

liberty of action and he refers (p. 541) to acts which are forbidden by law, such as picketing, besetting and threatening.

In *Boots v. Grundy*, 82 L.T. 769, Phillimore gives instances of what is or is not just cause or excuse. Political or religious hatred, a spirit of revenge for previous real or fancied injury are not accepted as valid, but to further one's own prosperity or if the act be constructive, or destructive only as a means of being constructive then sufficient excuse exists.

VII. Conclusion.

In closing it may be interesting to note the view of Romer, L.J., in the *Glamorgan* case and what he thinks ought to be considered in determining whether just cause or excuse does or does not exist.

Those elements are:—(1) the nature of the contract broken; (2) the position of the parties to the contract; (3) the grounds for the breach; (4) the means employed to procure the breach; (5) the relation of the person procuring the breach to the person who breaks the contract, and (6) the object of the person in procuring the breach.

To this must be added that vitally important factor, namely, the effect of combination as distinguished from the results of individual acts. A combination cannot act with as free a hand as an individual—as has been said, a baker can refuse to supply me with bread, but if all the bakers combine to refuse me bread their agreeing becomes a conspiracy to injure me. Hence in dealing with just cause and excuse, it is obvious that where two or more combine to do an act causing injury, their defence will be scrutinized more keenly and will always lack one advantage possessed by an individual, namely, the innocency of the means used.

Mr. Chalmers-Hunt, the great English authority upon this subject has propounded a view which, speaking generally appears to afford the best view point for considering just cause or excuse. It is that the right to attack persons for the sake or by way of competition is an indulgence conferred by the law, and, being in itself an evil, although a necessary one, its exercise is to be jealously limited and confined so as to exclude from protection acts of manifest tyranny and malice.

This puts the onus where it properly belongs, and if adopted