

CHAPTER 268—S. F. No. 351.

An Act to provide compensation for clerks of the district court in certain cases.

Be it enacted by the Legislature of the State of Minnesota:

Clerk to retain fees in lieu of salary.—Section 1. In all counties containing a population of 26,000 inhabitants and over, where the salary of the clerk of the district court is arbitrarily fixed at eight hundred dollars or less, by special law, and where such clerk is required by special law to pay over to the county all fees collected as such clerk, such clerk shall hereafter receive and retain all fees collected and received by them as such clerks of court, in lieu of said eight hundred dollars annual salary.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 20, 1907.

CHAPTER 269—S. F. No. 458.

An Act to prohibit unfair discrimination between different sections, communities, or localities, unfair competition, and providing penalties therefor.

Be it enacted by the Legislature of the State of Minnesota:

Discrimination—declared unlawful.—Section 1. Any person, firm, company, association, or corporation, foreign or domestic, doing business in the State of Minnesota and engaged in the production, manufacture, or distribution of petroleum or any of its products that shall intentionally, or otherwise, for the purpose of destroying the business of a competitor or creating a monopoly in any locality, discriminate between different sections, communities or cities of this state, by selling such commodity at a lower rate in one section, community, or city than is charged for such commodity by said party in another section, community, or city after making due allowance for the difference, if any, in the test or quality and in the actual cost of transportation from the point of production, if a raw product, or from the point of manufacture, if a manufactured product, shall be deemed guilty of

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unfair discrimination, which is hereby prohibited and declared to be unlawful.

Gross misdemeanor—penalty.—Sec. 2. Any person, firm, company, association, or corporation, violating any of the provisions of the preceding section, and any officer, agent or receiver of any firm, company, association, or corporation, or any member of the same, or any individual found guilty of violation thereof, shall be guilty of a gross misdemeanor and shall be fined not more than five thousand dollars, or be imprisoned in the county jail not to exceed one year, or both.

Contracts void.—Sec. 3. All contracts or agreements made in violation of any provisions of the two preceding sections shall be void and any money or property paid or transferred for any such commodity under any such agreement shall be paid back within ten days after demand therefor, and on failure to so repay, then the purchasers may recover back in a civil action any such money or property, together with reasonable attorneys' fees not less than twenty-five dollars (\$25).

Duty of county attorney.—Sec. 4. It shall be the duty of the county attorneys in their counties and the attorney general, to enforce the provisions of the preceding sections of this act by appropriate actions in courts of competent jurisdictions.

Duty of Secretary of State.—Sec. 5. If complaint shall be made to the secretary of state that any corporation authorized to do business in this state is guilty of unfair discrimination, within the terms of this act, it shall be the duty of the secretary of state to refer the matter to the attorney general, who may, if the facts justify it in his judgment, institute proceedings in the courts against such corporation.

Secretary of State to revoke license.—Sec. 6. If any corporation, foreign or domestic, authorized to do business in this state, if found guilty of unfair discrimination, within the terms of this act, it shall be the duty of the secretary of state to immediately revoke the permit of such corporation to do business in this state.

Attorney General to oust.—Sec. 7. If after the revocation of its permit, such corporation or any other corporation (not having a permit and found guilty of having violated any of the provisions of this act), shall continue or attempt to do business in this state, it shall be the duty of the attorney

general, by a proper suit in the name of the State of Minnesota, to oust such corporation from all business of every kind and character in said State of Minnesota.

Sec. 8. Nothing in this act shall be construed as repealing any other act, or part of an act, but the remedies herein provided shall be cumulative to all other remedies by law.

Sec. 9. This act shall take effect and be in force from and after its passage.

Approved April 20, 1907.

CHAPTER 270—S. F. No. 589.

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An Act to amend section 700 of Revised Laws of Minnesota for the year 1905, relating to the incorporation of villages.

Be it enacted by the Legislature of the State of Minnesota:

Certain territory may be incorporated as a village.—Reincorporation, if declared void.—Section 1. That section seven hundred (700) of the Revised Laws of 1905 be and the same is hereby amended by striking out all of said section and substituting in lieu thereof the following:

“Section 700. Any district, section or parts of section not in any incorporated village and in the State of Minnesota, which has been platted into lots and blocks, also the lands adjacent thereto, when said plat has been duly and legally certified according to the laws of this state, and filed in the office of the register of deeds for the county in which said lands or the larger portion thereof lie, said territory containing a resident population of not more than three thousand nor less than two hundred, may become incorporated as a village in the manner hereinafter prescribed. But the unplatted part of such territory must adjoin the platted portion and be so conditioned as properly to be subjected to village government.

Provided, that any village, whose incorporation shall hereafter be declared void by judgment of court, may reincorporate under this act, notwithstanding the fact that such village does not contain two hundred inhabitants, and in such reincorporation may include all or part of the territory embraced in the original incorporation.”

Approved April 20, 1907.