in full force against all combinations in restraint of trade, except such as it expressly exempted from its operation as it had been before the 4th Geo. IV. cap. 95 was passed. It comprised, however, within itself the whole of the statute law relating to the subject, and under it no persons were liable to punishment for meeting together for the sole purpose of consulting upon and determining the rate of wages or prices which they, being present, would require for their work or pay to their workmen, or the hours for which they would work or require work in any trade or business, or for entering into any agreement, verbal or written, for the purpose of fixing the rate of wages or prices which the parties to it should so receive or pay. But all persons were subjected to a maximum punishment of three months’ imprisonment with hard labour who should by violence, threats or intimidation, molestation, or obstruction do, or endeavour to do, or aid, abet, or assist in doing or endeavouring to do, any of a series of things inconsistent with freedom of contract which the Act enumerated and defined. Afterwards, in order to remove certain doubts which had arisen as to the true import and meaning of the words “ molestation ” and “ obstruction,” it was provided by the 22d Vict. cap. 34 that “ no person, by reason merely of his endeavouring peaceably and in a reasonable manner, and without threat or intimidation direct or indirect, to persuade others to cease or abstain from work, in order to obtain the rate of wages or the altered hours of labour agreed to by him and others, should be deemed to have been guilty of ‘ molestation ’ or ‘ obstruction.’ ” In spite of the partial recognition which trade unions had thus received, they continued to be un­lawful, although not necessarily criminal, associations. In certain cases, they were by statute exempted from penal consequences, and their members were empowered to combine for specified purposes, and to collect funds by voluntary contributions for carrying them into effect. But in the estimation of the common law the special privileges which had been accorded to them under particular circum­stances did not confer any general character of legality upon them, and where their rules were held to be in restraint of trade, as in the prohibition of piece-work or the limitation of the number of apprentices, they were still regarded as conspiracies. Hence they were practically excluded from the advantages in regard to the security of their property and the settlement of their disputes which, under the Friendly Societies Act, 18th and 19th Vict. cap. 63, had been granted to all associations established for any purposes which were not illegal. In this condition the law was when what became notorious as the “ Sheffield and Manchester outrages ” suggested the appointment of the royal commission on trade unions, which investigated the subject from 1867 to 1869. The outcome was, first, a temporary measure for the more effectual protection of the funds of trade unions, passed in 1869, and, secondly, the two measures which, as amended and amending, are cited together as the “Trade Union Acts 1871 and 1876”— the 34th and 35th Vict. cap. 22 and the 39th and 40th Vict. cap. 31.

By these statutes, construed with the Conspiracy an Protection of Property Act, 1875, the 38 and 39 Vict. cap. 86, the law relat­ing to combinations, whether of workmen or of masters, assumed the shape in which it exists at the present time. In connexion with trade disputes no person can now be prosecuted for conspiracy to commit an act which would not be criminal if committed by him singly, and consequently employers and employed alike may lawfully do in combination all that they would be entitled to do as individuals. The purposes of a trade union are not to be deemed illegal merely because they are in restraint of trade, and the cir­cumstance that they are in restraint of trade is not to render any member of it liable to prosecution, nor is it to avoid or make void­able any agreement or trust relating to it. No court, however, can entertain legal proceedings with the object of directly enforcing or recovering damages for the breach of an agreement between the members of a trade union as such, concerning the conditions on which the members for the time being shall or shall not sell their goods, transact their business, employ or be employed, or the pay­ment by any person of any subscription or penalty to a trade union, or for the application of the funds of a trade union to provide benefits or to furnish contributions to any employer or workman not a member of such trade union in consideration of such employer or workman acting in conformity with the rules or resolutions of such trade union, or to discharge any fine imposed upon any person by any court of justice or any agreement made between one trade union and another, or any bond to secure such agreements. But such incapacity to sue on such agreements is not to be taken as constituting any of them illegal. Every person, however, com­mits a misdemeanour, and on conviction is liable to a maximum fine of £20, or to a maximum imprisonment of three months with hard labour, who wilfully and maliciously breaks a contract of service or hiring, knowing, or having reasonable cause to believe, that the probable consequence of his so doing, either alone or in combination with others, will be to endanger human life or cause serious bodily injury, or to expose valuable property, whether real or personal, to destruction or serious injury ; or who, being em­ployed by a municipal authority or by any company or contractor on whom is imposed by Act of Parliament, or who have otherwise assumed, the duty of supplying any place with gas or water, wilfully and maliciously breaks a contract of service or hiring, knowing, or having reasonable cause to believe, that the probable consequence of his so doing, alone or in combination with others, will be to deprive the inhabitants of that place, wholly or in part, of their supply of gas or water ; or who, with a view to compel any other person to do or to abstain from doing any act which such other person has a right to abstain from doing or to do, wrongfully and without legal authority uses violence to or intimidates such other person or his wife or children, or injures his property; or who persistently follows such person about from place to place ; or who hides any tools, clothes, or other property owned or used by such other person, or deprives him of or hinders him in the use thereof; or who watches or besets the house or other place where such person resides or works or carries on business or happens to be, or the approach to such house or place ; or who follows such other person with two or more other persons in a disorderly manner in or through any street or road. But attending at or near the house or place where a person resides or works or carries on busi­ness in order merely to obtain or communicate information is not watching or besetting within the statute. In regard to registration, trade unions are placed on a similar footing with friendly and provident and industrial societies, and they enjoy all the privileges, advantages, and facilities which those associations possess and command. On their side, however, they have to comply with the same conditions, are subject to the same liabilities, and are com­pelled to make the same periodical returns.

Although there are several large and influential societies among the employers of labour which come within the legal definition of trade unions, what are commonly as well as more accurately meant by trade unions are societies exclusively composed of the employed, —the suppliers of labour whether skilled or unskilled. Of trade unions in this sense,—those of which the members are all artisans or labourers,—the organization is everywhere pretty much the same, although the rules and regulations of various associations differ in detail more or less distinctly and widely from one another. Their ordinary constitution is that of a society divided into districts, and again into smaller local bodies. The seat of the governing authority —the general or executive council—is usually fixed at some large centre of industry or commerce, as London, Manchester, or Bir­mingham, and it is often changed at stated intervals by a vote of the society at large. It is the policy of the trade unions, by this method of organization, to extend the area of their influence, and so to increase their power in dealing with the masters or in con­trolling their own members in any emergency. Each of the branches has a separate government for special purposes. But for general purposes all the branches are under the command of the executive council or central committee, which is constituted of members or officers who are elected by the whole society. The terms on which members are admitted are different in different associations. But in all of them there are certain limits as to age and the number of years during which the candidate has been apprenticed to or has worked in the trade. The revenue and reserve of all the societies are derived from admission fees and weekly or monthly subscriptions, together with the amount of the fines which are imposed for neglect of duty and breaches of the rules and regulations. These sources of income are sufficient for ordinary purposes ; and extraordinary charges, such as are entailed by a “strike” or a “lock-out,” are nearly always, if not invari­ably, met by means of “levies” made on the members by order of the executive council or central committee. The following account of the Amalgamated Society of Engineers may be accepted as furnishing a typical example of the organization and management of a large and flourishing trade union.