it does not, the means and results accomplished forming the basis of the action (*x*). Perhaps the only distinction to be noticed in this country is a tendency of the courts in some cases to be more liberal with offenders who have by their malicious acts only induced others to do what they, the others, had a right to do, but would not have done but for the force brought to bear upon them. In a well reasoned case, handed down by the Supreme Court of Maine in 1897, the following statement of what is believed to be the general rule is given: "Our conclusion is that wherever a person by means of fraud or intimidation procures either the breach of a contract or the discharge of a plaintiff from an employment, which, but for such wrongful interference, would have continued, he is liable in damages for such injuries as naturally result therefrom; and that the rule is the same whether by these wrongful means a contract definite as to time is broken, or that an employer is induced, solely by such procurement, to discharge an employee, whom he would otherwise have retained (*y*).

7. Black-listing.—This is a practice analagous to boycotting as it interferes with freedom in obtaining employment. It rests, however, on a slightly different basis from the legal standpoint, as the act itself is deemed dangerous and against public policy and cannot be defended on any ground. This statement is true, however only of the eighteen States that have special statutes prohibiting blacklisting, and corporations from exchanging blacklists with each other. In those jurisdictions where there is no statute a civil action would lie for the wrong committed that had worked an infringement on the rights of another. It is believed that good policy dictates that blacklisting should be dealt with according to the same principles as those that define other torts, that is to say, that when a blacklist is formed, it must be without malice or prejudice towards those whose names are thus defamed, clear of all fraud, and only a true statement of facts. A further extension of immunity than this deprives an employer of profiting from the costly experience of others, and the public of one means of security against the employment of profligate employees, and throws about the unskillful and unworthy a protection greater than past achievements have made them to deserve (*z*).

WM. H. WARREN.

(*x*) *Hopkins* v. *State Co.*, 83 Fed. 912.
(*y*) *Perkins* v. *Pendleton*, 38 Atl. 96.
(*z*) *Hundley* v. *L. & N. R. R. Co.*, 48 S. W. 429.