

Combination means power and power implies ability to command or control, and the advantages which result from concerted action when substituted for individual effort are too apparent to admit of discussion.

To gain control over the will of their employer, to secure the ability and power to dictate the terms and conditions of their employment is the one purpose of all labour organizations, resulting whether mediately or immediately, in the maintaining or increasing of the wages paid their members.

For the reason that such an ultimate object was considered at one time to be against public policy these combinations have been held to be illegal and to subject these concerned to indictment for criminal conspiracy. The reasons and causes for this legal view may be found in the economic ideas which shaped and rounded out the political polity of former times. It was contended that the public interest required trade should be protected from *restraint* and the price of commodities, and particularly of necessities, should be regulated by the law of supply and demand.

Any combination by which the price was increased, whether a combination of masters limiting the output of an article, or otherwise, or of workmen by compelling an increase in wages, was held to be unlawful as in contravention of public policy, and in restraint of trade.

But these views for the protection of trade have in recent years been considerably modified by certain exceptions, as our industrial progress has rendered no longer necessary a specific application of the above principle, and the most notable exception, perhaps, is that of labour organizations.

This is due in England to the passage by Parliament of the Act 34 and 35 Vict. c. 32, resulting from the report of a commission which itself was the outcome of the dissatisfaction over the conviction in the case of *Rex v. Drutt*, 10 Cox C.C. 600.

In Canada the change or departure was marked by the passage of the Act 35 Vict. c. 30, and known as "The Canada Trade Union Act," and in the United States, the exception in favour