

Blanchard again employed him

His honor also read over the testimony of Leonard and Sculley to the same general effect, as to the interference of the Society with them.

From this testimony, he said he had come to the conclusion that the Society undertook to fix the price of labor for others than members, and in this it differed from the Medical Society and the late Suffolk Bar Association; and in undertaking to compel persons to join the Society they acted unlawfully.

His honor next proceeded to comment on section 1, art. 10, which is in the following words:—

“The duty of the board of Judges shall be to decide all disputes between employers and journeymen, and lay such decisions before the Society, to be enacted upon as may be thought expedient.”

By this rule, he said, the masters had no voice whatever in the decision of any dispute they might have with their journeymen;—and further, the rule was clearly in contravention of the Massachusetts Bill of Rights, Art. 10; that “each individual of the society has a right to be protected by it in the enjoyment of his life, liberty and property, according to standing laws. He is obliged, consequently, to contribute his share to the expense of this protection; to give his personal service, or equivalent, when necessary.” The rule was also, he held, contrary to article 15th, which secured to the citizen the “right of trial by jury,” in suits concerning property or other matters.

His honor next adverted to art. 13, sec. 1:—

“Any journeyman working in this city, who does not belong to this Society, after being notified of the next Society meeting, and not joining at the next meeting or at the next meeting of the Society, shall be liable to the same penalties as are imposed on those who do not belong to the Society, and who do not join at the next meeting or at the next meeting of the Society.”

other matters.

His honor next adverted to art. 13, sec. 1:—

“Any journeyman working in this city, who does not belong to this Society, after being notified of the next Society meeting, and not joining at the next meeting, or at the one next following, shall pay a fine of two dollars.”

This provision, he was clearly of opinion, was in direct violation of Art. 23, Bill of Rights:—

“No subsidy, charge, tax, impost, or duties, ought to be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people, or their representatives in the Legislature.”

The mode of compelling the payment of the fines, by a “*strike*,” was arbitrary, but effectual, and utterly unauthorised by law.

His honor made some general remarks upon the insidious and dangerous nature of all secret societies, and quoted some remarks from a charge he delivered to the Grand Jury some years ago, and in which he instructed them that it was unlawful for master ship builders to combine for the purpose of compelling journeymen to work at such prices as they should dictate; and also for bakers to combine together and take measures to raise the price of bread. From this topic, he passed to the following section of the Society's Constitution, and strongly condemned it, as grossly unreasonable, and vexatiously interfering with the free action of both masters and journeymen:—

“It shall be the duty when called upon to determine what journeymen shall work on the first rate of work (as no journeyman whose work is of the first

ing with the free action of both masters and jour-
neymen:--

“It shall be the duty when called upon to deter-
mine what journeymen shall work on the first rate of
work (as no journeyman whose work is of the first
rate, or who is able to make it such, shall be allowed
to work on the second rate without a vote of the So-
ciety under a penalty of fifty cents for each and ev-
ery offence,) and any intimation being given them
that a member is guilty of the above offence, they
shall immediately make all necessary enquiries, and
if in their judgement any one is guilty, they shall
report the same to the Society at the next meeting, to
be acted upon forthwith.”

In allusion to the evidence that had been given in
by several witnesses, that the Society had done good,
by improving the morals of the craft, and the quality
of their work, he was of opinion that such sugges-
tions could not weigh much as a defence. The ques-
tion was not whether they had used the power of the
Society to its full extent in executing its plans, but
whether these powers had been exerted for an un-
lawful purpose. They might, as a society, have used
their powers to secure their own rights, without in-
juring the rights of others.

In conclusion, his honor said—“I am of opinion,
and it is my duty so to instruct you, gentlemen, that
this Society is an unlawful conspiracy against the
laws of this Commonwealth. It is a new power in
the State, and subversive of its laws and Constitu-
tion, and the rights of the citizens. I therefore can-
not do otherwise than instruct you, that, if you be-
lieve the defendants participated in such conspiracy, it
is your duty to return a verdict of “guilty,” and
leave them to the law.”

Mr. Rantoul presented to the judge several propo-

lawful purpose. They might, as a society, have used their powers to secure their own rights, without injuring the rights of others.

In conclusion, his honor said—"I am of opinion, and it is my duty so to instruct you, gentlemen, that this Society is an unlawful conspiracy against the laws of this Commonwealth. It is a new power in the State, and subversive of its laws and Constitution, and the rights of the citizens. I therefore cannot do otherwise than instruct you, that, if you believe the defendants participated in such conspiracy, it is your duty to return a verdict of "*guilty*," and leave them to the law."

Mr Rantoul presented to the judge several propositions of law, with the request that he would charge the jury accordingly, or definitely decline so to do.—This led to a little altercation, the result of which was the handing of the paper back to Mr R., without any

positive expression of opinion on the part of the judge.

The jury retired at half past one o'clock, and at 20 minutes before four came in with a general verdict of "guilty," against the defendants—seven in number.

No sentence will be passed by Judge Thacher at present, as the counsel for the defendants gave notice that a bill of exceptions to the charge would be filed, and they were allowed till Saturday week to propose it for the signature of the judge, and thus the matter stands now, after a trial of eight days.

COMMERCIAL.

IMPORTS.

NEW ORLEANS. Brig Grampus—1 box hdkfs, W G Eaton 716 hides, J Cummins & son—1 bbl nutmegs, N W Thayer—127 bales cotton, Barnard, Adams & co—1 trunk mdse, J G Warren—17 cases do. Walker, Emerson & co—72 bales cotton, W H Dunbar—15 boxes tobacco, A Strong—3 bells chains, J W Gates & co—36 hides 1 box mdse 445 sheep skins, Martin Vining & co 64 bales cotton, W T Eustis & co—1 box mdse, F Lewis—48 kegs 3 firkins butter, E A & W Winchester—11 bales cotton, J Ballisier & co—17 do, T Tappan—10 do, H Oxnard—13 hhds tobacco, Wainwright & Tappan.

BANK NOTE LIST.

Corrected by GEO. F. COOK & Co. Exchange Brokers, No. 26, State street, opposite the Merchants' Bank.—Oct 22.

MAINE.

Bangor Commercial Bank. Bangor. 4. a. percent dis.