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The case of *Judge v. Bennett*, before the English Queen's Bench division, raised an interesting question under the Conspiracy Law Amendment Act (38-39 Vict., c. 86), the Act as to strikes or intimidation of employers. The question in substance was whether a threat to "picket" an employer—that is, to put persons to watch his premises—is a threat to "beset and watch," and so an attempt to intimidate. The Act (section 7) says: "Every person who, with a view to compel any other person to abstain from doing or to do any act which such person has a legal right to do or abstain from doing, wrongfully and without legal authority (1) uses violence to or intimidates such other person or his wife, &c.; or (2) persistently follows such person about; (3) hides tools, &c.; (4) watches or besets the house or other place where such other person resides or works or carries on business, or the approach to it; or (5) follows such other person with two or more other persons," &c.; and then it is added, "attending at or near the house or place where a person resides or works or carries on business or happens to be, or the approach to it, in order merely to obtain or communicate information, shall not be deemed as watching or besetting within the meaning of the Act." In the present case the facts were these:—Mr. Judge, the defendant, is secretary of a branch of the National Union, and the complainant, Mrs. Bennett, carries on a certain business, which her husband managed, and he seeing certain persons in their employment talking to Judge—a known trade unionist—discharged them from their employment. Then, in April last, Judge wrote to him a letter in these terms: "Your workpeople have resolved not again to 'start' work unless you are willing to 'start' the whole of them, and the 'finishers' also will strike, and your shop will be 'picketed' until you comply. Your action in discharging men because seen talking to me cannot be tolerated. If you agree to take them back the matter may be settled; other-

wise we must fight it out to the end." In consequence of the complainant, Mrs. Bennett, not acceding to this demand, her premises were "picketed," and two men were placed opposite for the whole day, day after day. They were orderly, and did not personally interfere with persons going in or out; but their being there caused a crowd—sometimes of 400 or 500 persons—to assemble outside in a disorderly manner, with the effect of rendering entrance and exit more difficult, and it became necessary to call in the aid of the police, from a well-grounded fear of personal violence, and though the letter was sent to the husband, as the manager of the business, it did in fact excite fear in the mind of his wife, whose business it was. The defendant Judge was charged with an offence under the Act for that, with a view to compel Mrs. Bennett to take back into her employment certain persons whom she had discharged therefrom, and to intimidate her, he did send her a certain letter by which she was intimidated. It was contended before the magistrate that the letter did not constitute an offence within the Act, and that it was not an attempt to intimidate Mrs. Bennett. The magistrate, however, convicted the defendant, the ground of his decision being that the statement in the letter that the shop would be picketed unless the conditions prescribed were complied with was a threat to watch and beset the premises, and therefore was an attempt to intimidate, as it was not professed in the letter that the object was only "to obtain or communicate information," so that it could only be inferred that the intention was to watch and beset the premises, and so to intimidate. He therefore convicted the defendant and imposed a fine of £10, but he stated a case, on which the defendant now appealed. The Court came to the conclusion that the conviction was right. Mr. Justice Stephen, in giving judgment, said: "We are both of opinion that intimidation under this enactment means or includes threatening to watch or beset, &c., so as to make the person threatened afraid. Intimidation may be not only by threats of personal violence or injury to property, but it may be by any sort of threats which are calculated to make a person afraid."