

view, the true proportion of taxes chargeable to the part or portion sought to be paid on, and the amount so found shall be deemed to be the amount of taxes chargeable thereto.

Amends sec.
1165 R., S., as
amended.

Duty of county
clerk.

SECTION 3. Section 1165, of the Revised Statutes of 1878, as amended by chapter 415, of the laws of 1889, is hereby amended, by adding at the end thereof the following, to-wit: Provided, that when an application is made to the county clerk to redeem from any tax sale, any part or portion of any lot or parcel of land, which was sold for taxes as a whole, but which is owned in severalty, the county clerk, before making a receipt for the redemption of such part or portion thereof, is authorized to ascertain, by affidavits or by actual view, the true proportion of taxes chargeable to the part or portion sought to be redeemed, and the amount so found shall be deemed to be the amount required for the redemption thereof.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1893.

No. 4, A.]

[Published April 22, 1893.

CHAPTER 219.

AN ACT to protect trade and commerce against unlawful trusts and monopolies.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Contract, etc.,
in restraint of
trade, illegal.

SECTION 1. Every contract or combination, in the nature of a trust or conspiracy in restraint of trade or commerce, is hereby declared illegal.

Monopoly, etc.,
of trade, for-
bidden.

SECTION 2. Every person who shall monopolize, or attempt to monopolize, or combine, or conspire with any other person or persons to monopolize any part of the trade or commerce in this state, shall be deemed guilty of violating the provisions of this act, and upon conviction

thereof shall forfeit for each such violation not less than fifty dollars, nor more than three thousand dollars, together with the costs of prosecuting such forfeiture; such forfeiture and costs to be collected as is now provided by statute for the collection of forfeitures. **Forfeiture**

SECTION 3. Jurisdiction is hereby conferred on the several circuit courts of this state to prevent and restrain, by injunction or otherwise, any violations of the provisions of this act; and it shall be the duty of the several district attorneys of the several counties in this state, upon the advice of the attorney general, who may appear as counsel in such case, to institute such actions or proceedings as the attorney general may or shall deem necessary to prevent or restrain any violation of this act. Such proceedings shall be by way of information or complaint, as in ordinary actions, setting forth the case and grounds for the interference of the court, and praying that such violations, whether continuing or intended, shall be enjoined or otherwise prohibited. When the parties complained of or informed against shall have been duly notified of and cited to answer such information or complaint, the court shall proceed as soon as may be, in accordance with its rules and practice, to the hearing and determination of the case; and pending such information or complaint, and before final judgment, the court may at any time, upon proper notice, make such temporary restraining order, injunction or prohibition as shall be just in the premises. **Jurisdiction; duty of district attorneys; proceedings.**

SECTION 4. Whenever it shall appear to the court before which any examination under section 3, of this act, may be pending, that the ends of justice require that other parties should be brought before the court, the court may cause them to be summoned in such manner as the court shall direct. **New parties may be summoned.**

SECTION 5. Any person transacting or doing business within this state, who shall be injured in his business or property by any other person or corporation, by reason of anything forbidden or declared to be unlawful by this act, may recover the damages by him sustained, and costs of the suit. **Damages may be recovered.**

Examination
of party, etc.,
other than as a
witness, how
may be taken
by deposition.

SECTION 6. The examination of any party, or in case a corporation be the party, the examination of the president, secretary or other proper officer or general managing agent of such corporation, or any person acting for another or acting for such corporation or partnership, otherwise than as a witness on a trial, may be taken by deposition at the instance of the state of Wisconsin, in any action or proceeding under this act, at any time after the commencement thereof and before final judgment. Such deposition shall be taken before a judge at chambers on a previous notice to such party and any other adverse party, or their respective attorneys, of at least five days, or it may be taken without the state, upon commission, in the manner provided for taking other depositions. The attendance of the party to be examined may be compelled upon subpoena, without payment of witness fees, and such examination shall be subject to the same rules as that of any other witness; but he shall not be compelled to disclose anything not relevant to the controversy. If such examination shall be taken before issue joined, the notice of taking the same shall be accompanied by the affidavit of the district attorney, the attorney general, or some other party, stating the general nature and object of the action, that discovery is sought to enable the party to plead the points upon which such discovery is desired, and such examination shall be limited to discovery of the facts relevant to the points so stated, unless the court, or the presiding judge thereof, on motion and one day's notice, shall, before the examination is begun, by order further limit the subjects to which such examination shall extend; but such examination shall not preclude the right to another examination after issue joined upon all the issues in the cause, and the party examining shall in all cases be allowed to examine upon all interrogatories. Such examination shall not be compelled in any other county than that in which the party to be examined resides; provided, that whenever plaintiff or defendant is a non-resident of the state, his disposition may be taken, under the provisions of this section, in the county in which

the action is pending, if he can be personally served with notice and subpoena in such county. In any examination under the provisions of this section, the judge or commissioner before whom the same is had, shall have power and authority to compel the party examined to answer all questions relevant to the issues involved, and shall upon the application of the attorney general compel the production by the party examined of all books, papers and records relevant and pertinent to the issues, and may enforce such orders, and the production of such books, papers and records, by contempt proceedings.

SECTION 7. If any defendant, or his agent, lawfully required to appear and testify, as provided in this act, either within or without the state, shall neglect or refuse to do so, he may be punished as for contempt, and the pleading of such defendant may, in the discretion of the court, be stricken out, and judgment given against him according to the prayer of the complaint of the state. Refusal to testify, how punished.

SECTION 8. The word "person" or "persons," wherever used in this act, shall be deemed to include corporations, partnerships, individuals and associations existing under or authorized by the laws of the United States, the laws of any of the territories, the laws of this or any other state, or the laws of any foreign country. Construction of terms.

SECTION 9. This act shall not be construed to affect, or in any manner refer to or interfere with labor unions, or any other associations of laborers organized for the purpose of promoting the welfare of labor, nor shall it interfere with or suppress associations or organizations intended to legitimately promote the interests of trade, commerce or manufacturing in this state. Labor unions, etc., not to be affected.

SECTION 10. All acts and parts of acts inconsistent with this act are hereby repealed.

SECTION 11. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1893.