

### ACTIONS FOR PERSONAL INJURY.

In a recent issue (vol. 49, p. 575,) we published a short extract from the *Law Magazine* in reference to actions for personal injury. A subscriber asks us as to the state of the law on the subject in the Province of Ontario.

The Statute bearing on the point would appear to be 1 Geo. V. ch. 26, sec. 40 (now R.S.O. ch. 121, sec. 41). Most of the cases come under The Fatal Accidents Act, but it would look as if, where there is no one to claim under that act, the personal representatives might possibly recover for the benefit of the deceased estate. The act gives the personal representatives a right of action inter alia for injuries to the person of their testator or intestate and they are to have "the same rights and remedies as the deceased would if living have been entitled to." This section, if intended to include injuries causing death, does not appear to be very happily worded. How could a man if living recover for an injury causing his death? In *McHugh v. G.T. Ry. Co.*, 2 O.L.R. 600, it was held that the statute did not apply to injuries causing death, and any action which might be brought would have to be carried to the Supreme Court of Canada, or to the Privy Council, if desired to reverse the *McHugh* case. See also *Conrod v. The King* post infra p. 273

### PRICE MAINTENANCE AGREEMENTS.

The existence of agreements for the maintenance of prices is now a well-recognized feature of modern commerce. And although there may be superficial objections to such agreements as restrictive of freedom of dealing, their practical utility overrides any drawbacks they may involve. It is, on the whole, in the interests of retailers that there should be uniformity of price for particular commodities, but, owing to the difficulty of effective combination among them, they are compelled to look to the manufacturer to take effective steps to ensure such uniformity. This the manufacturer is in a better position to do. It is perfectly open to him to sell his commodities on any terms he thinks fit,