

An application is now made to me for an attachment to issue against some of the named defendants and some of the defendants included in said order as members of the United Mine Workers of America residing in Nova Scotia and members of that organization for District No. 36, for alleged disobedience of the terms of such restraining order.

Several affidavits were submitted to me giving in detail on a certain day and at certain hours and minutes of said day acts committed by defendants which seem to be in direct violation of the express terms of said order. This application is made for an attachment against Joseph B. Moss and Milton Cameron, two named defendants in such restraining order, and against Lionel Dobar, James Price and Thomas Long, unnamed as defendants in said order, but defendants in the general terms. After careful consideration I am unable to make any distinction between the acts of those specially named and those fully included under the general terms of restraint against members of the U. M. W. of America in Nova Scotia. In my judgment all are equally bound by the order and equally liable for its wilful violation.

By the affidavit of Owen L. Morgan supported by several other affidavits it is clear that a crowd of three or four hundred striking workmen, for the most part members of the Union No. 469 of the U. M. W. A. on the 16th day of December, 1910, between three o'clock in the afternoon and half-past four patrolled in long files the main street near the entrance to the slopes worked by the plaintiff company, and continued this patrol until the men working in plaintiff's mine came to the surface and were on their way to their homes, to gain which it is necessary to cross said Main street. As soon as the men appeared on their way to their homes this crowd of striking workmen assailed them with the cry of "Scab! scab! You dirty scabs!" and "Head them off!" and as soon as the plaintiff's employees attempted to cross the street the patrol closed in upon them and began to crowd and jostle them in a violent and forcible manner, to impede their progress across the street, and thus made it necessary for the workmen to work their way through by dodging and force.

The affidavits clearly identify each of the above named defendants as a part of the crowd and actively participating