

submit to a test of any kind of stone work he chose, but he did not accept the offer. Subsequently, while he was at work on a building, the union, at a meeting, passed a resolution that unless the plaintiff were discharged the union men would be called out. Plaintiff having been discharged, brought action, claiming an injunction and damages.

*Held*, on appeal (reversing the judgment of LAMPMAN, C.J.) that plaintiff had not shewn that the purpose of the defendants was to molest him in pursuing his calling, and prevent him, except upon conditions of their own making, from earning his living thereby.

H. B. Robertson, for appellants. R. T. Elliott, K.C., for respondent.

Full Court.]

REX v. CARROLL.

[Jan. 11.

*Criminal law—Appeal—Certiorari—Right of appeal from single judge.*

No appeal lies to the full court from the decision of a single judge quashing a conviction on an application for a writ of certiorari.

Moore, for the Crown, appellant. Aikman, for accused, respondent.

Full Court.]

WILSON v. WARD.

[Jan. 12.

*Architect—Instructions to prepare plans—Limitation of cost of proposed building—Plans to comply with municipal by-law—Payment for services.*

Where an architect is instructed to prepare plans for a building to cost not more than a certain sum, but which has also to comply with the provisions of a municipal by-law as to accommodation and other conditions, then, in order to comply with such by-law and other conditions, the tenders sent in are in excess of the sum mentioned, the architect cannot recover for his services.

Bodwell, K.C., for defendant, appellant. Luxton, K.C., for plaintiff, respondent.