

THE LEGAL NEWS.

VOL. XX.

MARCH 15, 1897.

No. 6.

CURRENT TOPICS AND CASES.

The reports of cases in England, France and the United States show that considerable difficulty has been experienced by the courts of these countries in defining the precise extent to which the members of trade unions may lawfully go in carrying out the objects of their organization. The case of *Gauthier & Perrault*, decided by the Court of Appeal, at Montreal, on the 24th February, shows that a similar difficulty has been felt here, the members of the three courts being as equally divided as it was possible to be,—Mr. Justice Davidson in the Superior Court (6 C. S. 83), Mr. Justice Mathieu in the Court of Review (10 C. S. 224), and Chief Justice Lacoste and Justices Wurtele and Ouimet in the Court of Queen's Bench, being of opinion to dismiss the action of the respondent Perrault, a non-union workman, against the members of the union, while Justices Jetté and Tellier in the Court of Review, and Justices Bossé and Blanchet in the Court of Queen's Bench, were of opinion that the action should be maintained. Of the nine judges who pronounced on the case, four were in favor of sustaining the demand, and five were for dismissing it. The result is that the original judgment pronounced by Mr. Justice Davidson, dismissing the action, is restored and affirmed.