case, have no right of action: See *Holmsted's Workmen's Compensation Act*, pp. 126 and 129-30; *Read v. The Great Eastern Ry. Co.*, E.B.K.E. 728, and see *supra*.—Ed. C.L.J.