

be in balance due from solvent banks. *No bank shall act as reserve agent for another without the approval of superintendent of banks if its capital and surplus is less than twenty-five thousand dollars.* Whenever its reserve shall become impaired, it shall make no new loans or discounts except upon sight bills of exchange, nor declare any dividend until the same has been fully restored. The term "Reserve City" as used herein shall be taken to mean such cities as are designated as reserve cities by act of congress or other federal authority.

Approved April 24, 1915.

CHAPTER 363—H. F. No. 450.

An Act establishing a state athletic commission and regulating boxing and sparring in the State of Minnesota.

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

Section 1. State athletic commission created and to be appointed by governor.—There shall hereafter be a state athletic commission. Within thirty days after this act takes effect, the governor shall appoint three persons, who shall be citizens of this state, to be members of such commission, who shall hold office for the term of three years from the first day of June following the date of their appointment. The governor shall also appoint their successors, possessing like qualifications, on the first day of June of each successive third year, beginning with the year nineteen hundred and fifteen. The commission shall maintain general offices for the transaction of its business. The members of the commission shall, at their first meeting after their appointment, elect one of their number chairman of the commission, shall adopt a seal for the commission and may make such rules for the administration of their office, not inconsistent herewith, as they may deem expedient; and they may hereafter amend or abrogate such rules. Two of the members of the commission shall constitute a quorum to do business; and the concurrence of at least two commissioners shall be necessary to render a choice or decision by the commission.

Sec. 2. Commission to elect a secretary.—The commission shall appoint, and at pleasure remove a secretary to the commission, whose duty it shall be to keep a full and true record of all its proceedings, preserve at its general office all its books, documents and papers, prepare for service such notices and other papers as may be required of him by the commission and to perform such other duties as the commission may prescribe; and he may, under the direction of the commission, issue subpoenas for the attendance of witnesses before the commission with the same effect as if they were issued in an action in the district

court and may, under direction of the commission, administer oaths in all matters pertaining to the duties of his office or connected with the administration of the affairs of the commission. Disobedience of such a subpoena and false swearing before such secretary shall be attended by the same consequences and be subject to the same penalties as if such disobedience or false swearing occurred in an action in the district court. The commission shall bi-ennially make to the legislature a full report of its proceedings for the year ending with the first day of the preceding December and may submit, with such report, such recommendations pertaining to its affairs as to it shall seem desirable.

Sec. 3. Commission to have control over all boxing and sparring matches.—The commission shall have, and hereby is vested with, the sole direction, management, and control of and jurisdiction over all boxing and sparring matches and exhibitions to be conducted, held or given within the state, pursuant to its authority and in accordance with the provisions of this act. The commission may, in its discretion issue and at its pleasure revoke, a license to conduct, hold or give boxing and sparring matches and exhibitions to any club, corporation or association within the state. Every license shall be subject to such rules and regulations, and amendments thereof, as the commission may prescribe. Every application for a license as herein provided for, shall be in writing and shall be addressed to the commission, and shall be verified by some officer of the club, corporation or association on whose behalf the application may be made. It shall contain a recital of such facts as, under the provisions hereof, will show the applicant entitled to receive a license and, in addition thereto, such other facts and recitals as the commission may by rule require to be shown. The commission at its discretion may issue or revoke a license to hold or conduct such exhibitions or contests, to any incorporated club or association; also said commission shall have the power to draw up such rules and regulations as they may from time to time find necessary for the proper staging of such exhibitions or contests. No license shall be issued to non-residents. No boxer weighing less than 140 lbs. shall be permitted to contest against an opponent weighing more than 10 lbs. more than himself.

Sec. 4. Buildings in which contests are to be given.—All buildings or structures used, or intended to be used, for the purpose of this act must be inclosed, and shall not be connected with any door or passage ways with any saloon or place where intoxicating liquors are sold and disposed of, nor shall any intoxicating liquors be dispensed or given away upon the premises, during the time of any such athletic entertainment, also no boxing contest to be permitted on Sunday, nor shall any wagering be per-

mitted upon the results of matches or exhibitions. All buildings or structures shall be properly ventilated and provided with fire exits and fire escapes, if there need be, and in all manner conform to the laws, ordinances and regulations pertaining to buildings in the city, town or village where situated. Where a part of a building or structure is used for the purpose set forth in this act, this section shall apply in the same manner.

