

tion 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 \$1700 shall be so multiplied by the rate in case of any society which shall have actually paid out in a sum in excess of \$1700. 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."

Approved March 5, 1925.

CHAPTER 48--S. F. No. 326.

(Sec. 3156, Note, G. S. 1923.)

An act to amend Chapter 143, Laws 1923, entitled "An act relating to common school districts containing ten or more townships, and more than thirty schools, and to elections therein, and to trustees and appointive officers thereof."

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

Section 1. School officers in certain districts.—Section 1 of Chapter 143, Laws 1923, is hereby amended so as to read as follows:

Sec. 1. In each common school district containing ten or more townships and more than thirty schools upon the passage of this act, or hereafter coming into that class, each person heretofore elected a trustee thereof shall hold his office for the duration of the term for which he was elected and until the first Monday in January next following, unless sooner vacated according to law. Vacancies shall be filled by the remaining members of the school board by appointment until the first Monday in January following the next biennial election. *If such remaining members fail to appoint within ten days after the vacancy occurs, such vacancy may be filled, after five days' notice to them, by mail, by appointment of the Governor.* At each biennial election there shall be elected successors of the board members whose terms end prior to the next biennial election, as well as members or officers to fill vacancies for unexpired terms; and the terms of members so elected shall commence on the expiration of the terms of their predecessors and except when elected to fill unexpired terms shall be for four years and until their successors are elected and qualified; provided, when any such term commences in January in an even-numbered year it shall be for three years; provided further that in districts not having officers holding over as elected officers of common school districts containing ten or more townships, there shall be elected at the first biennial election a chairman and a treasurer to hold for two years and a clerk to hold for four years. All general provisions of law for the nomination and election of county officers shall apply to the nomination and election of school officers hereunder, and such school officers shall be nominated and elected without party designation.

Sec. 2. **Annual and special meetings—proceedings.**—Annual and special meetings of such school districts shall be called and held in the manner and at the time provided by law for such meetings of common school districts containing ten or more townships, in the village or township having the largest school attendance during the preceding school year; provided, proposed bond issues and all other matters required or desired to be submitted to vote by ballot shall be so submitted at a general biennial election or at a special election held in each precinct, as hereinafter set forth. The office and meeting place of the board shall be in the same village or township; provided that the board may in their discretion hold special meetings in any other township when the business to be transacted relates exclusively to affairs of such townships and the convenient vicinity. *Provided, further, the board may be authorized by the voters at the annual or any special meeting, generally or specifically, to designate the sites for school houses, provide for building or oth-*

erwise placing school houses thereon, or change any such sites, but may in their discretion, or shall on petition of twenty-five voters of the district, filed with the clerk within ten days after their action on any such specific proposition, submit their said action to the voters for approval at a special meeting to be held at a convenient point in the township or village where the site or school house exists or is proposed, and in such event the vote of a majority of those voting at this meeting shall be sufficient to ratify the action of the board—or, if the board so determines or if one hundred or more voters of the district so petition within such ten days, the matter shall be in like manner submitted and disposed of at a special election and voted on in the precincts as in Section 3 hereof provided. When any proposed bond issue or other matter is to be submitted at a general election, the board shall certify the fact to the county auditor, who shall cause all such matters to be so submitted to the voters of the district on a separate ballot, and further proceedings shall be taken in like manner to similar county-wide propositions. The result shall be certified by the auditor to the school board.

The proceedings of the board shall be published in accordance with Chapter 496, Laws 1919, the letting of the contract therefore to be at their first meeting annually. *Except that, if the board determine, that the best interests of the districts would be served thereby, the publication may be in two or more newspapers of the district, provided in such event the total cost of such publication shall not exceed seventy-five cents per folio of the matter published.*

Sec. 3. Method of calling special elections.—Section 6, of said chapter, is hereby amended so as to read as follows:

