

publishers, shall deposit with the superintendent of public instruction a sample copy of each book so listed, which shall represent in style of binding, mechanical execution, general make up and matter, the book or books they offer to sell to the board of trustees at or for the prices so listed, and in no case shall prices be raised above said listed prices as filed.

Lists of books so filed to be sent to school districts.

SEC. 3. It shall be the duty of the state superintendent of public instruction to furnish a certified copy of the list of books and prices filed in accordance with the provisions of section two of this act to the district clerk of each common school district in the state of Minnesota.

Districts may vote on furnishing books free.

SEC. 4. Whenever five or more legal voters of any common school district in the state of Minnesota shall petition the board of trustees to submit to the legal voters thereof the question of providing free text books to the pupils attending the schools under its charge, it shall be the duty of said board of trustees to call a meeting of the legal voters of the district, giving ten days' notice, which notice shall state that the question of free text books will be submitted at such meeting. Such question may be submitted at any annual meeting, provided that notice shall have been previously given in accordance with the provisions of this section. In case a majority of the legal voters present and voting shall vote in favor of free text books, it shall be the duty of the board of trustees to provide for the same.

Payment for books.

SEC. 5. All books purchased in accordance with the provisions of this act shall be paid for out of the school funds of the respective districts; and it shall be the duty of the school districts and their school boards to see that sufficient funds are raised and set aside for the purposes of this act.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved March 24, 1893.

H. F. No. 232.

CHAPTER 24.

Trade-marks.

An Act relating to labels, trade marks and advertisements, and to provide for their protection and the punishment for counterfeiting the same, or for using counterfeits of the same.

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

Lawful to adopt trade-marks.

SECTION 1. It shall be lawful for any person, association, union or corporation to adopt for their protection, labels, trade marks and forms of advertisements used by such person, association, union or corporation, announcing that goods manufactured by any person, association, union or corporation specified are so manufactured by such person, association, union or corporation.

SEC. 2. That whenever any person, association, union or corporation have adopted or shall hereafter adopt, for their protection, any label, trade mark or form of advertisement announcing that goods to which such label, trade mark or form of advertisement shall be attached, were manufactured by any person, association, union or corporation specified, it shall be unlawful for any person or corporation to counterfeit or imitate such label, trade mark or form of advertisement.

Unlawful to imitate or counterfeit the same.

SEC. 3. Any person who shall use or utilize any counterfeit or imitation of any label, trade mark or form of advertisement adopted by any person, association, union or corporation by attaching or affixing the same, in any manner, to any box, package or parcel of goods knowing the same to be false, counterfeit or imitation, shall be guilty of a misdemeanor.

Made a misdemeanor.

SEC. 4. Any person, association or corporation violating any provisions of sections two and three of this act shall be punished by imprisonment in the county jail for not less than ten days nor more than ninety days, or by a fine of not less than twenty-five dollars nor more than one hundred dollars.

Penalty for same.

SEC. 5. Any such person, association, union or corporation that has heretofore, or shall hereafter adopt a label, trade mark or form of advertisement as aforesaid, shall file the same for record in the office of the secretary of state by leaving two copies, counterparts or fac-similies thereof with the secretary of state, and said secretary of state shall thereupon deliver to such person, association, union or corporation so filing the same a duly attested certificate of the record of the same, for which he shall receive a fee of one dollar. Such certificate of record shall in all suits and prosecutions under this act be sufficient proof of the adoption of such label, trade mark or form of advertisement, and the right of said person, association, union or corporation to adopt and use the same; provided, that it shall be the duty of said secretary of state to refuse to file of record or issue said certificate for any label, trade mark or form of advertisement that so closely resembles any label, trade mark or form of advertisement already of record at the time of the application for said certificate that it would probably be mistaken therefor.

Trade-marks to be filed in office of secretary of state.

SEC. 6. That every person, association, union or corporation adopting a label, trade mark or advertisement of the kind specified in the first section of this act, may proceed by suit in any of the courts of the state to enjoin the manufacture, use, display or sale of counterfeits or imitation of such labels, trade marks or advertisement, and that all courts having jurisdiction of the persons, and upon satisfactory proof of such wrongful use, shall grant an injunction for such wrongful use of such counterfeits, and shall award the complainants such damages resulting from such wrongful use, as may be proved, and shall require the defendant to pay to the complainants the profits

Actions to enjoin the manufacture, use and sale of counterfeit labels.

derived from such wrongful use, or both profits and damages, and the courts shall also order all counterfeit labels and advertisements in the possession or under the control of the defendant in such case to be delivered to an officer of the court or to the complainants to be destroyed.

**Actions for
wrongfully us-
ing or display-
ing the genuine
labels, etc.**

SEC. 7. In like manner such persons, unions, associations or corporations shall be authorized to proceed against all persons who shall wrongfully use or display the genuine labels, trade marks or advertisements of such persons, associations, unions or corporations not being authorized by such persons, associations, unions or corporations to use or display the same, in any court having jurisdiction thereof.

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

Approved April 17, 1893.

CHAPTER 25.

H. F. No. 88.

Personal rights. *An Act declaring it a misdemeanor on the part of employers to require as a condition of employment the surrender of any right of citizenship.*

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

**Rights of em-
ployees to join
unions not to be
interfered with.**

SECTION 1. Any person or partnership carrying on any trade or business in this state, and any corporation created under general or special laws, foreign or domestic, and exercising public or private franchises therein, are hereby forbidden from requiring or demanding of or from any servant or employe, on any condition whatever, the surrender in writing or by parol, or the abandonment or any agreement to abandon any lawful right or privilege of citizenship, public or private, political or social, moral or religious, and whoever violates the provisions of this act shall be deemed guilty of a misdemeanor and upon a conviction shall be fined in a sum not exceeding one hundred dollars and shall stand committed to the common jail of the proper county until such fine and costs of prosecution are paid, or in lieu of such fine the proper court may, in its discretion, sentence the convicted party to imprisonment in the county jail of the proper county for a term not exceeding ninety days.

**Violation by
an officer of a
corporation on the
act of the cor-
poration.**

SEC. 2. The president, the vice president, secretary, general superintendent or other principal officer of any such partnership, association or corporation as is named in section one of this act, who may direct or be a party to the violation of the provisions hereof, shall be taken and deemed as persons within the meaning thereof and shall be held liable in all courts and places for a violation by such partnership or corporation of the provisions thereof.