

law character, as for instance actions to recover damages for tortious acts committed by a combination of many persons.

In suing a trade union for a tort a plaintiff is met with the difficulty that the union is not a corporation and cannot be sued as such. It has a recognized legal status, and is possibly a quasi corporation to the extent that it may be sued by its name: see *Taff Vale Railway v. Amalgamated Society of Railway Servants* (1901) A.C. 426; 85 L. & T. 147, and yet it does not possess the legal attributes of a corporation so that it can be sued effectively by its name so as to bind its property. Very often as far as property is concerned the union is nothing but a name, "the collective name of all the members," as Lord Macnaghten said in *Taff Vale Railway v. Amalgamated Society of Railway Servants*, *supra*. Usually its property is vested in individuals as trustees, and in order to reach the property of the union it is necessary that such trustees should also be made parties to the action. In a recent case of *Robinson v. Lawrence*, referred to in the *Law Times*, an action was brought in England to recover damages from a certain named defendant, and against a society, for wrongfully and maliciously conspiring and combining to procure certain members of the society to commit damage. In the action the society was represented by one of its leading members, and the jury returned a general verdict against all the defendants including the society. In the same way a trade union may be sued. But the difficulty in the way of making the property of a trade union answerable for its torts is well illustrated by the *Metallic Roofing Co. v. Local Union No. 30*, 5 O.L.R. 424; 9 O.L.R. 171, and see S.C. 10 O.L.R. 108. The trade unions sued in that case were not registered under the Trade Unions Act, one being a general association of the metal workers of the United States and Canada, and the other a local union or branch of the general association; and it was held by the Court of Appeal that they were not corporations, nor quasi corporations, nor partnerships, and were not capable of being sued and served with process as such in the ordinary way; but it was held that both associations could be sued in respect of wrongs committed within the juris-