

MONTHLY LAW DIGEST

AND REPORTER.

VOL. I.

APRIL, 1892.

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**ACTION FOR BODILY IN-
JURIES.**

ART. 1056 C. C. — ACTION UNDER
ART. 2262 C. C.—ART. 433 C. C. P.—
DESCRIPTION.

Held, (1) Art. 1056 C. C., gives the
widow, or other relatives therein

mentioned, a right of action only
when at the death of the injured per-
son there was a subsisting right of
action which, had death not ensued,
he might have exercised. Therefore
if the injured person's claim was
prescribed before his death the widow
has no action under Art. 1056.

(2) That actions for quasi offences
causing bodily injuries are prescribed
by one year.

(3) That where the allegations of
the plaintiff are not sufficient in law
to sustain his pretensions, the Court
may render judgment in favor of the
defendant, notwithstanding that the
verdict of the jury is upon matters of
fact in favour of the plaintiff. *Can.
Pac. Ry. Co. v. Robinson*, Supreme Ct.
of Canada, June 22, 1891.

ACTUAL MALICE — See Municipal
Corporations 17.

ADDITIONAL INSURANCE—See Insur-
ance 8.

ADULTERATION.

MILK.

Statute 1886, c. 318, § 2, (Mass.)
which imposes a fine on whoever, by
himself or his servant, sells milk dur-
ing May or June containing less than
12 per centum of milk solids, applies
to the sale of a glass of milk in a *café*,
to be drunk on the premises, made by
a servant in the ordinary course of his
employment, though the master was
not present, and did not know of the
particular sale. *Commonwealth v. Veith*,
Mass., 29 N. E. Rep. 578.

ADULTERY—See Trial.

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