

CHAPTER 311

CHAMBERS OF COMMERCE; TRADING EXCHANGES

311.01 FORMATION.

HISTORY. 1883 c. 138 s. 1; 1887 c. 87; G.S. 1878 Vol. 2 (1888 Supp.) c. 34 s. 197; G.S. 1894 s. 2982; R.L. 1905 s. 3112; G.S. 1913 s. 6536; 1923 c. 239 s. 1; G.S. 1923 s. 7903; M.S. 1927 s. 7903.

A combination, the main purposes and effects of which are to foster the trade and increase the business of those who make and operate it, and which only indirectly and remotely restrict competition in trade, is not a "combination and conspiracy in restraint of trade" within the meaning of the statute. Rule No. 26 of the Duluth Board of Trade, which provides that all members of the board shall charge a uniform and determined rate of commission for selling grain for non-members and provides penalties for the violation of such rule, is not in violation of the Minnesota anti-trust statute. *State v Dul. Board of Trade*, 107 M 506, 121 NW 395; *Grisim v So. St. Paul Live Stock Exchange*, 152 M 271, 188 NW 729.

311.02 CHAMBERS OF COMMERCE AND BOARDS OF TRADE; SPECIAL POWERS.

HISTORY. 1883 c. 138 ss. 1, 2; 1885 c. 52; 1887 c. 87; G.S. 1878 Vol. 2 (1888 Supp.) c. 34 ss. 197, 198; G.S. 1894 ss. 2982, 2983; R.L. 1905 s. 3113; G.S. 1913 s. 6537; G.S. 1923 s. 7904; M.S. 1927 s. 7904.

A by-law providing for suspension of a member, if he should refuse to submit to retraction and business dispute with another member, is not invalid on the ground that it contravenes the constitution or the laws of the state or was against such a policy. *Evans v Chamber of Commerce*, 86 M 448, 91 NW 8.

The chamber of commerce of Minneapolis has authority to provide, by rule or by-law, that one member shall have a lien upon the membership of another for an indebtedness arising from or entered into between one and the other by virtue of membership in the chamber. *Moehler v Chamber of Commerce*, 130 M 288, 153 NW 617.

The board of directors of a live stock exchange, when acting upon charges against a member, are protected by the rule that an action for damages does not lie against one whose acts were done in the exercise of judicial authority clearly conferred. *Melady v So. St. Paul Live Stock Exch.* 142 M 194, 171 NW 806.

When it is sought to hold a corporation for tort, the doctrine of respondeat superior applies. If the acts of the board of directors of a live stock exchange, in finding a member guilty of uncommercial conduct, fining him therefor, and suspending him from membership for non-payment of the fine, did not give rise to a cause of action of such member against them individually or collectively, there is no foundation for an action against the exchange based on an allegation that the fine and suspension were solely due to malice on its part. *Melady v So. St. Paul Live Stock Exch.* 142 M 194, 171 NW 806.

An association of commission men, dealing in live stock at public stockyards may be required to observe such reasonable regulations as the state sees fit to impose in the exercise of its police power. The rights and privileges of membership in a corporation are property and are subject to reasonable restrictions and regulations imposed by the legislature; but by-laws regulating the business conduct of the members may be annulled by the legislature in the proper exercise of the police power of the state. *Grisim v So. St. Paul Live Stock Exch.* 152 M 271, 188 NW 729.

MINNESOTA STATUTES 1945 ANNOTATIONS

1927

CHAMBERS OF COMMERCE; TRADING EXCHANGES 311.06

311.03 CERTAIN CHAMBERS OF COMMERCE, BOARDS OF TRADE, OR EXCHANGES DECLARED PUBLIC MARKETS.

HISTORY. 1921 c. 99 s. 1; G.S. 1923 s. 7905; M.S. 1927 s. 7905.

311.04 MEMBERSHIPS.

HISTORY. 1921 c. 99 s. 2; G.S. 1923 s. 7906; M.S. 1927 s. 7906.

"That corporations not organized for profit" are to be deemed to be doing business is apparent from statutory provisions requiring them to state their place of business in their articles of incorporation. As for example, those organized for charity; the Y. M. C. A.; Chamber of Commerce; Homes for the Aged. *La Belle v Hennepin County Bar Ass'n*, 206 M 295, 288 NW 788.

311.05 VIOLATIONS; PENALTIES.

HISTORY. 1921 c. 99 s. 3; G.S. 1923 s. 7907; M.S. 1927 s. 7907.

311.06 ATTORNEY GENERAL TO PROSECUTE.

HISTORY. 1921 c. 99 s. 4; G.S. 1923 s. 7908; M.S. 1927 s. 7908.