

Bill accompanying the petition of the Massachusetts State Branch of the American Federation of Labor for legislation to regulate the power of granting injunctions by the courts. Joint Judiciary and Labor, sitting jointly. January 21.

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## Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eight.

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### AN ACT

To regulate the Issuance of Restraining Orders and Injunctions and Procedure thereon, and to limit the Meaning of "Conspiracy," in Certain Cases.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. No restraining order or injunction shall  
2 be granted by any court of the Commonwealth of Massa-  
3 chusetts, or a judge or the judges thereof, in any case  
4 between an employer and an employee, or between em-  
5 ployers and employees, or between employees, or between  
6 persons employed to labor and persons seeking employ-  
7 ment as laborers, or between persons seeking employment  
8 as laborers, or involving or growing out of a dispute con-  
9 cerning terms or conditions of employment, unless neces-  
10 sary to prevent irreparable injury to property or to a  
11 property right of the party making the application for  
12 which injury there is no adequate remedy at law, and

13 such property or property right must be particularly  
14 described in the application, which must be in writing  
15 and sworn to by the applicant or by his, her, or its agent  
16 or attorney. And for the purposes of this act no right  
17 to continue the relation of employer and employee or to  
18 assume or create such relation with any particular per-  
19 son or persons, or at all, or to carry on business of any  
20 particular kind, or at any particular place, or at all, shall  
21 be construed, held, considered, or treated as property or  
22 as constituting a property right.

1 SECTION 2. In cases arising in the courts of the Com-  
2 monwealth of Massachusetts, or coming before said courts,  
3 or before any judge or the judges thereof, no agreement  
4 between two or more persons concerning the terms or  
5 conditions of employment of labor, or the assumption or  
6 creation or termination of any relation between employer  
7 and employee, or concerning any act or thing to be done  
8 or not to be done with reference to or involving or grow-  
9 ing out of a labor dispute, shall constitute a conspiracy  
10 or other criminal offence, or be punished or prosecuted  
11 as such, unless the act or thing agreed to be done or not  
12 to be done would be unlawful if done by a single indi-  
13 vidual, nor shall the entering into or the carrying out  
14 of any such agreement be restrained or enjoined unless  
15 such act or thing agreed to be done would be subject to  
16 be restrained or enjoined under the provisions, limita-  
17 tions and definition contained in the first section of this  
18 act.

1 SECTION 3. That all acts and parts of acts in conflict  
2 with the provisions of this act are hereby repealed.

1 SECTION 4. This act shall take effect upon its passage.