

ment shewing the transfer was not executed until after action brought, as the agreement was made, all terms settled, and transfer of possession given. Judgment for plaintiff for possession and for \$344.50 damages and costs of action.

MARCH 24TH, 1903.

DIVISIONAL COURT.

METALLIC ROOFING CO. OF CANADA v. LOCAL
UNION NO. 30, AMALGAMATED SHEET
METAL WORKERS.

Trade Union--Combination of Workmen to Injure Business of Employers—Evidence of—Interim Injunction.

Appeal by defendants from an order in the nature of an interim injunction made by MEREDITH, C.J., on the 2nd October, 1902, restraining defendants, their officers, servants, and agents, from using any threats or making any communications in writing or otherwise to plaintiffs' customers, or any of them, to cease dealing with plaintiffs. The plaintiffs were a company manufacturing metallic roofing and other metal goods, and defendants were a trades union, and individual members of it. Plaintiffs failed to agree with the union as to the terms upon which their employees should work for them, and they fell under the displeasure of the union. The union thereupon, with the object of forcing plaintiffs to come to their terms, notified plaintiffs' customers that the men employed by the customers would refuse after a certain date to handle any of the goods manufactured by plaintiffs, because plaintiffs were unfair to organized labour.

J. G. O'Donoghue, for defendants.

W. N. Tilley, for plaintiffs.

THE COURT (STREET, BRITTON, JJ.) held that there was sufficient evidence of concerted action on the part of defendants to make out a prima facie case of combination on their part, and the object of the notices might properly be assumed, for the purposes of the motion, to have been to injure plaintiffs' trade to such an extent that they would be forced to accede to the terms proposed by defendants unless they preferred to stand out and be ruined. All these matters may appear differently at the trial, which should not be prejudiced by a discussion of them now. The evidence upon which