

THE ONTARIO WORKMAN.

THE EQUALIZATION OF ALL ELEMENTS OF SOCIETY IN THE SOCIAL SCALE SHOULD BE THE TRUE AIM OF CIVILIZATION.

VOL. I.

TORONTO, THURSDAY, MAY 9, 1872.

NO. 4.

THE CHARGE OF CONSPIRACY.

THE TRIAL RESUMED.

On Monday, Edward Ward, J. C. MacMillan, John Armstrong, Wm. Lovell, James Gillespie, James A. Lanfear, George Huson, James McDonald, William Meredith, Edward Clarke, Thomas Gibson, John Casson, and J. S. Williams were charged on remand with conspiracy.

Mr. Kenneth Mackenzie, Q.C., and Mr. Falconbridge appeared for the Crown; Mr. Lander, Dr. McMichael, Mr. Dixon, and Mr. D'Arcy Boulton defended the prisoners.

A. T. Houel stated that he belonged to the "Globe" Publishing Company. (A copy of a paper was put in purporting to be the rules of the Typographical Union, but was objected to by Dr. McMichael, who stated that he would not accept anything as evidence except the original.) The paper was brought to the office by Mr. Lovell, one of the prisoners.

An objection was raised as to the printed copy of the rules of the Union being produced, as the witness could not positively swear as to what the paper taken to the printing office was. He, however, swore that Lovell set the matter produced, up.

By Dr. McMichael: He saw the matter produced on the case; he also said it was struck off from the type; Mr. Lovell told him that the matter contained the rules of the Union; Lovell was discharged from the office previous to the strike; there were three proofs taken from the type; he took three copies, two he gave to Mr. Falconbridge and the third he retained; the proofs he took off were taken after Lovell left the office.

By Mr. Boulton: There was an impression taken off before Lovell left the office.

The Magistrate asked what the offence of setting up the type really was. The only thing conclusive to be arrived at was whether the copy put in was the rules and regulations of the Typographical Union.

G. H. Hale resides in Orillia, and went there in February on Beaverton; he was in the "Expositor" office (Mr. McKenzie here handed the witness a letter). He recognized the letter given him as one sent to him. He had not made any arrangement to come to Toronto before receiving the letter; he had an offer to come to the office of "Pure Gold" for Mr. Flint.

Dr. McMichael asked where that was, whether it was in Toronto.

Mr. McKenzie said it was a temperance paper published in Toronto.

The witness: The offer was in writing.

Dr. McMichael said the letter could not be received as evidence.

C. W. Hawkins recalled: Identified the seal on a letter as that of the Typographical Union.

Dr. McMichael said that the Society could have no seal as it was not an incorporated body.

Witness knew nothing of the new rules of the Society.

J. R. Stuart said that he was a member of the Typographical Union. He remembered somebody coming to him and asking him to become a member of the Union. Mr. Montgomery was present.

Mr. Montgomery gave evidence which sustained the previous witness.

Mr. T. Richardson was then called. He said he was a reporter on the "Globe" newspaper, and had been present at several meetings at which Mr. Williams spoke. One took place at the Market place on the evening after the printers were brought up. He was not taking notes, but impressed certain utterances upon his memory.

Dr. McMichael objected to the statements of one of the prisoners being taken as evidence against the others.

The Magistrate ruled that a statement would not constitute an act.

The witness: Most of the speeches referred to the provocation. Williams said that "he should be the last man to counsel violence," and that "now that the masters had taken the last step, they had better beware."

John Craig was a printer; he knew one Duggan, who offered him \$4 a week to work for him; he asked him what that work was, and he said that it was to work in the streets; Duggan was not sober.

Joseph Paine gave somewhat similar evidence.

John Auld was a printer on a paper called the "Telegraph," published in Toronto; he was a member of the Union; he was bound for a year; he came from Strathroy; he left the office the day after he went to it; he met some one on the street who advised him to leave; he did not know who it was; he went to a meeting of the Union when there was a meeting; Mr. MacMillan was in the chair; he was advised to leave the office of Mr. Robertson; he left the office and went to "The Leader," and was then taken into custody and sent to prison; he left the "Telegraph" office because he did not wish to work in a non-union office. He understood Mr. Robertson to say that there would soon be two unions, one of employers and one of men.

