

them to break such contracts, except where permissive legislation exists, such as the English Act of 1906. To break a legal contract is unlawful and therefore to persuade, or to induce, one to do this unlawful thing is itself unlawful, and these unions have no right, by intimidation or coercion, to destroy the inherent right which the employer has to control his property and to conduct his business in any lawful manner he may choose. Such employer may fix the terms and conditions upon which he will give employment, may employ whom he desires, may refuse to employ whomsoever he may wish not to employ, and, in the absence of contract, may discharge whom he pleases and refuse to discharge whom it may please him to retain; and it is entirely within the right of the union to advise its members, in the absence of contract on their part with the employer, to quit their labour for him; in other words, to strike, and to insist upon a definite term of employment before they go back to their labour; but neither the union nor its striking members have any right, by intimidation or coercion, to prevent other labourers or any of the members of the union itself, from taking employment under the employer's terms, if they so desire. They may, by reasoning and persuasion, under such conditions, induce its own members and others not to assume the employment, where the breaking of no contract is involved, but this is as far as they can go.

“In the relations of these unions to the public, it is to be remembered that while the membership of organized labour is great, the number of non-union labourers, as a rule, is many times greater, and it is the law's function and duty to fully, without fear, favour or partiality protect the rights of the latter as well as those of the former. These rights guarantee to the labourer the absolute right to join the union or not as he sees fit. The unions cannot, under the law, use any means of intimidation or coercion to compel him to do so. The limit of their right to do so is persuasion, and if he joins, they cannot compel his continuance. As a member he may withdraw when he chooses. The union members, as individuals, may voluntarily