Sec. 6. On petition of at least ten per cent of the number of voters at the last preceding general election, the trustees shall within sixty days cause to be submitted at a general or special election, but not oftener than once in four years, the proposition "shall the number of trustees be increased to five?" If so required in the petition, there shall also be submitted at the same time the proposition, "Shall such change take effect at once?" If said first proposition carries, the trustees shall, within thirty days, by resolution filed with their clerk and with the county auditor, divide the district into three groups of precincts, to be known and numbered as subdivisions, of as compact shape and as nearly equal population as may be, which may be changed from time to time, but not oftener than quadrennially. *Each village shall be placed as an entirety in one subdivision, unless reasonable equality of population of subdivisions would thereby be prevented.* The terms of the trustees last elected shall not be shortened, but each shall be treated as the member for the subdivision of his residence; or, if two or more reside in the same subdivision, they shall determine by lot or as hereinafter provided which shall be the subdivision trustee, and

which shall be trustee or trustees at large. At the next ensuing primary and general elections, vacancies shall be filled, if any, and there shall be chosen trustees at large or for subdivisions to succeed those whose terms are about to expire, and also two additional trustees, at large or for subdivisions, so that there will be a trustee for each subdivision and two trustees at large. The designation of hold-over trustees, as aforesaid, and the fixing of the terms of two or four years for the additional trustees first elected, shall be such that thereafter one trustee at large and not over two subdivision trustees shall be elected at each biennial election, aside from filling vacancies; and, when necessary to this end, the additional trustees receiving the larger vote shall hold for the longer term. Provided, if the voters have determined that said change shall take effect at once, said two additional trustees first chosen shall be elected at a special election to be called and held within ninety days after the creation of said subdivisions, and the candidates shall be nominated under Sections 371 to 374 inclusive, General Statutes 1913, and elected for terms ending on the first Monday in January following the next general election—or one ending then and one two years thereafter—so as to put in operation the plan aforesaid. In all cases the nomination and election of each trustee, whether at large or from a subdivision, shall be open to participation by all the voters of the district. *Each subdivision trustee shall during his term reside in the subdivision for which he is elected.* Upon a five member board's being duly constituted, the district shall be known as a "general school district," the offices of the chairman, clerk and treasurer, as such, shall become vacant, and the board shall choose at their first meeting annually from among their number a chairman, and from among or without their number, a clerk and a treasurer, and may also choose a business manager who may be the same person as the chairman, clerk or superintendent. The appointive officers shall have the functions and powers now or hereafter vested in such or like officers by law, and such others as may lawfully be delegated to them by the board—except that, unless elected as such, they shall not be members of the board. Each member of the board as such shall receive as compensation the sum of five dollars for each day's attendance at board or committee meetings, together with his actual traveling expenses, which may include not to exceed eight cents per mile for use of his own automobile in going to and from such meetings; and the appointive officers such compensation and expenses as shall be determined by the board by contract or otherwise—provided, unless specifically authorized by the voters, by ballot, the aggregate annual compensation of the board and such appointive officers, *including the superintendent*, shall not exceed the lawful *and reasonable* compensation of the trustees of a three member board of a like district, and of the superintendent thereof.

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

Approved March 7, 1925.

CHAPTER 49—S. F. No. 364.

(Secs. 3847, 3848, G. S. 1923.)

An act to amend Sections 58 and 59 of Chapter 495, General Laws 1921, the "Minnesota Dairy and Food Law," as amended by Chapter 172, General Laws 1923, relating to Minnesota brands for butter and licenses to use the same.

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

Section 1. Dairy and food commissioner may authorize brands in certain cases.—That Section 58 of Chapter 495, General Laws 1921, as amended by Chapter 172, General Laws 1923, be and the same hereby is amended so as to read as follows:

"Sec. 58. The commissioner may authorize the use of such stamp, brand or label only by such persons manufacturing butter who comply with the following rules:

(a) Cream must be received from all patrons at least three times per week from the 1st day of May up to and including the 30th day of September in each year, and not less than two times per week from the 1st day of October to and including April 30th thereafter.

(b) Cream must be delivered in good condition, in individual producer's cans, and when delivered must not show an acid test above $\frac{3}{10}$ of 1%.

(c) After such cream has been delivered to the creamery or factory it shall be pasteurized at a temperature of at least 145 degrees Fahrenheit, vat pasteurization for at least thirty minutes, and in the flash system pasteurization at a temperature of at least 180 degrees Fahrenheit.

(d) Butter made from such cream at such factory or creamery shall score at least 92% at the time of manufacture and within 15 days thereafter.

Sec. 2. Application for license and penalty.—That Section 59 of Chapter 495, General Laws 1921, as amended by Chapter 172, General Laws 1923, be and the same hereby is amended so as to read as follows:

"Sec. 59. Any person desiring to use the stamp, brand or label described in this act, in the manufacture or sale of butter shall make written application for a license therefor to the commissioner which application shall describe the creamery or factory by location and name in which such butter is to be manufactured, and give