Certain witnesses having refused to appear, Mr. McKenzie said he would leave the matter in the Magistrate's hands. If he wished any more evidence he could take measures to bring them up, if not he would close his case.

Dr. McMichael having read from the information a certain portion relating to the action of the prisoners in conspiring to coerce certain firms, argued that the charge was not sustained in the evidence. The mere combination of men to compete with others was not a conspiracy. A company was ostensibly for the purpose of getting things cheaper. He had seen it stated that what was illegal in one man would be illegal in another. If one man desired to commit an illegal act and could not do it by himself and influenced others to help him, no doubt it would be illegal, but the mere combination for regulating wages did not come under this action. He contended the union was not of itself an unlawful institution, and that until it is a combination against others it is not unlawful. In itself, according to its original formation, it was not a combination against others, and no subsequent rules had been produced. Indirectly it might injure others, just as anyone underselling, when a large corporation which would absorb all the business of others would cause injury, but that was not the primary object of the union.

The Magistrate wanted to know whether there was any evidence to shew "hindering or obstruction" in the case.

Dr. McMichael said that this was not charged.

Mr. Falconbridge said it was.

The Magistrate said he thought that Dr. McMichael had better read the information carefully.

Dr. McMichael said he had offered to read the information out. (Laughter.) He argued that designed obstruction was not proved. It was not the original design of the union. He contended that there could be nothing illegal in the mere combination of men for the purpose of keeping wages at a certain scale any more than in a combination of masters to keep the men down. If one was illegal the other was. If the Magistrate thought the case was one for a jury he should not call witnesses.

The Magistrate thought the case was not very strong.

Mr. McKenzie thought differently, and urged that the union was illegal at common law. A conspiracy was a combination of one or more persons to act unlawfully. The conspiracy consisted of the illegal combination; that was all that was necessary. It was actually decided in England that advice given to a servant to leave was illegal: It was also decided by Sir A. Cockburn that a combination to foreshorten hours or raise wages was illegal; there could be no doubt that the rules put in were the rules of the Typographical Union of Toronto; he argued that the printed rules directing the terms for which the printers were to work, and other personal matters, were illegal. On the 18th of March a scale of prices was sent to the masters. One of the purposes of the

union was to regulate the scale of prices, and therefore was illegal under the common law, and a conspiracy. Baron Bramwell had decided that such a combination was illegal, if for the purpose of coercing liberty of mind. The learned counsel said that if such combinations were permitted there would be an end to all civil liberty. A man had a perfect right to go to his employers and say, undoubtedly, that he would not work for more than 8 or 9 hours a day, but if a combination to force this as a rule was permitted, the results would be most disastrous. Their rules with regard to strikes were also clearly illegal. It had been proved that a circular was sent to the masters, which was not complied with. Then followed the strike, which strike was decided upon on the 21st March, at a meeting, by the vote of the Union, and it took place on the 25th. The learned counsel argued that the case of conspiracy was thus proved. The case was then adjourned until next Saturday week.

CANADIAN.

At a special meeting of the County Council of Ottawa County, a bye-law was adopted, transferring the county seat to Hull.

A Seaforth goose has recently taken to laying ten inch eggs, and the village editor wants to know who can beat it. If he gives it up competition is useless.

On Saturday the schooner Mary Shaw, of Port Dover, bound to Cayuga, knocked a hole in her bottom and sunk in the canal. She was loaded with lumber.

After an interval of sixteen years, Berlin again boasts the possession of an Iron Foundry, which is now in full operation under the management of the Messrs Maule, formerly of Galt.

The greatest distress is felt in the County of Bruce for the want of cattle feed. Hay is not to had at any figure, and many farmers are boiling good wheat to feed their stock with.

The Hamilton Times says the Great Western is doing a big business just now. From fifty to sixty trains enter and leave Hamilton station every day. About a hundred and fifty specials (in addition to the ordinary trains) were run last week.

Mr John Hastings, of lot No. 20, 5th con. of Pickering has a cow that gave birth to a calf last week, having two bodies two heads, six legs (four fore feet) and two tails. The monstrosity died at its birth.

A young lad named Edward Short was severely hurt on Thursday in the Canadian Engine and Machinery Works, Kingston, by the accidental fall of a piece of iron across his body. His injuries internally are of so serious a character that it is feared he cannot live.

