

April 6

BILL LIMITS ALL DAMAGES TO NEXT OF KIN

**House Committee Refuses
to Deny All Claims for
Life Expectancy Loss**

REJECTS CONANT PLEA

No damages shall be allowed for the death or for the loss of expectation of life to a y one other than the wife, husband, parent or child of the deceased, according to the terms of an amended amendment to the Trustee Act which was reported by the Legal Bills Committee of the Legislature, yesterday.

The original amendment or bill sponsored by Ian T. Strachan (Liberal, St. Andrew), sought to wipe out all assessment for damages for loss of expectation of life, and, in effect, to restore the law in Ontario to the 50-year-old position it had enjoyed prior to the House of Lords' decision in the now-famous *Rose v. Ford* case.

Attorney-General Conant urged the committee to report the bill without amendment, and that it be given further trial for a year, with his department, in the interval between sessions of the House, thoroughly studying the advisability of loosening up the now restrictive scope of the Fatal Accidents Act. The committee, however, disregarded the proposal and adopted the amendment of former Labor-Welfare Minister D. A. Croll limiting damages under the bill to the wife, husband, parent, or child.

Sees Effort to Avoid Paying.

Former Attorney-General Arthur W. Roebuck charged that the sole object of the measure as sponsored by Mr. Strachan was an effort on the part of insurance companies, the T.T.C. and the Ontario Motor League, for instance, to avoid paying damages. "We had a law for fifty years," he said, "that did not work out very well. Now, this bill would have us go back to that law. I suggest that we should make some change in it at least. If we find next session that the change has been in error, then we can try something else. But let's at least try something now."

W. A. Baird (Cons. High Park), expressed the opinion that the committee should hesitate to interfere with the law as interpreted by the House of Lords and the Canadian courts." After all, he said, "the move in this bill before us is simply an attempt on the part of the insurance companies to lessen the

amount of damages they will have to pay."

Sides With Conant.

Major James Clark (Lib., Windsor-Sandwich) felt that the bill should go through without the Croll amendment. He took the same stand as Mr. Conant, claiming that "liberalizing" of the Fatal Accidents Act might correct any injustice that might now obtain in the way of assessment for and collection of damages. To pass the bill would mean, he said, "a hopeless muddle under two different acts."

Representatives of the Toronto Transportation Commission and the Ontario Motor League appeared before the committee and stated their support of the Strachan bill.