

tion taken prior to the enactment hereof shall govern and be conclusive in determining hereunder the population of any such city or village in fixing all levies up to and including the levy of the year 1942. For levies subsequent to the year 1942 the last respective state or federal census prior to the calendar year in which any such levy may be made shall govern. Provided, that in the year 1945, and each tenth year thereafter, the council of such city or village may, in case it desires a special census, pass a resolution requesting the taking thereof by the Secretary of State, and shall furnish the Secretary of State a certified copy thereof; whereupon said Secretary of State shall cause such census to be taken under his immediate supervision, and under such rules and regulations as he may prescribe, and shall certify the result thereof to the council of such village or city within three months from the receipt by him of such certified copy of resolution. The expense of taking such census shall be paid by the city or village in which the same is taken.

Sec. 4. Limitation of levy.—This act shall not authorize nor be construed as in any instance authorizing the levy of total amounts of taxes in any year in excess of the amount allowed by law at the time of the passage of this act, and this act shall be considered an additional limitation.

Sec. 5. County auditor to make levy within limit.—If any such city or village shall return to the county auditor a levy greater than herein permitted, such county auditor shall extend only such amount of taxes as the limitations herein prescribed will permit.

Sec. 6. This act shall take effect and be in force from and after its passage.

Filed April 6, 1935.

CHAPTER 135—S. F. No. 28

An act to amend Mason's Minnesota Statutes of 1927, Section 1920, relating to board of trustees of firemen's relief associations and the control and use of the funds of such associations, as amended by Laws of 1929, Chapter 166, and Laws of 1931, Chapter 71.

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

Section 1. Board of trustees and firemen's relief association.—Control of funds, etc.—That Mason's Minnesota Statutes

of 1927, Section 1920, as amended by Laws 1929, Chapter 166, and as amended by Laws 1931, Chapter 71, be amended so as to read as follows:

"1920. The board of trustees of every firemen's relief association of this State shall be composed of the following persons, to-wit: six trustees elected annually by such firemen's relief from its own members, and also the following ex officio members taken from the officers of the municipality in which the relief association is located, viz: The mayor or president, the recorder or clerk, the treasurer and chief of the fire department thereof, and any such board of trustees of a duly incorporated relief association shall have exclusive control and management of all funds received by its treasurer under the provisions of this act, and all moneys or property donated, given, granted or devised for the benefit of said funds, and the funds received under the provisions of this act shall be kept in a special fund on the books of the secretary and treasurer of said association, and shall never be disbursed for any purpose whatever except the following, viz.:

(1st) For the relief of sick, injured and disabled members of any fire department in such village or city;

(2nd) For the payment of pensions to disabled firemen and the widows and orphans of firemen;

(3rd) For the payment of pensions to retired firemen pursuant to the laws of the State;

(4th) For the payment of the fees, dues and assessments in the Minnesota State Volunteer Firemen's Benefit Association, so as to entitle the members of any fire department to membership in and benefits of such State Association.

The term "widow" shall mean a woman who was the wife of the fireman or pensioner during the time he was an active fireman, provided that she was married to him three or more years prior to the time when such fireman retired as a service pensioner. The term "widow" shall not include the surviving wife who has deserted a fireman or pensioner, or who has not been dependent upon him for support.

Provided, that the funds received by any relief association from dues, fines, initiation fees and entertainments shall be kept in a fund called the general fund, and may be disbursed for any purposes authorized by the Articles of Incorporation and by-laws of said association.

Provided, further, that said relief association is hereby authorized and empowered to invest its funds in such income

paying properties and securities as the council of the village or city in which such organization is located shall from time to time authorize. Provided, further, that none of the money raised by taxation as provided herein shall be paid to any firemen's relief association, or other trustee or officer, except the treasurer of the municipality wherein the same is levied, unless such firemen's relief association, or the treasurer thereof, or trustee authorized to receive the same, shall file a bond with the city clerk or village recorder, as the case may be, with sufficient sureties approved by the common council, or other governing body of such municipality, in double the amount received by virtue hereof, and shall from time to time, whenever required by such council or other governing body of such municipality, file a new or additional bond conditioned to safely keep all of said money and to disburse the same only for the purpose authorized by this act.

Approved April 9, 1935.

CHAPTER 136—S. F. No. 363.

An act to amend Mason's Minnesota Statutes of 1927, Section 3569, relating to employers' mutual liability insurance associations.

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

Section 1. Number of policies to be subscribed for before commencing business.—That Mason's Minnesota Statutes of 1927, Section 3569, be amended so as to read as follows:

"Section 3569. Such associations shall not begin to issue policies until a list of the subscribers, with the number of employes of each which, in the aggregate must number in the aggregate, not less than five thousand, together with such other information as the commissioner of insurance may require, shall have been filed at the insurance department, nor until the president and secretary of the association shall have certified under oath that every subscription in the list so filed is genuine and made with an agreement of all the subscribers that they will take the policies subscribed for within thirty (30) days of the granting of a license by the commissioner of insurance; provided that in case of associations organized exclusively for the purpose of insuring creameries, cheese factories and livestock shipping associations such associations may begin to issue policies when the number of employes in-