

## TRADES UNIONS AND CO-OPERATIVE ASSOCIATIONS.

property of another, or threat or intimidation, or shall molest or in any way obstruct another, for the purpose of forcing or inducing such person to belong to any club or association, or to contribute to any common fund, or to pay any fine or penalty, or on account of his not belonging to any particular club or association, or not having contributed or refused to contribute to any common fund, or to pay any fine or penalty, or on account of his not having complied or of his refusing to comply with any rules, orders, resolutions or regulations made to obtain an advance, or to reduce the rate of wages, or to lessen or alter the hours of working, or to decrease or alter the quantity of work, or to regulate the mode of carrying on any manufacture, trade or business, or the management thereof; or if any person shall, by violence to the person or property of another, or by threats or intimidation, or by molesting or in any way obstructing another, force or endeavour to force any manufacturer or person carrying on any trade or business, to make any alteration in his mode of regulating, managing, conducting or carrying on such manufacture, trade or business, or to limit the number of his apprentices, or the number or description of his journeymen, workmen or servants, every person so offending, or aiding, or abetting, or assisting therein, being convicted thereof, shall be imprisoned only, or shall and may be imprisoned and kept at hard labour for any time not exceeding three calendar months."

This section does not subject to punishment persons who meet together for the sole purpose of consulting upon and determining the rate of wages or prices which they shall require or demand for their work, or for the hours or time for which they shall work in any manufacture, trade or business, or who shall enter into any agreement, verbal or written, among themselves, for the purpose of fixing the rate of wages or prices which they shall require or demand for their work, or the hours of time for which they will work (s. 4).

Nor does the section subject to punishment any persons who may meet together for the sole purpose of consulting upon or determining the rate of wages or prices which they shall pay to their journeymen, workmen, or servants, for their work, or the hours or time of working in any manufacture, trade or business, or who shall enter into any agreement, verbal or written, among themselves, for the

purpose of fixing the rate of wages or prices which they shall pay to their journeymen, workmen or servants, for their work, or the hours or time of working (s. 5).

A threat, within the meaning of section three must be an intimation made with the intention of forcing or unduly influencing the conduct of the person to whom it is addressed. It is now, however, too late to say that the word threat is limited to the declaration of an intention to do which have an intimate connection with personal violence. The cases that have been decided show that the word must have a wider sense, viz.: a threat by act or words, for the purpose of doing some injury to another person. But it is essential that it should be made for the purpose of intimidating the person to whom it is addressed (see *Walsby v. Anley*, 30 L. J., M. C. 121; *O'Neill v. Longman*, 4 B. & S. 376; *Hilton v. Eckersley*, 24 L. J., Q. B. 353; *Wood et al. v. Bowron*, 2 L. R., Q. B. 21, S. C., 10 Cox. C. C. 344; *Hornby v. Close*, 2 L. R., Q. B. 153).

No doubt it was supposed by the Legislature, when passing this Act, that if workmen on the one hand refused to work, or masters on the other refused to employ, such a state of things would not long continue, and that the party whose pretensions were not founded on reason and justice would ultimately give way—the masters, if they offered too little, or the workmen, if they demanded too much. But the frequent disagreements in England between employers and workmen have been found to cause so much private suffering and public loss, that the Queen in her recent speech, when opening the present session of the Imperial Legislature, drew attention thereto, and announced her intention of issuing a commission to enquire into and report upon the organization of Trades Unions and other Societies, whether of workmen or employers, with power to suggest any improvements of the laws that may be found necessary.

The result will be looked for with great interest. The attempt to prevent collisions between capital and labour, and yet preserve to each its peculiar rights, is, though simple in theory, most difficult in practice. It is the right of the capitalist to have labour at a fair compensation, and it is the right of the labourer to have a fair compensation for his personal strength, energy and skill. But as each views the amount of "fair compensation" from his