

the public at large, just to what extent the union is lawful in its purpose and designs, and that courts in a proper case may determine its nature and character by an examination of such rules; hence, since the passage of this legislation, the English courts have been called upon to determine by such examination, whether some of these unions were within the pale of the law or not, and from these decisions can be evolved some very valuable information, as to what penalties and obligations can be enforced as in favour of these unions, and against the employers of their members or against the public interests. See *Chamberlain's Wharf, Limited v. Smith*, [1900] 2 Ch. 605; *Cullin v. Edwin*, [1903] 88 L.T. 686.

In the case of *Gozney v. Bristol Trade and Provident Society*, [1909] 1 K.B. 901, Channel, J., says:—"What I think has to be found to make the association illegal is that the members agree to submit their own action to the decision of others and to strike or not as directed. That would certainly make the society unlawful, and probably also it would be unlawful if the object is to combine for the purpose of putting pressure on employers and thereby to fetter their freedom of action."

It is part of the evidence in the *Hitchman* case, first above referred to (and this from one of the defendants therein, Green, and an officer of the United Mine Workers), that this particular union, during a period of fourteen years, "spent hundreds of thousands of dollars of the members' money," and "sacrificed human lives in their attempt to redeem that promise," to unionize the miners of West Virginia. What promise? The promise or arrangement made in 1898 at Chicago, with the mining companies of other States, who were producing coal at a disadvantage, and heretofore alluded to. Is it possible that such a conspiracy could be allowed to exist, much less to be carried into execution, in any count possessing to any degree a modicum of our boasted latter day civilization?

And is it a basis for complaint by these unions, that they are frowned upon unjustly by the courts, simply because the shield, or ægis of the law, is suddenly thrust between them