

1994

Title 50: Pools and Trusts - 1994

Utah Code Annotated

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Recommended Citation

Utah Code Annotated Title 50 (Michie, 1994)

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TITLE 50

POOLS AND TRUSTS

Chapter

1. General Provisions [Repealed].
2. Unjust Discrimination Against Newspapers.
3. Dairy Products Trade Practices [Repealed].

CHAPTER 1

GENERAL PROVISIONS

(Repealed by Laws 1979, ch. 79, § 17.)

50-1-1 to 50-1-10. Repealed.

Repeals. — Sections 50-1-1 to 50-1-10 (R.S. 1898 & C.L. 1907, §§ 1752 to 1761; C.L. 1917, §§ 4475 to 4484; R.S. 1933 & C. 1943, 73-1-1 to 73-1-10), prohibiting monopolistic practices,

were repealed by Laws 1979, ch. 79, § 17. For present provisions, see §§ 76-10-911 to 76-10-926.

CHAPTER 2

UNJUST DISCRIMINATION AGAINST NEWSPAPERS

Section		Section	
50-2-1.	Business of gathering and vending news a matter of public interest.	50-2-5.	Contracts in violation, void.
50-2-2.	Discrimination against newspaper publishers forbidden.	50-2-6.	Evidence to establish trust or combination.
50-2-3.	Combinations to control news unlawful.	50-2-7.	Telephone and telegraph companies deemed agents of vendors.
50-2-4.	Discrimination in service charges forbidden.		

50-2-1. Business of gathering and vending news a matter of public interest.

All persons, all associations of persons and all corporations engaged in the business of buying, gathering or accumulating information or news for publication, and vending, supplying, distributing or disseminating the same for publication, either to the members of such associations or corporations or otherwise, shall be deemed to be engaged in a business upon which a public interest is engrafted, and shall make no distinction with respect to newspaper publishers desiring to purchase such news or information for publication.

History: L. 1905, ch. 106, § 1; C.L. 1907, § 1762x; C.L. 1917, § 4490; R.S. 1933 & C. 1943, 73-2-1.

Cross-References. — Libel by newspapers, Title 45, Chapter 2.
Publication of official notices, §§ 45-1-1, 45-1-2.

COLLATERAL REFERENCES

C.J.S. — 58 C.J.S. Monopolies § 77.

Key Numbers. — Monopolies ⇌ 12(3).

50-2-2. Discrimination against newspaper publishers forbidden.

It shall be unlawful for any person, association of persons or corporation engaged in gathering and furnishing news for publication to make any discrimination or distinction with respect to persons engaged in publishing newspapers.

History: L. 1905, ch. 706, § 2; C.L. 1907, § 1762x1; C.L. 1917, § 4491; R.S. 1933 & C. 1943, 73-2-2.

50-2-3. Combinations to control news unlawful.

Any combination having for its object or effect the controlling of information or news gathered or accumulated for distribution and publication shall be deemed a trust, and hostile to the public welfare, and is prohibited and declared unlawful.

History: L. 1905, ch. 106, § 2; C.L. 1907, § 1762x2; C.L. 1917, § 4492; R.S. 1933 & C. 1943, 73-2-3.

50-2-4. Discrimination in service charges forbidden.

All associations of persons and corporations engaged in the business of gathering and disseminating information or news for publication by their members or stockholders, or otherwise, shall be deemed to be engaged in a business in which the public is interested, and shall furnish such news to any and all newspapers desiring to publish the same at the same price as charged to the members of such association or corporation, or stockholders of any such corporation, without discrimination between the members or stockholders and such newspapers desiring to publish such information and news; and shall render equal and impartial service to all publishers of newspapers who shall offer to pay a reasonable price therefor.

History: L. 1905, ch. 106, § 3; C.L. 1907, § 1762x3; C.L. 1917, § 4493; R.S. 1933 & C. 1943, 73-2-4.

50-2-5. Contracts in violation, void.

Any contract or agreement in violation of the provisions of this chapter shall be absolutely void and not enforceable.

History: L. 1905, ch. 106, § 4; C.L. 1907, § 1762x4; C.L. 1917, § 4494; R.S. 1933 & C. 1943, 73-2-5.

50-2-6. Evidence to establish trust or combination.

In all actions brought under this chapter it shall be sufficient to prove that a trust or combination as defined herein existed, and that the defendant belonged to it, or acted for or in connection with it, without proving or producing any article of agreement, or any written instrument on which it may have been based, or that it was evidenced by any written instrument at all. The character of the trust or combination alleged may be established by proof of its general reputation as such.

History: L. 1905, ch. 106, § 5; C.L. 1907, § 1762x5; C.L. 1917, § 4495; R.S. 1933 & C. 1943, 73-2-6.

50-2-7. Telephone and telegraph companies deemed agents of vendors.

All telephone and telegraph companies employed to transmit such information or news shall be deemed to be process agents of such persons and corporations, and an offer to pay a reasonable price to such telephone or telegraph companies shall be equivalent to an offer to pay the same to the persons or corporations gathering and disseminating such information or news.

History: L. 1905, ch. 106, § 6; C.L. 1907, § 1762x6; C.L. 1917, § 4496; R.S. 1933 & C. 1943, 73-2-7. **Cross-References.** — Telegraphic and telephonic transactions, Title 69.

CHAPTER 3**DAIRY PRODUCTS TRADE PRACTICES**

(Repealed by Laws 1977, ch. 48, § 1.)

50-3-1 to 50-3-5. Repealed.

Repeals. — Sections 50-3-1 to 50-3-5 (L. 1965, ch. 7, §§ 1 to 5), relating to dairy products trade practices, were repealed by Laws 1977, ch. 6, § 28. For present provisions, see Title 4, Chapter 3.