

were rendered when the exigencies of justice would seem to have been better served had a verdict of guilty been returned. How far this was due to the personality of the judge it is difficult to say, certainly in his view it were better that twenty guilty ones should escape punishment rather than that one innocent one should be condemned. His portly form will be missed at Osgoode Hall where his memory will be cherished for many years by those who knew him as an able lawyer and an honest man.

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### TRADE AND LABOR UNIONS.

#### JUST CAUSE AND EXCUSE IN LABOR DISPUTES.

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#### I. *Introductory.*

England is a trading country, and it is not surprising to find that until 1825 combinations among workmen were illegal. But almost coincident with the gift of a vote came the right of association in labor. Advantage was taken of this, and what became known as Trade Unions were formally legalized in 1871.

The influence of these bodies in England was very marked, both in limiting the industrial output, and in securing complete control of the classification and pay of artisans. Their wealth did not attract attention until, through an alliance of several of them, a struggle occurred which lasted for almost a year and cost an enormous amount of money. Prominence has its drawbacks. Consequently an experiment was tried by capital in the *Taff Vale* case (1901) A.C. 426, and its conclusion startled the workmen of England. The outcome has been that in every case against a trade union the fight has been to a finish. And as a natural consequence we find old precedents, which had been supplied by minor and less far-reaching disputes, reviewed and reconsidered.