Saturday morning a large excursion party, consisting of senators and members of parliament, and quite a number of leading citizens went on a trip to the Greenville canal, in the steamer Queen Victoria. The excursion was got up by members of the Ottawa valley.

A farmer named Richard Foster, while driving into Bowmanville on Monday evening with a single horse and waggon, was thrown violently on the ground by the horse shying. He only survived the effect of the fall a few moments, his back being dislocated.

Two car loads of sheep were shipped at Guelph station of the Great Western, on Wednesday to California, to Mr. Buck who came to Guelph, and purchased them from Mr. Tolton, and Mr. Stirton, jr. High prices were paid, in one instance as much as \$200 for 8 head, the stock being intended for breeding purposes.

The Fall wheat in the townships of Brock, Scott, Uxbridge, Reach, and all the way South through that county is completely killed by the severity of the long winter and scant covering of snow; where it does grow in patches it will be little worth. Clover is killed off altogether, and most of the fields are being ploughed up.

The body of a man washed ashore was found on Saturday afternoon between Inverhuron and Port Bruce. The body was dressed in a black cloth coat, grey striped pants and mottled vest, and a life preserver fastened on. \$7.30 in American money was in his pocket. From the appearance of the body it must have been in the water all winter.

The steamer Wanton arrived at Collingwood from Owen Sound, on Saturday night, with a cargo of wheat for Parry Sound, to which place she goes on Monday night. The tug Mittie Grew and the screw Dauntless arrived on Monday from Penetanguishene light. They report a little loose ice floating about, but nothing of any consequence. The Silver Spring is expected on Wednesday.

The first shipment of salt made from Seaforth to the United States, was made last week to an extensive dairyman near Ogdensburg. This gentleman, it appears, has seen a sample of the Seaforth salt at Prescott some time ago, and has since ordered a quantity for his own use. When we consider the high import duty, with freight and other expenses, it certainly speaks high for Seaforth salt.

SAD INTELLIGENCE—Last season quite a number of farmers, including many from Wolfe Island, disposed advantageously of their properties and left for Sarnia, in which vicinity land is moderately cheap, in good cultivation and above the average in productiveness. This spring several families left for the same destination, from whom the sad intelligence has been received here that the majority of the late arrivals are in a precarious state.—Kingston News.

A few days ago a sum of money was abstracted from a registered letter, addressed to Bloomingdale, in the county of Waterloo. The case was reported to Mr. Streetman, Post Office Inspector at Toronto, who at once took measures to trace out the offender. By the use of decoy letters, the Inspector fastened the guilt upon William Henry Rogers, the son and assistant of the Post Master at Bloomingdale, who was arrested yesterday, and brought for examination before J. A. Mackie, Esq. S. P., at Berlin. The evidence was conclusive, and Rogers was committed for trial.

An inquest was lately held by Coroner Earle on the body of Margaret Higgins, a girl 15 years of age, who came to her death on Saturday afternoon, under the following circumstances:—She and a companion named Mary Phillips were in Pittfield's ship yard, near the Marsh Bridge, gathering chips. Some boys at work on the vessel were at the same time engaged in throwing some blocks into the yard, and deceased incautiously went in the way of one of the falling blocks, which struck her on the head, knocking her down and rendering her insensible. She was as soon as possible conveyed to her house in Brussels Street, and Dr. Christie was called in to attend her, but to no purpose; her injuries were mortal, and within two hours she died. The evidence of the girl Phillips completely exonerated John Donovan, the boy who threw the block, from all blame, and the jury returned a verdict of "accidental death."—St. John's N.B. Freeman.

FATAL ACCIDENT—A few days ago Miss Poole a young lady residing with her parents in London, went with a young clerk named Fache, to whom she was engaged, for a row upon the Thames near Teddington. As they approached that town from above, Fache, finding that the stream was running out with a uch force, turned the bow of the boat towards Kingston, but after pulling for about twenty minutes, he found that the boat had not moved at all. He then rested for about five minutes the tide carrying them rapidly towards Teddington. On looking he was horrified at finding that they were approaching the weir. At that time he was on the Middlesex side. He attempted to pull across the river to Surrey shore, but failed in the attempt, and they were borne with great force towards the weir. He stood up and caught hold of a post, but the current was so strong that the boat was carried over the weir in a moment and dashed to pieces. He lost sight of it and knew nothing of what occurred for a few seconds. The next thing that he remembered was finding himself in rough water on the Teddington side of the weir. He could not swim but sustained himself by "floating" till he was rescued by some men in a boat. He never saw deceased afterwards, till he saw her dead body at Mortlake, several miles below.

