

CHAPTER 359.

S. F. No. 592.

An act to prevent the organization of trusts and to provide in certain cases for the forfeiture of the charter of corporations organized under the laws of this state, and to prevent corporations, trusts or combinations under certain circumstances from doing business or enforcing contracts in respect thereto, under the laws of this state.

Trusts,
prevention of.

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

SECTION 1. Any contract, agreement, arrangement, or conspiracy, or any combination in the form of a trust, or otherwise, hereafter entered into which is in restraint of trade or commerce within this state, or in restraint of trade or commerce between any of the people of this state and any of the people of any other state or country, or which limits or tends to limit or control the supply of any article, commodity or utility, or the articles which enter into the manufacture of any article or [of] utility, or which regulates, limits or controls or raises or tends to regulate, limit, control or raise the market price of any article, commodity or utility, or tends to limit or regulate the production of any such article, commodity or utility, or in any manner destroys, limits or interferes with open and free competition in either the production, purchase or sale of any commodity, article or utility is hereby prohibited and declared to be unlawful.

Trusts,
what are.

That when any corporation heretofore or hereafter created, organized or existing under the laws of this state, whether general or special, hereafter unites in any manner with any other corporation wheresoever created, or with any individual, whereby such corporation surrenders or transfers, by sale or otherwise, in whole or in part, its franchise, rights or privileges or the control or management of its business to any other corporation or individual, or whereby the business or the management or control of the business of such corporation is limited, changed or in any manner affected, and the purpose or effect of such union or combination is to limit, control or destroy competition in the manufacture or sale of any article or commodity, or is to limit or control the production of any article or commodity, or is to control or fix the price or market value of any article or commodity, or the price or market value of the material entering into the production of any article or commodity, or in case the purpose or effect of such union or combination is to

Corporations
entering
into trust.

control or monopolize in any manner the trade or commerce, or any part thereof, of this state, or of the several states, such union, combination, agreement, arrangement or contract is hereby prohibited and declared to be unlawful.

Punishment
for entering
into trust
arrangement.

SEC. 2. Every person who shall either directly or indirectly make any such contract, agreement or arrangement, or enter into any such combination, conspiracy or trust as defined in section one (1) of this act, shall be guilty of a felony and, on conviction thereof, shall be punished by a fine of not less than five hundred dollars (\$500) nor more than five thousand dollars (\$5,000), or by imprisonment in the state's prison for not less than three (3) years nor more than five (5) years.

Corporation
entering into
trust to
forfeit charter.

SEC. 3. Any corporation heretofore or hereafter created, organized or existing under the laws of this state which shall hereafter either directly or indirectly make any contract, agreement or arrangement, or enter into any combination, conspiracy or trust as defined in section one (1) of this act, shall, in addition to the penalty prescribed in section two (2) of this act, forfeit its charter, rights and franchises, and it shall thereafter be unlawful for such corporation to engage in business, either as a corporation or as a part of any combination, trust or monopoly, except as to the final disposition of its property under the laws of this state.

Foreign cor-
poration enter-
ing into trust
prohibited
from doing
business in
this state.

Any corporation organized under the laws of any other state, territory or country, which is now located or which may hereafter be located within this state, and engages in the manufacture, production or sale of any article therein which shall either directly or indirectly make any contract, agreement or arrangement or enter into any combination, conspiracy or trust as defined in section one (1) of this act, shall, in addition to the penalty prescribed in section two (2) of this act, be prohibited from doing any further business in this state, except as to the final disposition of its property under the laws of this state.

Contracts of
trusts not to
be enforced.

SEC. 4. Any contract by any person, partnership, association or corporation, whether domestic or foreign, made in conducting business contrary to the provisions of section one (1) of this act, shall not be enforced in any court of this state in favor of such persons, partnership association or corporation.

Persons en-
tering into
trusts guilty
of felony.

SEC. 5. Any person who shall enter into any correspondence, negotiations or agreement in this state, or who shall, being a resident of this state, go into another state, territory or country for the purpose of entering into any negotiations or agreement which tend to the formation of any contract or combination forbid-

den by this act, shall be guilty of a felony, and be subject to all the penalties of this act.

SEC. 6. That for the purpose of carrying out the provisions of this act, any citizen of this state may, and it is hereby declared to be the duty of the attorney general, to institute, in the name of the state, proceedings in any court of competent jurisdiction against any person, partnership, association or corporation who may be guilty of violating any of the provisions of section one (1) of this act, for the purpose of imposing the penalties imposed by this act, or securing the enforcement of section three (3) hereof. *Provided*, that when such proceedings are instituted by any one other than the attorney general, the state shall not be in any manner liable for the costs or for any of the expense of such proceedings. And *provided, further*, that when the attorney general deems it necessary, he is hereby authorized to employ counsel to assist in the prosecution of any action brought under the provisions of this act.

Any citizen
begin proceedings
against.
Duty of at-
torney general
to do so.

SEC. 7. The word person as used in this act shall be construed to include any corporation or association formed or existing under any law of this state or any other state or country.

Word person
defined.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved April 21st, 1899.

CHAPTER 360.

S. F. No. 41.

An act to fix the time for holding the general terms of the district courts in and for the Eighth judicial district.

Eighth
judicial dis-
trict, terms
of court in.

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

SECTION 1. The general terms of the district court in and for the counties of the Eighth judicial district shall be held as follows:

In the county of Carver on the first (1st) Monday in March and the last Monday in September of each year.

Carver county,
terms of
court in.

In the county of Le Sueur on the second Monday in February and the second Monday in September of each year.

Le Sueur
county terms
of court in.

In the county of McLeod on the second Monday in May and the second Monday in November in each year.

McLeod county
terms of
court in.

In the county of Scott on the fourth Monday in March and the third Monday in October in each year.

Scott county,
terms of
court in.