

DIARY FOR MARCH.

1. Friday *St. David's*. School reports to be made. Supt. of Sep. Sch. to give notice to Clerk of Municip.
3. SUN... *Quinquagesima*.
4. Mon... Last day notice of trial for Co. Court. Recorder's Court sits.
5. Tues... *Shrove Tuesday*.
6. Wed... *Ash Wednesday*. Notice for Chancery rehearing term to be served.
10. SUN... *1st Sunday in Lent*.
12. Tues... Quarter Sess. and Co. Court sittings in each Co.
14. Thurs. Error and Appeal sittings. Chancery rehearing term begins.
17. SUN... *2nd Sunday in Lent. St. Patrick's Day*.
24. SUN... *3rd Sunday in Lent*.
25. Mon... *Lady Day*.
27. Wed... Appeals from Chancery Chambers.
31. SUN... *4th Sunday in Lent*.

NOTICE.

Subscribers in arrears are requested to make immediate payment of the sums due by them. The time for payment so as to secure the advantages of the lower rates is extended to the 1st April next, up to which time all payments for the current year will be received as cash payments.

The Local Courts'

AND

MUNICIPAL GAZETTE.

MARCH, 1867.

TRADES UNIONS AND CO-OPERATIVE ASSOCIATIONS.

The struggles between labour and capital have been of long duration. But inasmuch as capital is generally represented by the few who are powerful, and labour by the many who are without the power of wealth, co-operation, or combination on the part of the latter has been found necessary. Fair play is the object to be attained; but man, in affairs of business, is essentially selfish. The employer wishes to have his work done for as little as possible, while the employed wants as much as possible for his labour. The opposite interests produce conflict, and when the conflict is long continued, distress and loss to the one party or the other, if not to the public, is the sure result.

The law has ever watched combinations of masters or workmen with a jealous eye. The interest of the public is the steady progress of commerce and manufactures. Whatever tends to interrupt this progress, attracts attention, and at times is visited with punishment. How far it is lawful to combine, and when unlawful, shall be the subject of our present enquiry.

It was at one time supposed, both in England and the United States, that a combination

of workmen to raise their wages was illegal, (per *Grose, J., in Rex v. Mawbey*, 6 T. R. 619, 636,) and if followed by overt acts, was indictable (see *People v. Fisher*, 14 Wendell, 9; contra, *The Commonwealth v. Hurst*, 4 Metcalf, 111). The Legislature of England, by various statutes, from the reign of Edward the First to that of George the Fourth, prohibited agreements either of masters or workmen, for the purpose either of raising or lowering wages, or of altering hours for labour, or otherwise affecting their mutual relations. These agreements were by some of the statutes enacted to be, and by others declared to be illegal, and the parties entering into them made subject to punishment. But by the English statute, 6 Geo. IV., cap. 129, an entire change of the law was made. By section two, all the statutes prohibiting such agreements are enumerated and absolutely repealed. By section three, prohibition is restricted to endeavours by force, threats, or intimidation, molestation, or obstruction to affect wages or hours, and these are declared illegal and punishable. By sections four and five, it is declared that neither masters nor workmen shall be punishable for agreements in respect of wages or hours, unless they infringe the provisions of section three.

Judges in expounding this statute have used language denoting that, in their opinion, the agreements either of all masters or all workmen, either as to wages or hours, unless within section three of the Act, are legal (see *Regina v. Harris*, Car. & M. 661; *Regina v. Selaby*, note a to Rowlands' case, 2 Den. C. C. 384; *Regina v. Rowlands*, 17 Q. B. 671, 686; *Hilton v. Eokersley*, 6 El. & B. 47).

It therefore becomes of importance to know precisely the language of section three, and it is as follows:—"If any person shall, by violence to the person or property, or by threats or intimidation, or by molesting, or in any way obstructing another, force, or endeavour to force, any journeymen, manufacturer, workmen, or other person hired or employed in any manufacture, trade, or business, to depart from his hiring, employment, or work, or to return his work before the same shall be finished, or prevent, or endeavour to prevent, any journeyman, manufacturer, workman, or other person not being hired or employed, from hiring himself to or from accepting work or employment from any person or persons; or if any person shall use or employ violence to the person or property of another, or threat or intimidation,