

JURY'S FINDING IN THE CONSPIRACY TRIAL

Decided That the Defendants Did Not
Combine to Injure Plaintiff, But
Condemned Methods.

world, clerly outfought Hughey McGovern, of Brooklyn, here to-night. The fight was the most vicious ever witnessed in this city between little men. At the close of the sixth round McGovern was almost out and was hanging on to Nell to avoid punishment.

The case occupied the Supreme court for five full days. Six lawyers were employed, namely, Messrs. Martin, Bird and McCrossan for the plaintiff, and Messrs. Davis and Macneill and Sir Charles Hibbert Tupper for the defend-

men composing the jury: Gilbert Blair (forman), R. P. Freeman, A. R. Hanscome, D. L. Gow, W. T. Creighton, Alex. Paterson, F. L. Hacking and E. H. Grubbe.

dence did not include that, even if the jury answered all the questions submitted in such a way that judgment would be given for the plaintiff. There was no ground for assuming that these defendants did anything that was contrary to the law. At least they thought they

In answer to a question of the foreman as to what constituted a conspiracy, His Lordship said he did not think there was any conspiracy there. There was rather an agreement to do this thing.

In addressing the jury Mr. Justice Duff submitted a series of questions. He is

article 1 of the Employers' Association, laid down as its aim "to support persons in their efforts to obtain employment without reference to unions, and without being discriminated against by organized labor." Mr. Bird had told them that the whole object of the association was

to break up and generally destroy the power of unionism here. It appeared, however, that a long time prior to the change of rules, the Vancouver Engineering Works was to all intents an open shop. It had not been explained to him why the defendants had not gone

to the box and given evidence. If the association had merely one object, there could surely have been no harm in coming forward to testify to it. As to question 7, as to whether the plaintiff had suffered pecuniary loss through being prevented from getting employment, there was no doubt he had.

"These are the questions," said His Lordship, "and I will close with a few observations on the remarks made by counsel. You were impressed by both that you were here more or less as the guardians of the rights of capital and labor. Now, whatever the law may

to hurt someone, it is the same in regard to both capital and labor. The right to combine and refuse to work was unquestioned, and the right of employers to get together and refuse to employ whom they choose could not be questioned. My argument in discussion was

ing; I am glad to say, subject to a higher court if it is wrong, and your finding in regards to facts being subject to no one's conclusion, your responsibility is greater than mine. I want you to consider these questions and answer such as you can."

"In reply to question 1, did the defendants combine to injure the plaintiff by preventing him from obtaining employ-

To question 7, as to whether plaintiff was prevented from getting employment by the action of defendants, and thereby suffered pecuniary loss, we answer

To question 8, as to whether there were boilermakers out of employment on March 2nd, who were not members of labor organizations, we answer: "According to the evidence produced, 'No.'" The judge said he could hardly under-

question 7, and "No" to question 1, since both referred to the same combination. He asked them to retire for a short time. They returned in a few moments, saying that they found that the plaintiff had suffered pecuniary loss by the action of defendants, but there was no intention

Mr. Davis asked for judgment for defendants on these answers. His Lordship said he would consider that as soon as he had dismissed the jury. After the jurors had filed out, Mr.

He said that both he and his learned friend were in a peculiar position, as they were asking for judgment for their clients on the answers of the jury. He contended that since they had found that the plaintiff had suffered pecuniary loss through the commission of defendants' intent to injure

The judge said that the jury had clearly come to the conclusion that there was no intention of injury on the part of the Employers' Association, though they condemned strongly the methods employed. "And I am afraid,"

Mr. Bird still contended that since the jury had found that the plaintiff had been injured and had suffered pecuniary loss through the action of defendants, it was for His Lordship to

His Lordship said he would consider that and give his decision later.

st, dirt or tarnish — but won't wash
them.
