3. Blacklisting. Generally.—In several of the reported cases the remedial rights of servants who have suffered damage from the publication of their names in those circulars or notices which are now commonly known as "blacklists" have been determined with reference to the principles of the law of libel. But as the subject has been dealt with from other standpoints also, and a peculiar interest attaches to it, as one of the characteristic incidents of the conditions created by the industrial developments of modern times, it will be of interest to the profession to bring together all the decisions, English, Canadian, and American, in which its various juridical aspects have been discussed.

In its broadest sense the expression "blacklist" may be said to denote a document by means of which A., either voluntarily, or, as is most frequently the case, in pursuance of a previous arrangement, communicates to B. certain information about C., which is likely to prevent B. from entering into business relations with C. This description is comprehensive enough to cover the posting of workmen by labour organizations. But this aspect of "blacklisting" is more appropriately treated under the head of Trade Unions. The only species of "blacklist" with which we shall deal in this article is that which is issued by an employer of labour, with the object of rendering it more difficult for the persons mentioned in it to procure work. The cases relating to each of the two forms in which such a "blacklist" is published are reviewed in the following sections.

4. Notices exchanged between different employers in the same line of business.—It is to documents of this kind that the term "blacklists" is most commonly applied[1]. The cases in which their legal

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the provision of the English Merchant Shipping Act of 1854, which is referred to in note 1, supra, was by proceedings for the penalty specified.

In *Crall* v. *Toledo & O.C.R. Co.* 7 Ohio C.C. 132, a similar decision was rendered with respect to the statute of Ohio.

[1] In *State ex rel. Schaffer* v. *Justus*, 85 Minn. 279, 56 L.R.A. 75, 88 N.W. 759, the court observed: "Conceding that the word 'blacklist' . . . has no well-defined meaning in the law, either by statute or judicial expression, the general understanding of the term is that it has reference to the practice of one employer presenting to another the names of employés for the purpose of furnishing information concerning their standing as employés.