

way, and of capital to mass together its strength to enlarge industrial activities, are legitimate and commendable. It is adjudged ignoble to do so only as wantonly irrespective of the legal rights of others.

3. Statement of some general principles.—A serious difficulty has arisen in determining what means the individual or organization may employ in enforcing its demands upon another individual or organization, and in distinguishing to what extent one is immune in business from the encroachments of another.

In *Beck v. Railway Teamsters' Protective Association*, 47 L.R.A. 407, in which the defendant association by violent and coercive measures had attempted to dictate what men the plaintiff should take into his employ, the court seems to state fairly the rule for the case involved. Speaking of the employer, it was stated: "The law protects them in the right to employ whom they please, at prices they and their employer can agree upon, and to discharge them at the expiration of their term of service, or for violation of their contracts. This right must be obtained or personal liberty is a sham." Continuing further, and speaking of the employed, it was said: "So also the labourers have a right to fix a price upon their labour, and to refuse to work unless that price is obtained. Singly or in combination they have this right. They may organize in order to improve their condition and secure better wages. They may use persuasion to induce men to join their organization or to refuse to work except for an established wage; they may present their case to the public in newspapers, or circulars, in a peaceable way, and with no attempt at coercion. If the effect in such a case is to ruin the employer it is *damnum absque injuria*, for they have only exercised their legal right. The law does not permit either party to use force, violence, threats of force or violence, intimidation or coercion."

Akin to the principles stated above is to be noticed what is comprehended in the term "competition"—what certain acts are licensed within its domain, and what are not. It is a principle of law, long and fully established, that one has no legal protection from the sharpest competition by those engaged in a similar business, and defendants at the bar have constantly sought to justify their tortuous acts as within the legalized scope granted by mere competition. But in doing so they have often made a fatal