

Ontario.] WASHINGTON v. GRAND TRUNK R. W. Co. [Dec. 9, 1897.  
*Railway—51 Vict., c. 29, s. 262 (D.)—Railway crossings—Packing railway  
 frogs, wing-rails, etc.—Negligence.*

The proviso of the fourth sub-section of section 262 of "The Railway Act," 51 Vict., c. 29 (D.), does not apply to the fillings referred to in the third sub-section, and confers no power upon the Railway Committee of the Privy Council to dispense with the fillings in of the spaces behind and in front of railway frogs or crossings and the fixed rails of switches during the winter months. Judgment of the Court of Appeal for Ontario (24 Ont. App. R. 183) reversed. Appeal allowed with costs.

Stanton, for the appellant. McCarthy, Q.C., for the respondents.

Quebec.] PERKAULT v. GAUTHIER. [Feb. 16.  
*Trade union—Combination in restraint of trade—Strikes—Social pressure.*

Workmen who in carrying out the regulations of a trade union forbidding them to work at a trade in company with non-union workmen, without threats, violence, intimidation or other illegal means take such measures as result in preventing a non-union workman from obtaining employment at his trade in establishments where union workmen are engaged, do not thereby incur liability to an action for damages. Appeal dismissed with costs.

Lafleur and Lanctot, for appellant. Geoffrion, Q.C., for respondent.

Quebec.] MACDONALD v. GALIVAN. [Feb. 26.  
*Appeal—Jurisdiction—Appealable amount—Monthly allowance—Future rights—Other matters and things—R.S.C. c. 135, s. 29 (b)—56 Vict., c. 29 (D.)—Established jurisprudence in Court appealed from.*

In an action *en declaration de plaernite* the plaintiff claimed an allowance of \$15 per month until the child (then a minor aged four years and nine months) should attain the age of ten years, and for an allowance of \$20 per month thereafter "until such time as the child should be able to support and provide for himself." The Court below, following the decision in *Lisotte v. Descheneau*, 6 Legal News, 107, held that under ordinary circumstances, such an allowance would cease at the age of fourteen years.

Held, that the demande must be understood to be for allowances only up to the time the child should attain the age of fourteen years and no further, so that apart from the contingent character of the claim the demande was for less than the sum or value of two thousand dollars, and consequently the case was not appealable under the provisions of the twenty-ninth section of "The Supreme and Exchequer Courts Act," and that, even if an amount or value of more than two thousand dollars might become involved under certain contingencies as a consequence of the judgment of the Court below, no appeal would lie. *Rodier v. Lapierre*, 21 S.C.R. 69, followed.

Held, also, that the nature of the action and demande did not bring the