

attend at or near a house or place where a person resides or works, or carries on business, or happens to be, if they so attend merely for the purpose of peacefully obtaining or communicating information or of peacefully persuading any person to work or abstain from working."

This section was passed, as previously remarked, in consequence of the judgment in *Lyons v. Wilkins* (1896) 1 Ch. 811, (1899) 1 Ch. 255, in which it was held that acts of watching and besetting proved in that case, although it was admitted that the pickets used no violence or intimidation or threats, were acts in themselves unlawful at common law, as constituting a nuisance of an aggravated character. English public opinion condemned the decision. Mr. Haldane, later Lord Chancellor, and now Viscount Haldane, writing in the *Contemporary Review*, said:—"It is almost impossible in view of this decision to conduct a strike lawfully. To hold what the Court of Appeal held is to make the protection which the section affords to the workman a mere trap. It may be argued that a strike is a wicked thing, and ought to be illegal in every shape and form. It may with equal force be said that the combination of great shipowners against their weaker rivals to the extent of ruining them was likewise a wicked thing, yet the House of Lords has solemnly declared that this latter course of conduct is not wicked, but is natural and legal on the part of persons carrying on business. One asks why the workman should be in a different position from the capitalists, for it is difficult to distinguish the cases."

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