CASE COMMENTS

Conflict of Laws—Place of Wrong Rule in Wrongful Death Actions

A, a resident of Pennsylvania, boarded an airliner in Philadelphia for a trip to Arizona. The plane crashed in Colorado, and A was killed instantly. P, executor of A's estate, brought suit in Pennsylvania under their wrongful death statute. The reason P brought the action in Pennsylvania rather than in Colorado was that the Pennsylvania wrongful death statute was more liberal and a higher judgment could be obtained in that state. There was no jurisdictional problem because jurisdiction over D, the airline, could have been had in either state. D demurred on the ground that Colorado law must apply because Colorado was the place of the wrong. The demurrer was sustained. P appealed. Held, reversed. The prior general rule in tort actions was that the law of the state where the wrong occurred was the controlling law. However, this rule no longer adequately serves the interest of justice, and is unsuited to modern experience. Pennsylvania now adopts a more flexible rule under which the interest underlying the particular