tor carriers and local labor unions, which agreement stipulates that truck drivers owning and driving their own vehicles shall be paid the prescribed wages plus at least a prescribed minimum rental for the use of their vehicles. The state antitrust law, insofar as it is applied to prevent contracting parties from enforcing agreement upon a subject matter as to which the National Labor Relations Act directs them to bargain, is invalid.

> Justices concurring: Black, Douglas, Clark, Harlan, Brennan
> Justice dissenting: Whittaker

114. *San Diego Building Trades Council v. Garmon*, 359 U.S. 236 (1959).

The failure of the NLRB to assume jurisdiction does not leave California free to apply its laws defining torts and regulating labor relations for purposes of awarding damages to an employer for economic injuries resulting from the picketing of his plant by labor unions not selected by his employees as their bargaining agent. Since the employer is engaged in interstate commerce, California laws cannot be applied to matters falling within the compass of the National Labor Relations Act.

> Justices concurring: Harlan, Clark, Whittaker, Stewart (separately)

115. *Accord: DeVries v. Baumgartner's Electric Co.*, 359 U.S. 498 (1959), as to a South Dakota law.

> Justices concurring: Frankfurter, Brennan, Warren, C.J., Black, Douglas
> Justices dissenting: Clark, Harlan, Whittaker, Stewart

116. *Accord: Superior Court v. Washington ex rel. Yellow Cab*, 361 U.S. 373 (1960), as to a Washington law.

117. *Accord: Bogle v. Jakes Foundry Co.*, 362 U.S. 401 (1960), as to a Tennessee law.

118. *Accord: McMahon v. Milam Mfg. Co.*, 368 U.S. 7 (1961), as to a Mississippi law.

119. *Accord: Marine Engineers v. Interlake Co.*, 370 U.S. 173 (1962), as to a Minnesota law.

120. *Accord: Waxman v. Virginia*, 371 U.S. 4 (1962), as to a Virginia law prohibiting picketing by non-employees.

121. *Accord: Construction Laborers v. Curry*, 371 U.S. 542 (1963), involving enjoinder of picketing as violating Georgia right-to-work law.

> Justice concurring: Harlan (separately)