

CHAPTER 380—H. F. No. 984.

An Act to authorize county boards in this state to direct and employ the Clerks of Court of their respective counties to overhaul and arrange and gather in suitable files, papers and exhibits of certain cases in their respective offices, and to provide for the payment of such services.

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

File papers and exhibits of certain cases.—Section 1. The county board of any county in this state having a population of less than one hundred thousand, may direct and employ the clerks of court of their respective counties to overhaul and arrange and gather in suitable files, all papers and exhibits of cases in their respective offices, occurring and entered in said office prior to the year eighteen hundred ninety-four (1894) and which papers and exhibits have become disarranged by age and usage and are liable to be lost or destroyed, and to provide for compensation for such services, not to exceed the sum of ten (10) cents for each case so overhauled; such services to be completed on or before January 1, 1913.

Approved April 20, 1911.

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CHAPTER 381—H. F. No. 986.

An Act to amend section 3080, Revised Laws 1905; as amended by chapter 307 General Laws of Minnesota for 1905, and to amend sections 3081, 3082, 3083, 3097, 3098, and 3100, Revised Laws, 1905, relating to the State Agricultural Society and to other agricultural societies and associations: Also to provide additional regulations thereof, giving the Board of Control certain powers and repealing sections 3101, Revised Laws, 1905, and other inconsistent acts.

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

Membership of state agricultural society.—Section 1. Section 3080, Revised Laws, 1905, as amended by chapter 307, General Laws of Minnesota for 1905, is hereby amended so as to read as follows :

3080. Its membership shall be confined to citizens of this state and shall be composed as follows :

1. Three delegates to be chosen annually by one county agricultural society in each county in the state which shall maintain an active existence, hold annual fairs and be entitled to share in the state appropriation under the provisions of section

3098. If any such county society fails to choose delegates, then the president, secretary and treasurer thereof shall, by virtue of their offices, be the delegates from such society. Where there is more than one county agricultural society in any county of this state, only one, and that the senior, society shall be entitled to choose such delegates. Such seniority shall be determined by the state auditor, and in all cases where more than one such society in any county in the state shall claim such seniority, no delegates from any of such societies shall be recognized unless their credentials be accompanied by a certificate of such seniority, duly issued and signed by the state auditor; *provided*, when two or more counties of the state not having county agricultural societies maintain district agricultural societies they shall have the same privileges as county agricultural societies; such delegates shall be chosen from the county or district in which the society is located. *Provided further*, that societies or associations heretofore decided by the state auditor to be of equal age shall continue to share equally in the sums appropriated pursuant to this act so long as they otherwise comply with all the legal requirements, and delegates from such societies or associations shall each be entitled to one-half vote at the regular or special meetings.

2. One delegate from such county in the state in which no county or district agricultural society exists to be appointed by the county board of such county.

3. Individuals, who by reason of eminent services in agriculture, horticulture or in the arts and sciences connected therewith, or of long and faithful service in the society or of benefits conferred upon it, may by two-thirds vote at any annual meeting be elected as honorary members. The number of such honorary members shall not at any time exceed its present membership; *provided*, that not more than one honorary member shall be elected annually. Each honorary member shall be entitled to one vote.

4. Two delegates elected by, and the president, ex-officio, of the following societies and associations: the state horticultural society; the state dairymen's association; the state beekeepers' association; the Minnesota live stock breeders' association; the Minnesota field crop breeders' association; the Minnesota swine breeders' association; the Minnesota sheep breeders' association; the Minnesota horse breeders' association; the Minnesota veterinary association; the Minnesota cattle breeders' association; the state poultry association; Minnesota implement dealers' association; the Minnesota florists' association; the Minnesota garden flowers' association; the Minnesota county exhibitors' association; the Minnesota federation of county fairs and the state forestry association; the following societies and associations

shall be entitled to one vote each: the Minneapolis market gardeners' association of Minnesota; the state growers' association; Minnesota shorthorn breeders' association; Minnesota Guernsey breeders' association; Minnesota Jersey breeders' association; Minnesota Holstein-Friesian breeders' association, and the Minnesota Hereford breeders' association; *provided*, that all such societies and associations shall be active and state-wide in their scope and operation, hold annual meetings and be incorporated under the laws of the State of Minnesota, before being entitled to select such delegates. The societies and associations named in this subdivision shall file with the secretary of state on or before December 20 of each year, a report showing that said society or association has held a regular annual meeting for such year, a summary of its financial transactions, for the current year, and an affidavit of the president and secretary that it has a paid up membership of at least twenty-five. On or before January 5 of each year, the secretary of state shall certify to the secretary of the state agricultural society, the names of such societies or associations herein named as have complied with the provisions hereof.

