

output which are also furnished by the proprietor's capital. Thus, the mere labour power of a miner would be worthless were not capital to provide it with the necessary plant for its utilization; and, after such labour has been expended it may be of no value, because capital has not provided for the transportation of its product to market. The arrangements for production and marketing of all products are indeed like a highly complicated piece of machinery in which the utility of each portion, its relative value, therefore, is dependent upon the utility and the working, the relative value of all the other parts. By removing one obscure screw, a complicated machine may be rendered worthless until it is repaired. All of which proves how irrational it is for labour to place a value thereon without considering the economic relation existing between such labour and the capital by which it is given a market, that is, a selling value. However great the friction between employers and employed, between capital and labour, they are indissolubly associated as industrial partners, with this difference between their relations and those in an ordinary trade partnership, that one party—Labour—invests nothing he can lose; he draws also a fixed remuneration for his services, he does not share in the losses of the firm, while the other party—Capital—risks his fortune; he has no certain income assured, and upon him falls all the losses incurred. It is like the trick game of tosy-up, "Heads I win—regular wages, Tails you lose—your capital."

The Trades' Union, as now known, dates from the end of the 18th century. A pamphlet was issued in 1776 advocating a trades' society to regulate wages, to prevent men working who were not members of the society, and to prevent competition in the market for labour by restricting the supply of labourers. The end advocated was, in fact, to make each trades' union a monopoly of the labour of its class, by which it would have the power to dictate its price and terms to employers. As the ideas expressed in this pamphlet gained currency amongst workmen, there arose disputes, strikes and other industrial disturbances. To suppress these there were Acts of Parliament passed, some of which were tyrannical. Under one of these laws several printers were prosecuted by the "Globe," which ended the power of such legislation in Canada. Men in England were sent to jail for long terms for acting as collectors for trades unions, for attending a trades union meeting, for refusing to work when under no contract. By Acts passed in 1871 and 1876 these unions were legalized. From the first these unions had a strong plea based upon the alleged existence of similar societies, such as the Inns of Court, the Law Society, the College of Surgeons and Physi-

cians and other organizations which fix the rates to be charged for certain services of which the members hold a monopoly. Space forbids our entering upon an analysis of the features which differentiate these bodies from an ordinary trades' union. But a brief generalization may be allowed. A trades' union is essentially an organization to compel employers to raise wages and to refuse employment to non-union men.

Is there then in the operations of one of these bodies any feature to bring it within the range of the criminal law, or which renders it desirable that a law shall be passed to stop such operations? Is it lawful for men to so combine as to paralyze an industry which is of vital importance to the well-being of the whole community? Some years ago this question was forced upon public attention by a strike of gas stokers in London; by the Yorkshire colliers strike in 1858; the building trades' strike in 1859-60, and the railway strike later. The miners' strike this year makes this a live question, which will have to be seriously considered.

It is trifling with words to say that because one man has the right to abstain from work in providing coal, therefore, 140,000 men have this right. MacCulloch says: "A criminal act cannot be generated by the multiplication of acts that are perfectly innocent." That dictum is nonsense. One man may mount a horse most innocently, but, if twenty or thirty men pile themselves on its back, the animal will be damaged and a criminal act will have been committed. A man may withdraw part of his money from a bank without blame, but, if he forms a combination of depositors and proceeds with them to draw out all their funds, he is guilty of a criminal act, the essence of the criminality being a design to do injury by "the multiplication of acts that are perfectly innocent." A person may stand in the doorway of a store without censure, but, if a score of men persist in standing there so as to block the entrance, they are guilty of a penal offence. One baker may refuse to go on delivering bread, but, if all the bakers were to combine, they might inflict a fearful loss of health and of life in the community. A corner in wheat may be criminal by being a conspiracy against the public well-being.

Now, the very essence of all crime is wrong done to or injury inflicted upon another person or corporation or the community. If, then, the entire body of labourers whose exertions are required for the production of, or the regular distribution of a necessary of life, enter into a combination to stop such production, they are very likely to do a grievous wrong to some persons and to inflict injury upon the entire community.