

LAWS AND RESOLUTIONS
OF THE
STATE OF NORTH CAROLINA


PASSED BY THE

GENERAL ASSEMBLY

AT ITS

SESSION OF 1889,

BEGUN AND HELD IN THE CITY OF RALEIGH

ON WEDNESDAY, THE NINTH DAY OF JANUARY, A. D. 1889.

TO WHICH ARE PREFIXED

A REGISTER OF STATE OFFICERS, JUDICIARY, A LIST OF COM-
MISSIONERS OF AFFIDAVITS, MEMBERS OF THE GEN-
ERAL ASSEMBLY, AND STATE CONSTITUTION.

PUBLISHED BY AUTHORITY.

RALEIGH:
JOSEPHUS DANIELS, STATE PRINTER AND BINDER.
1889.

Proviso.

misdeemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days: *Provided*, that nothing in this act contained shall interfere with the stock-law fence and regulations now established between Richmond and Robeson counties.

SEC. 4. That this act shall be in force from and after its ratification. Ratified the 11th day of March, A. D. 1889.

CHAPTER 373.

An act for the relief of Dempsey Spruill, late sheriff of Washington county, N. C.

The General Assembly of North Carolina do enact:

Commissioners and justices authorized to compromise with D. Spruill, sheriff, for money lost in Exchange National Bank.

SECTION 1. That the county commissioners and magistrates of Washington county, in joint session, may settle or compromise the claim of said county against Dempsey Spruill, late sheriff and ex-officio treasurer, for moneys lost by the failure of the Exchange National Bank of Norfolk, Va., in April, 1885, in such manner as they may deem best.

Limitation of settlement.

SEC. 2. *Provided*, that no sum shall be accepted in settlement of less amount than the total dividend received, or which may hereafter be received, by said Dempsey Spruill from the receiver of said bank on account of amount deposited in said bank belonging to said county.

SEC. 3. This act shall be in force from and after its ratification. Ratified the 11th day of March, A. D. 1889.

CHAPTER 374.

An act to prohibit trusts in the State of North Carolina, and to provide for the punishment of persons connected with them.

The General Assembly of North Carolina do enact:

Combinations and trusts declared unlawful.

SECTION 1. That all combinations and trusts as defined by this act are unlawful, dangerous to the liberty of the people, and are hereby forbidden to be formed or carried on in this State.

Definition of trust.

SEC. 2. That a trust is an arrangement, understanding or agreement, either private or public, entered into by two or more persons or corporations for the purpose of increasing or reducing the price

of the shares of stock of any company or corporation, or of any class of products, materials or manufactured articles, beyond the price that would be fixed by the natural demand for or the supply of such shares, products, materials or manufactured articles; and any attempt to carry out such purpose shall be evidence that such arrangement, understanding or agreement exists.

Evidence of trust.

SEC. 3. That any persons, company or corporation who shall form, or attempt to form, a trust in this State, or the agent or representative of any trust in any State or county, who shall attempt to carry on operations in this State, shall be guilty of a misdemeanor, and upon conviction may be fined not more than ten thousand dollars or may be imprisoned not more than ten years for each offence.

Misdemeanor to form trust, &c.

SEC. 4. That any person, company or corporation who enter into an arrangement, understanding or agreement not to mine, manufacture, buy, sell or transport more than a certain specified amount of any goods, products or commodities within a specified time, will have violated section three of this act and will be liable to indictment therefor; and any person, company or corporation who give bond or make a forfeit of any kind not to break such arrangement, understanding or agreement shall be guilty of a misdemeanor, and on conviction thereof shall be fined or imprisoned, or both, in the discretion of the court.

Agreements not to manufacture, &c., more than a certain amount of goods, &c., within the operation of section three.

Misdemeanor.

SEC. 5. That any merchant, broker, manufacturer or dealers in raw materials of any kind, or the agent of such persons, who shall sell any particular class of goods, raw materials or manufactured articles for less than actual cost for the purpose of breaking down competitors, shall be guilty of a misdemeanor, and upon conviction may be fined or imprisoned, or both, in the discretion of the court: *Provided*, that nothing contained in this act shall operate or be construed so as to forbid or prevent any person or persons who desire and intend to purchase any article or commodity for his or their own use or consumption, from combining or otherwise lawfully acting so as to protect or help themselves from imposition in the cost or purchase price of such articles or commodities as they or either of them may design and intend to use or consume.

Merchant, &c., selling goods, &c., for less than cost to break down competitors guilty of misdemeanor.

Proviso.

SEC. 6. That this act shall be in full force and effect from and after the first day of May of the year one thousand eight hundred and eighty-nine.

Ratified the 11th day of March, A. D. 1889.