5. The members of the governing board of the state agricultural society shall, by virtue of their offices as such, be members of said society and be entitled to one vote each.

6. On all questions arising for determination by the state agricultural society, including the election of members of the governing board, each delegate present shall be entitled to one vote, and no proxies shall be recognized by said society, except when less than three delegates of any county or district agricultural society shall attend the annual meeting, those present may cast the full vote of said society. All delegates shall be accredited in writing and their credentials shall be signed by the president and secretary of the society or association represented.

Election of officers.—Sec. 2. Section 3081, Revised Laws 1905, is hereby amended so as to read as follows:

3081. The management and control of its affairs shall be vested in its president, two vice-presidents, and six other managers, to be known as its governing board, all of whom shall be citizens of this state, and any five thereof shall constitute a quorum. The annual meeting of such society shall be held at such place in St. Paul or Minneapolis or upon the state fair grounds as the governing board may select beginning on the second Tuesday in January. It shall continue until the following Friday on which day a president shall be elected for the term of one year, one vice-president for a term of two years, and two managers for terms of three years each; *provided*, that at the annual meeting held in January, 1912, one vice-president

shall be elected for one year and one for two years. The present members of governing board and the secretary and treasurer shall serve until the expiration of the terms for which they have been elected. Vacancies shall be filled by the governing board. Any person appointed to fill a vacancy shall hold office until the next annual meeting of the society which shall elect a successor to serve out the unexpired term.

Compensation of president and other officers.—Sec. 3. Section 3082, Revised Laws, 1905, is hereby amended so as to read as follows:

3082. The annual compensation of the president of the governing board shall be one thousand dollars and that of the other members six hundred dollars each, which compensation shall be in full for all their services. On the third Tuesday of January of each year the board shall elect a secretary who shall hold office for one year and until his successor is elected and qualified. The compensation of the secretary shall be fixed by the board. The board may also appoint a treasurer for the term of *one year and fix his compensation which shall not exceed five hundred dollars per year.* The board may designate the secretary as the treasurer of the society. In addition the board may allow the actual traveling expenses of its members and of the secretary and treasurer or other employes while in the performance of their official duties, the claims for which shall in all cases be itemized in full and verified before allowance. But no expenditure for traveling expenses to other states shall be made by the governing board or by any officer, employee or agent thereof unless authority be first granted by a resolution of the governing board, or by its executive committee, stating the reasons and purposes of such trip. All claims amounting to more than one dollar shall be accompanied by a sub-voucher for each item.

Duty of secretary.—Sec. 4. Section 3083, Revised Laws, 1905, is hereby amended so as to read as follows:

3083. The secretary shall keep a complete record of the proceedings of the annual meetings of the state agricultural society and all meetings of the governing board, and of any committee of such board, keep all accounts of the society and perform such other duties as the governing board may direct. On or before December 15th, of each year, the secretary shall make a report to the governor for the fiscal year ending November 30, of each year, showing all the proceedings of the society during the current year, and its financial condition as appears from the books of the society. Such report shall contain a full detailed statement of all receipts and expenditures during such year. The books and accounts of said society for said fiscal year

shall be examined and audited annually by the public examiner of the state and a full detailed report thereof made to the governor on or before the first Tuesday in January of the following year. A summary of such examination, duly certified by said public examiner, together with his recommendations, and the proceedings of the annual meeting of the society first held following the secretary's report, including such addresses made at said meeting as the governing board shall direct, shall be appended to said secretary's report and printed in like manner as the reports of state officers. Four thousand copies of said report shall be printed annually and distributed as follows: Three copies to each society or association entitled to membership in said society; one copy to each newspaper in the state and the remaining copies in such manner as the governing board shall direct. The unpaid claims for examination heretofore made by the board of audit shall be paid from the funds of the society upon allowance by the governing board.

