

determine not to work with non-union labourers if they so desire, and they can cease working themselves on that account, but they can do nothing in the way of coercion to compel either other union or non-union men to cease working on the one hand, or to prevent the employer from filling their places with other union or non-union men on the other. The right of the individual labourer to sell his labour, which is his property, in a lawful manner and upon such terms and conditions as he may himself determine for his best interests, must be upheld by the law, just as fully and freely as it is upheld in all the other relations of civic life, regardless of these labour unions."

The other conclusions of the court in the *Hitchman* case, were as follows:—"That this organization known as the United Mine Workers of America, is an unlawful one because of its principles as set forth in its constitution, obligation for membership and rules, which require its members to surrender their individual freedom of action, to require in practical effect all mine workers to become members of it whether desirous of doing so or not, to control and restrict, if not destroy, the right of the mine owner to contract with its employees independent of the labour union, to exclude his right to discharge in the absence of contract, whom he pleases, when he pleases, and for any cause or reason that to him seems proper, assumes the right on its part by and through its officers to control the mine owner's business by shutting down his mine, calling out his men on strike in obedience to their obligation to the union whenever the union officers deem it to be for the best interests of the union, regardless of the rights and interests of the mine owner and of his direct loss and damages, and such indirect loss and damage as may be inferred by him by reason of the resulting violation of contracts by him with others. I further conclude that it is an unlawful organization, because of its procedure and practices, in that it seeks to create a monopoly of mine labour such as to enable it as an organization to control the coal mining business of the company, and has by express contract joined in a combination and conspiracy with a body of rival operators, resident