Sec. 5. Ten rounds duration and gloves to be worn.—No boxing or sparring match or exhibition shall be of more than ten rounds in duration; and the contestants shall wear, during such contests, gloves of not less than the following weights, to-wit: In exhibitions or contests between boxers up to 140 lbs. five ounces, from 140 lbs. to 175 lbs. of not less than six ounces, over 175 lbs. of not less than eight ounces.

Sec. 6. Club to forfeit license under certain conditions.—Any club, corporation, or association which may conduct, hold or give, or participate in, any sham or fake boxing or sparring match or exhibition shall thereby forfeit its license issued in accordance with the provisions of this act, which shall thereupon be, by the commission cancelled and declared void; and it shall not thereafter be entitled to receive another such or any license pursuant to the provisions of this act.

Sec. 7. Penalizing of contestants.—Any contestant who shall participate in any sham or fake boxing or sparring match or exhibition shall be penalized in the following manner: For the first offense, he shall be restrained for a period of six months, such period to begin immediately after the occurrence of the offense, from participating in any boxing competition to be held or given by any club, corporation or association duly licensed to give or hold such boxing or sparring match or exhibition; for a second offense, he shall be totally disqualified from further admission or participation in any boxing contest held or given by any club, corporation or association duly licensed for said purposes.

Sec. 8. Report to commission.—Every club, corporation or association which may hold or exercise any of the privileges conferred by this act shall, within twenty-four hours after the determination of every contest, furnish to the commission a written report, duly verified by one of its officers, showing the number of tickets sold for each contest and the amount of the gross proceeds thereof, and such other matters as the commission may prescribe, and shall also within the said time, pay to the state treasurer, a tax of ten per cent of its total gross receipts from the sale of tickets of admission to such boxing or sparring match or exhibition. All moneys paid into the state treasury shall be credited to a fund to be used by the advisory commission of the Minnesota (State) Sanatorium for Consumptives for the purposes

set forth in Section 14 of Chapter 583 General Laws 1913. Before any license shall be granted to any club, corporation or association to conduct, hold or give any boxing or sparring match or exhibition, such applicant therefor shall execute and file with the state auditor a bond in the sum of five thousand dollars to be approved as to form and the sufficiency of the sureties thereon, by the state auditor, conditioned for the payment of the tax hereby imposed. Upon the filing and approval of such bond, the state auditor shall issue to such applicant for such license a certificate of such filing and approval, which shall be by such applicant filed in the office of the commission with its application for such license; and no such license shall be issued until such certificate shall be so filed.

Sec. 9. Examination of books.—Whenever any club, corporation or association shall fail to make a report of any contest at the time prescribed by this act, or whenever such report is unsatisfactory to the state auditor, he may examine or cause to be examined, the books and records of such club, corporation or association, and subpoena and examine under oath its officers and other persons as witnesses for the purpose of determining the total amount of its gross receipts for any contest and the amount of the tax due pursuant to the provisions of this act, which tax he may upon and as the result of such examination, fix and determine. In case of the default in the payment of any tax so ascertained to be due, together with the expenses incurred in making such examination, for a period of twenty days after notice to such delinquent club, corporation or association of the amount at which the same may be fixed by the state auditor, such delinquent shall, ipso facto, forfeit its license and shall be thereby disqualified from receiving any new license or any renewal of license; and it shall in addition, forfeit to the State of Minnesota, the sum of five hundred dollars, which may be recovered by the attorney general in the name of the State of Minnesota, in the same manner as other penalties are by law recovered. *Provided*, however that the provisions of this act shall only apply to cities of the first class. The athletic commission herein provided for shall not have authority to grant licenses for or permit more than twelve boxing exhibits in any such city during any one year.

Sec. 10. Violation a misdemeanor.—Any person who violates any of the provisions of this act, for which a penalty is not herein expressly described, shall be guilty of a misdemeanor.

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

Approved April 24, 1915.