Actions against society—Sec. 5. Section 3097, Revised Laws, 1905, is hereby amended so as to read as follows:

3097. **Reformation—General powers.**—An agricultural society may be incorporated by citizens of any county or two or more counties jointly, but only one such county shall be organized in any county; 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.

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.

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

Appropriations for different societies.—Sec. 6. Section 3098, Revised Laws, 1905, is hereby amended so as to read as follows:

3098. All sums hereafter appropriated to aid county and district agricultural societies shall be distributed equally to county agricultural societies holding annual fairs, and to the Minnesota state poultry association, the Minnesota state butter and cheese makers' association, the Minnesota fanciers' association; northern Minnesota poultry association, and the Duluth poultry association, if not receiving specific state appropriations, pro rata to be paid out in premiums at the fairs of only such societies and associations as have an annual membership of twen-

ty-five or more, maintain an active existence, hold annual fairs, and which have paid out in premiums to exhibitors during the year as much as they receive from the state. Such pro rata shall be paid to the senior active society or association. All payments hereunder shall be made only upon the filing with the state auditor on or before December 15th of each year a sworn statement showing the holding of annual fairs and the payment in premiums of the amounts claimed from the state, or that such societies or associations have advertised annual fairs, and have been prevented for good cause from holding the same, and have incurred expense in such advertising and preparation for the sum equal to the amount claimed from the state. District agricultural societies embracing two or more counties, not having county agricultural societies, shall be entitled to share in such pro rata distribution and shall be subject to the same conditions as county agricultural societies. Any county or district agricultural society holding its first annual fair shall be entitled to share, pro rata, in such distribution if it shall have expended at least four hundred dollars in premiums during the past year. 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 and district agricultural societies that have complied with this section and which are entitled to share in such appropriation. All payments hereunder shall be made on or before December 20th of the year in which the fair is held. *Provided* however, that in determining the amount to be paid to any organization under this section, the state auditor shall exclude all payments made by such organizations as premiums or purses for or in horse races, ball games, and amusement features of any nature.

Reports of treasurer.—Sec. 7. Section 3100, Revised Laws, 1905, is hereby amended so as to read as follows:

3100. Annual meetings—Reports.—Every such society shall hold an annual meeting for the election of officers and the transaction of other business on or before the first Tuesday in December of each year, at which time its secretary shall make a report of its proceedings for the preceding year; such report shall contain a statement of all transactions at its fairs, the number of entries, the amount and source of all moneys received, and the amount paid out for premiums and other purposes, and show in detail its entire receipts and expenditures during the year.

The treasurer shall also make a comprehensive report of the funds received, paid out and on hand, and upon whose order paid. Every such society shall cause a certified copy of the report of the secretary to be filed with the register of deeds of the county, and the state auditor, on or before the fifteenth day of December in each and every year.

Monthly statements of secretary.—Sec. 8. The secretary of the state agricultural society shall prepare monthly statements, except as provided by section eight, showing all the purchases and expenditures for the preceding month, except from the contingent fund, which shall be signed by him and approved by the president of the governing board. The secretary shall attach to such statement his affidavit that all articles were purchased by him, or under his direction, and to his best information and belief all articles purchased by the governing board were purchased at a fair cash market value and received by the society and that all services charged for were actually rendered; that neither he nor any person in his behalf, or the governing board to his best information and belief, had any pecuniary or other interest in any purchase made or services rendered, or received any pecuniary or other benefit therefrom, directly or indirectly, by commission, percentage, deduction or otherwise; and that the articles specified conformed in every respect to the goods ordered, in both quality and quantity. Such report shall also show the amount of money in the hands of the treasurer of the society and from what sources received; *provided*, that all claims against the society shall be made out in duplicate and duly verified, upon forms to be prescribed by the governing board.

