

in such cottage or cottages so erected as hereinbefore stated.

§ 3. All members of such corporation or society mentioned in Section 1, and all members (or) in their families affected with pulmonary tuberculosis, may be admitted to said cottage or cottages under rules prescribed by the governing body of such corporation or society, except as otherwise provided in this act; *provided*, however, that all incurable patients must be kept separate and apart from the curable patients under rules and regulations to be prescribed by the board of trustees of the State Tuberculosis Sanitarium, or other governing board.

§ 4. Such corporation or society may admit to such cottage, or cottages all patients eligible to admission to the state sanitarium, under Section 5 of Chapter 44 of the Session Laws of 1911, upon such terms as may be agreed upon by the trustees of the state sanitarium and the governing body of such corporation or society.

Approved March 11, 1913.

TRUSTS

CHAPTER 287.

[H. B. No. 122—Dean.]

UNFAIR COMPETITION.

AN ACT to Amend Sections 1, 2 and 4 of Chapter 258 of the Session Laws of 1907, Relating to Trade Discrimination and Unfair Competition.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 1 of Chapter 258 of the Session Laws of 1907, be amended to read as follows:

§ 1. UNFAIR COMPETITION.] Any person, firm or corporation, foreign or domestic, doing business in the state of North Dakota and engaged in the production, manufacture, distribution, purchase or selling of milk, cream, butter fat, grain or any commodity in general use that shall, with the intention of creating a monopoly, or of destroying the business of a competitor, or of any regular established dealer, or to prevent competition of any person who in good faith intends and attempts to become such a dealer, discriminate between different sections, communities, towns or cities, or portions thereof, in this state, by purchasing at a higher or selling at a lower rate or price in one section, community, town or city or portion thereof, in this state, than is paid

or charged by such person, firm or corporation for such milk, cream, butter fat, grain or commodity in general use in another section, community, town or city, or portion thereof, in this state, after making due allowance for the difference, if any, in the actual cost of transportation of such commodities, shall be guilty of unfair discrimination.

§ 2. AMENDMENT.] That Section 2 of Chapter 258 of the Session Laws of 1907 be amended to read as follows:

§ 2. FORFEITURE OF CHARTER.] If complaint shall be made to the attorney general that any person, firm or corporation, is guilty of unfair discrimination, as defined by this Act, he shall investigate the matter complained of, and for that purpose may subpoena witnesses, administer oaths, take testimony and require the production of books or other documents belonging to such persons, firm or corporation, and if, in his opinion, sufficient grounds exist therefor, he shall prosecute an action in the name of the state of North Dakota, in the proper court, to annul the charter or revoke the permit or license of such person, firm or corporation, as the case may be.

§ 3. AMENDMENT.] That Section 4 of Chapter 258 of the Session Laws of 1907 be amended to read as follows:

§ 4. PENALTY.] Any person, firm or corporation convicted of unfair discrimination shall be fined in any sum not less than two hundred dollars nor more than three thousand dollars.

§ 5. EMERGENCY.] An emergency is hereby declared to exist, and this Act shall take effect immediately upon its passage and approval.

Approved March 12, 1913.