

trade (i). Another important case bearing on the principles under discussion was *Garrett v. Taylor* (j) in which relief was granted for threatening to mayhem and vex with "suits" the plaintiff's customers and workmen, "whereby they durst not work or buy." I think the early English cases just cited shew that the modern boycott is not new in its legal aspect, as is sometimes insisted, but that it may be considered in the light of principles enunciated by the common law courts centuries ago. I shall now mention in topical form some of the distinguishing features and essential elements of the modern boycott, as decided upon by our courts. While these topics are chosen more or less arbitrarily, it is deemed they are deserving of special consideration.

It will be observed from the definitions which have been given above that a boycott contemplates the idea of a combination or conspiracy. The acceptation of the term also includes that the combination or conspiracy may be an act by the one party against another directly, or it may be an interference by a third party with the business relations of two other parties with each other. While the object sought in either case is practically the same, and substantially the same judicial principles govern in both, yet the cases arising where three parties are involved have received much the greater attention in the courts, because in them there has been a greater opportunity for the exercise of coercion and malicious intent.

2. What boycotts are considered lawful.—The accepted definitions seem to negative the idea that all boycotts are unlawful, although the term has been sometimes loosely so used; but this latter view would make the definition depend wholly upon the legality of the object and means employed, irrespective of results. Some of the most effective boycotts are accomplished by peaceable and legitimate means. But to receive the sanction of the law, there must be a lawful object sought, and by lawful means. There is a slight variance in the decisions as to what may be considered a "lawful object" or "lawful means," and sometimes both have been made to depend upon extraneous results, as it has been held, an actionable wrong for railway employees to suddenly cease work by concerted action, even though they did so peaceably and with legitimate objects in view, on the theory that they were violating

(i) 22 Henry 6, 14 (1621).

(j) Cro. Jac. 576 (1621).