Monthly pay roll.—Sec. 9. The monthly statement so made, approved and verified, together with one copy of each of the duplicate claims provided for by section six, and a statement of every other expense, together with the monthly pay roll, shall be filed with the state auditor not later than the tenth of the succeeding month. Two certified copies of such statement shall also be made, one copy to be filed with the secretary and the other with the treasurer of the society. The monthly pay roll of the society shall show the name of every officer, and employee, when first employed, his monthly pay, time actually served, and amount to be paid. If the society has sufficient funds, said state auditor shall issue his warrant upon the state treasurer in favor of the treasurer of the society for the gross amount shown by said statement and pay roll, and the latter shall pay to the several persons the amount of their respective claims as shown by said statement and pay roll. On receipt of the statement, the state auditor shall deliver to the state treasurer a draft upon the treasurer of the state agricultural society for the moneys on hand as shown by such statement. Upon payment of such draft, the amount shall be credited to the account of the state agricultural society to which shall also be credited all interest accruing thereon.

Contingent fund.—Sec. 10. The governing board may create a contingent fund from which expenditures may be made for emergency claims requiring immediate payment and for the pay-

ment of freight, express and drayage, and for the purchase of commodities requiring a cash payment. Disbursements may be made from said contingent fund in such manner as the governing board shall direct. Such contingent fund shall not exceed one thousand dollars. To secure said contingent fund the governing board may, when necessary, make requisition upon the state auditor for a warrant upon the funds in the state treasury to the credit of the state agricultural society. Such warrant shall be issued in favor of the secretary or treasurer of the society, as its board shall direct, during August and September of each year, which is hereby designated as the "state fair period," all receipts may be temporarily retained by the treasurer of the society in a general fund and payment may be made from said general fund during such period for the necessary expenses of conducting the annual fairs, including temporary employees, the payment of prizes, purses and premiums and such other emergency expenses as the governing board may direct. Any funds in the state treasury to the credit of the society at the beginning of the state fair period may be transferred to the treasury of the society for the purposes named in this section. Such transfer shall be made in the same manner as herein provided for securing the contingent fund, but no portion of such transferred funds shall be used in the payment of any contract entered into by the governing board for the erection or repair of buildings, it being the intent of this act that such expenses shall be paid in the manner provided by sections six and seven. A statement of every expenditure made during each month under the provisions of this section shall be submitted to the governing board under rules established by it and when approved by the board, a copy thereof, certified by the secretary and attested by the president, shall be filed with the state auditor at the time of filing the statement provided for by section 7; *provided*, that the statements, for expenditures from the contingent and general funds during the state fair period shall be included in one report and filed with the state auditor not later than October 15th.

New buildings—Sec. 11. New buildings, the estimated cost of which shall be fifteen thousand dollars or more, shall be erected under the direction and supervision of the state board of control, but the governing board shall procure and adopt all plans and specifications for such buildings, which plans and specifications shall be used by the board of control in inviting bids and in the letting of contracts; *provided*, that no contract shall be entered into by said board of control for the construction of any building until such contract and bids received shall have first been submitted to the governing board of the state agricultural society and their approval of the same obtained in writing.

When salaries are payable—Inconsistent acts repealed—Sec. 12. All salaries provided under the provisions of this act, shall take effect and be in force from and after the third Tuesday in January, 1912. This act shall not be construed as repealing any appropriation contained in section 3098, Revised Laws, 1905, or any other appropriations made to aid county agricultural societies, which shall remain in force and be expended under the provisions of this act. Section 3101, Revised Laws 1905, and all other acts and parts of acts inconsistent with this act, are hereby repealed.

Appropriations.—Sec. 13. All moneys paid into the state treasury under the provisions of this act, are hereby annually appropriated for the uses and purposes of the state agricultural society.

Sec. 14. This act shall take effect and be in force from and after May 1, 1911.

Approved April 20, 1911.

CHAPTER 382—H. F. No. 1002.

An Act providing for the allowance and payment of compensation to one deputy Register of Deeds in all counties of this state which now, or which may hereafter have, a population of less than 75,000 inhabitants.

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

Deputy register of deeds.—Section 1. The county board of every county having a population of less than 75,000 inhabitants, may by written order to be filed in the office of the county auditor allow one deputy register of deeds in any such county, compensation for his or her services as such deputy, not exceeding the sum of \$500 per year.

Order to remain in force until revoked.—Sec. 2. Any order so made shall remain in force until revoked by such county board. The compensation so allowed shall be paid to the deputy register of deeds from the county treasury in the same manner as is authorized by law for the payment of salaries of county officers.

Application.—Sec. 3. This act shall not apply to counties, whose register of deeds is paid under special law.

Approved April 20, 1911.