

JUDGMENT AGAINST A LABOUR UNION.—The liability of labour unions in the event of damage resulting from the acts of striking members is a point which has had some consideration from the courts. It is of interest to liability underwriters, possibly, as presenting opportunities for the subrogation of claims. "Case and Comment" refers to several such cases as follows:—

Some unusual claims against the labour union for damages caused by a strike, were presented in a jury case recently tried in Vermont, as reported in the daily press. A manufacturing company brought suit against a machinists' lodge for \$10,000 damages caused by intimidation to prevent non-union men from filling positions made vacant by strikers. Among the grounds of damages alleged, were the facts that the employer was forced to maintain a boarding-house for his non-union employees, and was obliged to protect them by hiring private police. The defendant was a lodge of the "Independent Association of Machinists," and the report does not state whether or not it was incorporated, but the implication seems to be that it was not. A verdict and judgment gave the plaintiff \$2,500 damages. The press report says it is expected that efforts will now be made to enforce collection upon property of individual members as well as the union treasury, and adds that if this step succeeds it will establish a new principle of law affecting labour disputes in this country, though the case stands practically on all fours with the Taff Vale railroad decision, recently rendered in England. But it is altogether a mistake to say that this kind of a remedy against an unincorporated labour union has hitherto been unknown in the United States. A recent article in the "Green Bag," on the incorporation of labour unions and many newspaper editorials have proceeded on the theory that labour unions and their members are irresponsible unless the unions are incorporated, but this is certainly an error, as shown by cases mentioned in the February "Case and Comment," page 97, in which actions of the same character as the Vermont case have been brought and maintained against unincorporated unions. The Vermont

case, therefore, though it may be novel in some of its incidents, is not so with respect to the principle of law on which the decision is based.

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