

the condition that there shall be paid to the state treasurer, or his order upon demand, or if a time deposit when due, at any place in this state designated by him, free of exchange, all of the state funds deposited in the depository furnishing such bond at any time while the same shall be in force, with interest upon time deposits at the rate agreed upon and approved by the board. The board of deposit shall fix the limit of deposit to be made in any depository. Depository bonds shall be approved by the board and filed with the treasurer.

"100. **Additional bonds.**—The board of deposit shall not approve the bond of any bank or trust company until fully satisfied that the same is in proper form, the sureties sufficient, the bank or trust company prosperous and financially sound, and the capital stock claimed by it fully paid up and not impaired. And at any time the board or the treasurer may require of any such bank or trust company a new or an additional bond, or may revoke its designation of any bank as such depository. Immediately upon such revocation of an active depository the treasurer shall withdraw all state moneys therefrom and shall make no further deposits therein and upon revocation of an inactive depository the treasurer shall withdraw all state moneys therefrom when due.

"101. **Classes of depositors—withdrawal of deposits.**—State depositories shall be divided into two classes to be known as active and inactive. *A bank or trust company may be designated as a depository of both classes.* All state funds deposited under designations as active depositories shall be subject to withdrawal by the treasurer upon demand, and no interest shall be charged thereon. Surplus funds not required to meet the state's current disbursements shall be deposited for a definite period in banks or trust companies designated as inactive depositories, and interest shall be paid upon such deposits at a rate of not less than one per cent nor more than three per cent per annum to be fixed from time to time by the state board of deposit in accordance with the current rate upon deposits of a similar character.

Sec. 2. **Law repealed.**—Laws 1933, Chapter 217, is hereby repealed.

Sec. 3. **Effective August 23, 1937.**—This act shall take effect and be in force from and after August 23, 1937.

Approved April 22, 1937.

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#### CHAPTER 352—S. F. No. 914

*An act to amend Mason's Minnesota Statutes of 1927, Section 7885 and 7886 relating to the formation and general powers of county agricultural societies and the aid to such societies.*

Be it enacted by the Legislature of the State of Minnesota :

Section 1. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 7885 be and the same is hereby amended so as to read as follows :

**7885. County agricultural societies — formation — general powers.**—An agricultural society may be incorporated by citizens of any county or two or more counties jointly, but only one such agricultural society shall be organized in any county except in counties having an area of five thousand square miles or more, in which two such societies may be organized, and when so organized shall receive all benefits that other senior agricultural societies obtain both from the state and the county: *provided, however, that in any county in this state having not more than 46 nor less than 42 full or fractional congressional townships and having a population according to the 1930 Federal census of not more than 27,000 and not less than 23,000 persons may have two such societies*; such society may sue and be sued in its corporate name; may adopt by-laws, rules and regulations, alter and amend the same; may purchase and hold, lease and control any real or personal property deemed to promote the objects of the society, sell and convey the same. This act shall not be construed to preclude the continuance of any agricultural society now existing, nor the granting of aid thereto.

Such society shall have jurisdiction and control of the grounds upon which its fairs are held, and of the streets and grounds adjacent thereto during such fair, so far as may be necessary for such purpose. At or before the time of holding any fair, the president of any such society may appoint, in writing signed by him, as many persons to act as special constables as he may judge necessary, for and during the time of holding the same and for a reasonable time prior and subsequent thereto. Such constables, before entering upon their duties, shall take and subscribe the usual oath of office, indorsed upon their appointment, and shall have and exercise upon the grounds of such society, and within one-half mile thereof, all the power and authority of constable at common law, and in addition thereto may, within such limits without warrant arrest any person found violating any laws of the state, or any rule, regulation, or by-law of said society, and may summarily remove the persons and property of such offenders from the grounds and take them before any court of competent jurisdiction to be dealt with according to law. Every such peace officer shall wear an appropriate badge of office while acting as such.

Any person who shall wilfully violate any rule or regulation made by such societies during the days of a fair shall be guilty of a misdemeanor.

Section 2. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 7886 be and the same is hereby amended so as to read as follows:

7886. **Aid to county agricultural societies.**—All sums hereafter appropriated to aid county and district agricultural societies and associations, shall be distributed to the following named agricultural societies, or associations: Aitkin County Agricultural Society, Anoka County Agricultural Society, Becker County Agricultural Society and Fair Association, Beltrami County Agricultural Association, Benton County Agricultural Society, Bigstone County Agricultural Society, Blue Earth County Agricultural Society, Brown County Agricultural Society, Carlton County Agricultural and Industrial Association, Carver County Agricultural Society, Cass County Agricultural Society, Chippewa County Driving Park and Fair Association, Chisago County Agricultural Society, Clay County Agricultural Association, Clearwater County Agricultural Society, Cook County Agricultural Society, Cottonwood Agricultural Society, Crow Wing County Agricultural Society, *Crow Wing County Fair Association*, Dakota County Agricultural Society, Dodge County Agricultural Association, Douglas County Fair Association, Faribault County Agricultural Society, Fillmore County Agricultural Society, Freeborn County Agricultural Society, Goodhue County Agricultural Society and Mechanic Institute, Grant County Agricultural Association, Hennepin County Agricultural Society, Houston County Agricultural Society, Hubbard County Agricultural Association, Isanti County Agricultural Society, Itasca County Agricultural Society, Jackson County Fair Association, Kanabec County Agricultural Society, Kandiyohi County Agricultural Society, Kittson County Agricultural Society, Koochiching County Agricultural Association, Lac qui Parle County Agricultural Society, Lake County Agricultural Society, LeSueur County Agricultural Society, Lincoln County Agricultural Society and Fair Association, Lyon County Agricultural Society, McLeod County Agricultural Association, Mahnomon County Agricultural Society, Marshall County Agricultural Association, Martin County Agricultural Society, Meeker County Agricultural Society, Mille Lacs County Agricultural Society, Morrison County Agricultural Society, Mower County Agricultural Society, Murray County Agricultural Society, Nicollet County Agricultural Society, Nobles County Fair Association, Norman County Agricultural Society, Olmsted County Agricultural Association, Ottertail County Agricultural Society and Fair Association, Pennington County Agricultural Society, Pine County Agricultural Society, Pipestone County Agricultural Society, Northwestern Minnesota Agricultural Society, Pope County Agricultural Society, Ramsey County Agricultural Society, Red Lake County Agricultural Society, Redwood County Agricultural Society, Renville County Agricultural Society, Rice County Agricultural Society, Rock County Agricultural Society,

