

REVIEW OF CURRENT ENGLISH CASES.

(Registered in accordance with the Copyright Act.)

**FATAL ACCIDENT—FATHER AND TWO SONS KILLED—DEPENDENT—
COMMON FUND.**

Hodgson v. West Stanley Colliery (1910) A.C. 229, although a decision under the English Workmen's Compensation Act of 1906, may nevertheless be found worthy of attention, as also having a bearing on the construction of the Fatal Accidents Act (R.S.O. c. 135). A father and two sons were killed, their wages had been put into a common fund, out of which they and the other members of the family consisting of the mother and other children were supported. It was contended that the mother was solely dependent on her husband, and could recover only in respect of his death; but this was overruled. Then it was contended that the maximum damages in respect of one death allowed by the Act could only be recovered, notwithstanding three workmen had been killed, but this also was overruled, and it was held by the House of Lords (Lord Loreburn, L.C., and Lords Macnaghten, Collins, and Shaw) that the widow and surviving children were dependent on all three of the men killed, and were entitled to recover damages in respect of the death of each of them.

**TRADE MARK—PASSING OFF GOODS AS THOSE OF ANOTHER—"CHARTREUSE"—VESTING OF FRENCH BUSINESS UNDER FRENCH
JUDGMENT—ENGLISH TRADE MARK—FRENCH LAW.**

In *Lecouturier v. Rey* (1910) A.C. 262 the House of Lords (Lords Macnaghten, Collins, Atkinson, Shaw, and Loreburn, L.C.) have affirmed the decision of the Court of Appeal (1908) 2 Ch. 715 (noted, ante, vol. 45, p. 71). It may be remembered that the plaintiff as the representative of certain Carthusian monks claimed to restrain the defendants from using their English trade mark of "Chartreuse" in connection with a liqueur manufactured by the defendants, who had purchased from the French government the business formerly carried on by the monks in France. The defendants continued to carry on the manufacture of a liqueur, but not by the secret process of the plaintiffs, and claimed to be entitled to use in connection with their manufactures, the English trade mark of the plaintiffs,