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Suite 347
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Montreal

September 15th, 1969

Board of Revision of Civil
Code and Code of Procedure,
c/o Bar Library,
445 St. Gabriel St.,
Montreal 127, Quebec.

RE: PERSONAL INJURY CASES

Dear Sirs:

I have written before on this subject, without too much response.

Is it not rather ridiculous that a claim for damages to an automobile is prescribed by two years, where damages can be estimated within a week or two, - while claims for personal injuries are prescribed by one year, when sometimes it cannot be estimated for a year and perhaps two, just what the total or partial permanent disability is?

It is particularly annoying, when trying to represent a plaintiff in these cases, to find a prescriptive period of one year, where we are obliged to institute an action without really knowing what the permanent incapacity is.

There are so many actions that I have had to institute to avoid prescription, without really knowing what the permanent incapacity is, since the medical profession itself hesitates to make a final decision.

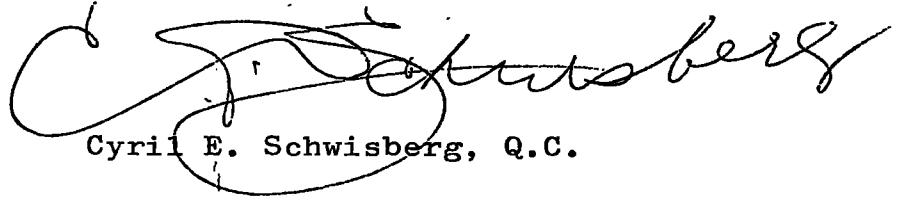
How often has it happened that I have been negotiating towards a settlement, without having instituted action, and am obliged to institute action because we are approaching prescription and I am afraid that if I wait any longer, I might not be able to serve the action in time!

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I respectfully submit that if automobile accident-claims
are prescribed by two years, then personal injury claims
should not be prescribed by less than three years.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Cyril E. Schwisberg". The signature is written in dark ink and is positioned above the typed name.

Cyril E. Schwisberg, Q.C.

CES:S