There is no change in the position of the Alabama question since the recent semi-official publication, in which it was said the claims for indirect damages have not been, and would not be, withdrawn. This Government has not in its statement or counter statement asked the tribunal of arbitration to draw any distinction between two classes of claims for direct and indirect damages, but both have been submitted together in the hope that the tribunal will exercise power conferred upon it to award a sum in gross to be paid by Great Britain to the United States.

THE PROGRESS OF THE NINE HOURS MOVEMENT.

The Hamilton Standard of the 1st inst., says:—To-day the workmen employed at the G. W. R. shops commenced work under the nine hours system, the first victory obtained through discussion and mutual agreement between the authorities and their men—a far more satisfactory way of settling disputes than the old fashion adopted by the majority of the Reform party of driving the men to extremities and then trying to shew the blame on the backs of the men. We are proud to say that the majority of the employers in Hamilton are showing themselves far wiser and sagacious than their metropolitan confreres in this matter, for the principle of concession has been adopted by the firm of Messrs. Wilson & Lockman, and the nine hour system will come into force in their magnificent factories on the 15th of May. The men readily agreeing to finish the week under the old system, so as to simplify matters for their employers. We feel assured that neither in a moral nor pecuniary sense will the change of time prove a loss to the firm; one volunteer is worth two pressed men any day, and a man who works with a will, will, from that very fact, accomplish more than he whose energies are worn out with work and who is indifferent to his employer's interests because the employer cares little for his.

We hope the other firms who are yet halting between two opinions, will follow the example so nobly set, and thus make our city the first in the Dominion to initiate the new system of arranging differences between employers and their men without a strike. We are pleased to be able to state that more than one of the largest employers of labor in the city of Montreal are now negotiating with their men, and we expect shortly to announce the fact that the men have gained the nine hours there without a strike.

So the movement is progressing rapidly, and ere long we hope to see the working men, from the lakes to the sea, enjoying a fresh respite from continuous toil, and the source of better and wiser relations between every employer and his men.

The Standard of the 3rd inst., says:—We are much pleased to be able to record the names of two other firms who have intimated to their employees their willingness to concede the nine hour system to their men, viz., Messrs. Northey & Co., Engineers, and the Hospeler Sewing Machine Company. We are now able to say that all the machine shops of any size or importance in the city, excepting one, have consented to adopt the nine hour system, and all the sewing machine firms excepting one have also consented. In one firm, we believe, it is more a mistaken notion of honor that prevents them from conceding the principle at stake, than any desire to run counter to the reasonable request of the men. In the other case, it is well known, it is the fear of being thought afraid, the consciousness of having committed themselves, and the want of manliness to avow the error, that prevents the concession that otherwise would be made.

However, the end is shortly at hand, and self-preservation will induce a course of policy that the want of sense prevented the persons from suggesting.

H. J. Perrie's mill at Marshall, Michigan, was burned on Sunday; loss over \$100,000; insured for over \$30,000.

A Memphis duelling party were driven into a cemetery by a facetious hackman, "so that they might be buried without unnecessary expense."

On Saturday morning a fire broke out in Bushman's dry goods store, Plainfield, N. J., and rapidly spreading soon destroyed the entire block. A man was fatally injured by a falling chimney. Loss about \$100,000; insured for \$27,000.

A despatch received in Richmond, Va., says the steamer George B. Upton, hence for New York, was burned near Chincoteague on Thursday; passengers and crew safe. The vessel and cargo were valued at \$60,000, about two-thirds of which amount is covered by insurance.

A special despatch from St. Paul says on Saturday a fire broke out in the basement of the Chapin Hall Hotel, in Hudson. It spread rapidly and burned between ten and fifteen buildings. The total loss will reach \$125,000, with about \$20,000 insurance. A man named Connolly was burned to death.