

The Court of Appeal differed to some extent, but not materially, from the Court of Review in its conclusions on the facts, but the principle is laid down by the majority of the first mentioned court that a workmen's union, one of the rules of which prohibits members from working in any place where non-members are employed—without, however, imposing any penalty for breach of the rule except the loss of beneficial rights in the society—is not an illegal association, and does not constitute a conspiracy against workmen who are not members. It was further held that workmen who, without threats, violence, intimidation, or the use of other illegal means, quit work because a non-union workman is employed in the same establishment, incur no responsibility towards the latter. The majority of the court were also of opinion that the plaintiff Perrault, having left his work voluntarily, notwithstanding an intimation from his employer that he was at liberty to stay, had not suffered any damage recoverable at law. The answer to this by the dissentient members of the Court, is that it was impossible for Perrault to do otherwise, because he could not do the work alone, and that the departure of the union members involved the closing of the establishment. An effort is being made to bring this case before the Supreme Court, and in view of the importance of the question involved, and the equal division of opinion in the three Quebec Courts, it is to be hoped that the effort may be successful.

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Since our Quebec Court of Appeal rendered judgment in *Gauthier & Perrault*, the New York Court of Appeals has decided the case of *Curran v. Galen*, in which the question was similar. The New York court has come to a different conclusion from that arrived at by the majority of our court. An article referring to the case, taken from the *New York Law Journal*, together with a report of the judgment, will be found in the present issue.

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