

Nineteen Hundred Thirty-One  
Supplement

to

# Mason's Minnesota Statutes

(1927 thru 1931)

Containing the text of the acts of the 1929 and 1931 Sessions of the  
Legislature, both new and amendatory, and notes showing repeals,  
together with annotations from the various courts, state  
and federal, construing the constitution, statutes,  
charters and court rules of Minnesota



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tors thereof stated and set forth in said newspaper. (Act Apr. 21, 1931, c. 293, §3.)

**§7352-14. Violation a gross misdemeanor.**—In the event of any newspaper failing to file and register as provided for in Section 1 of this act, the party printing or publishing the same shall be guilty of a gross misdemeanor. (Act Apr. 21, 1931, c. 293, §4.)

**§7352-15. Court to determine ownership.**—In the event of the publication of any newspaper within the State of Minnesota without the names of the owners and publishers thereof fully set forth in said newspaper, circular or publication, the court or the jury may determine such ownership and publisher on evidence of the general or local reputation of that fact and opinion evidence may be offered

and considered by the court or jury in any case arising in connection with the ownership, printing or publishing of any such publication or of any article published therein either in a criminal action for libel by reason of such publication or in any civil action based thereon. (Act Apr. 21, 1931, c. 293, §5.)

**§7352-16. Definition.**—By the term “newspaper” as expressed herein, shall be included any newspaper, circular or any other publication whether issued regularly or intermittently by the same parties or by parties, one of whom has been associated with one or more publication of such newspaper or circular, whether the name of the publication be the same or different. (Act Apr. 21, 1931, c. 293, §6.)

## CHAPTER 57A Partnership

### PART II.

#### NATURE OF A PARTNERSHIP

**§7389. Partnership defined.**

Joint ownership of land does not create a partnership or make the owners joint adventurers. *Pratt v. M.*, 234NW464. See *Dun. Dig.* 7346, 7350, 4948b.

The evidence is not conclusive that there was a partnership between one of the defendants and a corporation now defunct. *Mahlberg v. J.*, 235 NW280. See *Dun. Dig.* 2092, 7346.

**§7390. Rules for determining the existence of a partnership.**

One selling diamonds, held not shown to have been the partner of the owner. 180M447, 231NW 408.

### PART III.

#### RELATIONS OF PARTNERS TO PERSONS DEALING WITH THE PARTNERSHIP.

**§7392. Partner agent of partnership.**

Where a partnership is a party to a contract, the acts of one member thereof bind the partnership. 174M297, 219NW180.

### PART IV.

#### RELATIONS OF PARTNERS TO ONE ANOTHER

**§7404. Partner accountable as fiduciary.**

Rule that parties negotiating for organization of a partnership or joint adventure deal at arm's length cannot be extended so as to permit a secret share in the profits to be made by an agent in the transaction. 175M226, 220NW 822.

Accounting by surviving partner to representative of deceased partner. 181M156, 231NW916.

### PART V.

#### PROPERTY RIGHTS OF A PARTNER

**§7408. Nature of a partner's right in specific partnership property.**

**Subd. (2)(c).**

Bond to release garnishment, reciting that there is a stated sum of money in the possession of the garnishee, held to estop the principal and sureties from denying that there was any garnishable property in the hands of the garnishee. 181M404, 232NW631. See *Dun. Dig.* 3975.

### PART VI.

#### DISSOLUTION AND WINDING UP

**§7412. Dissolution defined.**

Where money was loaned to partnership and subsequently one partner sold his interest to another partner, the selling partner was liable in action on note renewed after sale of his interest without knowledge on the part of the lender of such transfer of interest. 171M332, 214 NW51.

**§7418. Power of partner to bind partnership.**

Where money was loaned to a partnership and defendant partner thereafter sold his interest to another partner, defendant was liable on a renewal of the loan note after the transfer, plaintiff having no notice of the transfer of interest. 171M332, 214NW51.

**§7423. Rules for distribution.**

Where a partner contributes more than his share of a partnership funds, he is not entitled to interest on the excess, in the absence of an agreement to that effect. 177M602, 225NW924.

## CHAPTER 58 Corporations

### GENERAL PROVISIONS

**§7429. Existing corporations continued.**

Where a corporation was organized under

Laws 1876, c. 28, with perpetual succession, it maintained that succession, notwithstanding the repeal by §10963 of the law under which it was organized, in view of the provisions of this section. *Op. Atty. Gen.*, May 3, 1930.