Roseau County Agricultural Society, St. Louis County Agricultural Society, Scott County Agricultural Society, Sherburne County Agricultural Society, Sibley County Agricultural Association, Stearns County Agricultural Society, Steele County Agricultural Society, Stevens County Agricultural Society, Swift County Agricultural Society, Todd County Agricultural Society, Traverse County Agricultural Association, Wabasha County Agricultural Society, Wadena County Agricultural Society, Waseca County Agricultural Society, Watonwan County Agricultural Society, Wilkin County Agricultural Society and Fair Association, Winona County Agricultural Society and Industrial Fair Association, Wright County Agricultural Society, Yellow Medicine County Agricultural Society, Perham Agricultural Society, Farmers' Co-operative Agricultural Society of Waconia, Scott County Good Seed Association and Farmers' Agricultural Society, Mankato Fair and Blue Earth County Agricultural Association, Faribault Agricultural and Fair Association, Polk County Agricultural Fair Association, Traverse County Agricultural Fair Association, St. Vincent Union Industrial Association, Cass County Agricultural Association, Shell Prairie Agricultural Association, Cannon Valley Agricultural Association, Morrison County Agricultural Fair Association, and Washington County Agricultural Society, Northern Minnesota District Fair Association, and Lake of the Woods County Fair Association, Baudette and St. Louis County Community Fair Association, when not receiving specific state appropriations, pro rata, to be paid out in premiums at the fairs of only such society or association as have an annual membership of twenty-five or more, maintain an active existence, hold annual fairs on enclosed grounds owned or leased by such societies and associations; provided, that they shall have paid out in premiums to exhibitors during the year as much as they received from the state, and provided further that no such county or district agricultural society shall receive in any year from the state for the purpose of reimbursing it for the amount of premiums paid at its fairs, a sum in excess of seventeen (hundred) (\$1,700) dollars. Such pro rata distribution shall be in accordance with the following method; the premiums paid out by the said societies or associations, after excluding therefrom the payments made for horse races, ball games and amusement features of any nature as hereinafter provided, shall be added together, but in case any society or association shall have paid out a sum in excess of \$1,700 in making such total amount the sum of \$1,700 shall be taken in place of the amount actually paid out. The total amount available for distribution shall be divided by such total amount of premiums paid out and the rate per cent for distribution thus arrived at, but if this shall exceed 100% the same shall be reduced to 100%. The amount of the premiums so paid out by each society shall then be multiplied by this rate, and the amount each society shall receive shall be in that manner determined,

but the sum of \$1,700 shall be so multiplied by the rate in case of any society which shall have actually paid out in a sum in excess of \$1,700. All payments authorized under the provisions of this act shall be made only upon the filing by the public examiner with the state auditor a certificate of examination, in which the public examiner shall certify that he has caused an examination to be made of the records and accounts of such agricultural society making application for state aid and that it has in every respect complied with the requirements of this act relating to state aid: Upon receipt of such certificate of examination by the public examiner it shall be the duty of the state auditor to draw his voucher in favor of such agricultural society for the amount to which it is entitled under the pro rata distribution of any appropriations made for the purpose of state aid to such societies.

It shall be the duty of the public examiner to prescribe uniform forms and methods of accounting to be used by agricultural societies and no such society shall be entitled to state aid under the provisions of this act unless it has complied with the orders and instructions of the public examiner with respect to the use of the accounting forms and methods so prescribed by the public examiner.

Any county or district agricultural society which may have held its second annual fair shall be entitled to share pro rata in such distribution. The state auditor shall certify to the secretary of the State Agricultural Society on or before January 5th of each year a list of all county or district agricultural societies that have complied with this act, and which are entitled to share in such appropriation. All payments hereunder shall be made on or before December 20th on the year in which the fair is held, provided, however, that in determining the amount to be paid to any society or association under this section, the state auditor shall exclude all payments made by such society or associations as premiums or purses for, or in horse races, ball games and amusement features of any nature.

Section 3. This act shall take effect and be in force from and after its passage.

Approved April 22, 1937.

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#### CHAPTER 353—H. F. No. 960

*An act to amend Mason's Minnesota Statutes of 1927, Section 2575, regarding the election or appointment of road overseers.*

Be it enacted by the Legislature of the State of Minnesota :