and workmen in Great Britain would not be prepared for such measures, involving as they would the surrender by those directly concerned of their freedom to arrange these matters by voluntary agreement or by a trial of strength. Without the provision of some alternative by the state, it would be impos­sible in a free country to prohibit altogether the termination of labour contracts by collective agreement among work-people or employers.

The law, however, may and does restrict or prohibit the use of some of the methods of promoting or carrying on strikes which interfere with the liberty of other labourers, or inflict a wrong on employers, or injuriously affect the public interest.

The relation of the law in the United Kingdom to strikes and lock-outs is briefly as follows. Since the legislation of 1871 and 1875 there has been no question of the legality of a strike as such, viz. of a combined abstention from work in order to influence the conditions of employment, but the method in‘which the strike is carried out may subject the strikers either to criminal or civil liabilities. In this connexion the chief questions of interest relate to the limits within which strikers may lawfully act for the purpose of inducing other persons not to take their places, and for the purpose of bringing indirect pressure to bear upon the employer by influencing others not to work for or deal with him; and, on the other hand, the limits within which employers may act in inducing other employers to abstain from employing workmen or members of a trade union with whom they have a dispute.

Strikers are necessarily liable to the general criminal law, but the Conspiracy and Protection of Property Act 1875 enacted that an agreement or combination by two or more persons to do, or procure to be done, any act in contemplation or furtherance of a trade dispute between employers and workmen shall not be in­dictable as a conspiracy if such act if committed by one person would not be punishable as a crime, namely, on indictment or on summary conviction with the statutory liability of imprisonment either absolutely or alternatively for some other punishment. The Trade Disputes Act 1906 extended the exemption to *civil* liability providing that an act done in pursuance of an agreement or combination in contemplation or furtherance of a trade dispute shall not be actionable unless the. act if done without such agreement or combination would be actionable. This act also extended the definition of trade dispute so as to include disputes between workmen and workmen, and also to make it clear that the workmen referred to need not necessarily be in the employment of the employer with whom a trade dispute arises.

The act of 1875 does not affect any conspiracy punishable by statute nor the law relating to riot, unlawful assembly, breach of the peace or sedition, or any offence against the state or sovereign. The act also does not apply to seamen, or to apprentices to the sea service.

Sudden breach of contract of service in gas and water under­takings, or under circumstances likely to endanger human life or cause serious bodily injury, or expose valuable property to destruc­tion or serious injury, are made punishable offences by special sections, but the miscellaneous provisions of the act are the most important in trade disputes. These provisions, as amended by the act of 1906, subject to a penalty of fine or imprisonment every person who, with a view to compel any other person to abstain from doing, or to do any act which such other 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 or children, or injures his property; or

2. Persistently follows such other person about from place to place; or

3. 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

4. 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

5. Follows such other person with two or more other pcrsons in a disorderly manner in or through any street or road.

It has, however, expressly provided by § 2 of the act of 1906 that “ it shall be lawful for one or more persons, acting on their own behalf or on behalf of a trade union or of an individual employer or firm in contemplation or furtherance of a trade dispute, to attend at or near a house or place where a person resides or works or carries on business or happens to. be, if they so attend merely for the pur­pose of peacefully, obtaining or communicating information, or of peacefully persuading any person to work or abstain from working.”

The above amendment of the law introduced by the act of 1906 was intended to nullify the effect of a series 01 recent decisions (of which *Lyons* v. *Wilkins,* 1896 and 1899, was the most important), which interpreted the act of 1875 to mean that all picketing was illegal except such as was merely for the purpose of obtaining or communicating information. Until recently it was supposed that for wrongs committed in strikes only the individual wrong-doers could be made responsible. But the decision of the House of Lords in the Taff Vale railway case (1901) showed that a trade union could be sued in tort for acts done by its agents within the scope of their authority and might be sued in its collective capacity, and execution of any damages recovered could be enforced against its general funds. The effect of this decision was nullified by § 4 (1) of the Trade Disputes Act of 1906, which expressly forbids any court to entertain any action against a trade union on behalf of all the members of the union in respect of any tortious act alleged to have been committed by or on behalf of the union.

*Economic Effects.*

The question of the effectiveness or otherwise of strikes and lock-outs for the purpose of influencing the conditions of employment is part of the wider question of the economic effect of combinations, the strike or lock-out being only one of many methods adopted by combinations of workmen or employers to enforce their demands. (This matter is discussed in the article Trade Unions.) Apart, however, from the question of the extent of the immediate advantage, if any, which one party or the other is able to obtain from a stoppage, we have to consider generally the economic effects of strikes and lock-outs to the community as a whole. Stoppages of work are in their nature wasteful. Time, which might be em­ployed in work yielding wages to the work-people and profits to the employers, is lost never to be recovered, while many forms of fixed capital deteriorate during idleness. In attempting, however, to estimate the utility or disadvantage of strikes and lock-outs, whether to the parties themselves or to the industrial community as a whole, it is insufficient to take into account the value of the wages and profits foregone during the stoppage, and to balance these against the gains made by one party or the other. Attempts have often been made to measure the loss or gain due to strikes in this way, but even as applied to particular stoppages, looked at purely from the point of view of one or other of the parties involved, the method is unsatisfactory. On the one hand, the time and work apparently lost may be afterwards partially recouped by overtime, or some of the strikers may be replaced by others, or may them­selves find work elsewhere, so that the actual interruption of production may be less than would appear from the magnitude of the dispute. On the other hand, the total loss due to the stoppage may be augmented by the diversion of trade for a longer or shorter period after the resumption of work. Again, the ultimate effect of the forced concession of excessive demands may be damaging instead of advantageous to the nominal victors, by contracting the field of employment or by lowering the efficiency of the labour. If, however, the arithmetical computation of the value of the time lost compared with the value of the terms gained is an unsatisfactory test of the benefit or disadvantage of a particular strike to the parties concerned, it is wholly fallacious as a method of estimating the social utility or otherwise of strikes and lock-outs as instruments for effecting changes in the condition of employment. For any satisfactory consideration of this wider question we must look not merely to the actual strike, but to the whole process of free bargaining between employers and organized bodies of work-people, of which, as already shown, the strike may be regarded as merely an untoward incident. The actual cessation of work is a symptom that for the time there is a deadlock, and frequency of. such cessations in any trade is a sign of the imperfection of means of negotiation. In many trades in which both employers and workmen are strongly organized various forms of machinery have been brought into existence for the purpose of minimizing the chance of stoppages (see Arbitration and Conciliation). But wherever there is free comhined negotiation there is always in the background the possibility of combined stoppage. This being understood, the question of the utility of strikes as an industrial method resolves itself into the questions: (1) Whether the process of settling the terms of employment by agreements affecting considerable bodies of work-people and employers is superior to the method of individual settlements of labour contracts, or, at least, whether its advantages are sufficient to outweigh the cost of strikes