

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.

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 :

Section 1. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 2575, is hereby amended so as to read as follows:

"2575. **Town road overseer.**—Each town shall constitute one road district, except when otherwise provided. When directed so to do by the voters of the town at the annual town meeting, the town board shall divide each town into as many road districts, not exceeding four, as shall be directed by the voters at the annual town meeting. Provided, that if a town constitutes but one road district, the road overseer may appoint one or more competent assistants, subject to the approval of the town board. It shall be the duty of the town board to appoint a road overseer for each district, who shall have charge, under the supervision of the town board of the construction of all town roads in his district and the maintenance of all town and county roads therein. *Provided, however, that the voters at the annual town meeting may, if the question is proposed by any voter at any time during the business hour of said meeting, determine whether to elect or appoint the road overseer, in the same manner as other town business is transacted, and said determination shall continue in force until changed by the voters at a subsequent town meeting. If the determination be to elect said road overseer, he shall be elected by a ballot at said meeting and annually at each annual town meeting thereafter until said determination is changed; and, in a town which is divided into two or more road districts, the voters of each road district shall elect a road overseer for such district. No member of the town board shall be eligible for appointment or election as town or district road overseer. Should any person elected as a road overseer fail, neglect or refuse to qualify as such within 12 days after his election, or if a vacancy occurs in said office, then the town board shall appoint a road overseer for the unexpired term and until his successor qualifies. A road overseer shall be a voter of the town or district for which appointed or elected. The compensation of the road overseer may be fixed by the annual town meeting for the time actually employed in the performance of his duties. Before entering upon his duties he shall give a bond to the town, sureties to be approved by the town board, in the sum of two hundred and fifty (\$250.00) dollars, conditioned for the faithful discharge of his duties and to return to the faithful discharge of his duties and to return to the town all the property of the town which may come into his custody. The overseer, if appointed, shall hold office at the pleasure of the town board.*

Provided, that such road overseer shall have no jurisdiction over county roads in any county which now has or hereafter may have a population of one hundred fifty thousand (150,000) inhabitants.

Whenever any public road in a town becomes obstructed or unsafe from any cause, the overseer shall immediately repair such

road, and render his account therefor to the town board, in case of a town or county road, and to the county board in case of a state aid road."

Approved April 22, 1937.

CHAPTER 354—H. F. No. 1037

An act providing for the regulation of the practice of pharmacy; regulating the sale of drugs, medicines, chemicals and poisons; providing for a state board of pharmacy and defining its powers and duties; setting forth the requirements for registration and licensing of pharmacists, pharmacies, and other places; definitions and penalties.

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

Section 1. **Definitions.**—As used in this Act.

(a) The term "pharmacy" shall mean a drug store or other established place regularly registered by the State Board of Pharmacy, in which prescriptions, drugs, medicines, chemicals and poisons are compounded, dispensed, vended or sold at retail.

(b) The term "pharmacist" shall mean a natural person licensed by the State Board of Pharmacy to prepare, compound, dispense and sell drugs, medicines, chemicals, and poisons.

(c) The term "assistant pharmacist" shall mean a natural person licensed as such by the State Board of Pharmacy prior to January 1st, 1930, to prepare, compound, dispense and sell drugs, medicines, chemicals and poisons in a pharmacy having a pharmacist in charge.

(d) The term "drug" shall mean all medicinal substances and preparations recognized by the United States Pharmacopeia and National Formulary or any revision thereof, and all substances and preparations intended for external and internal use in the cure, mitigation, treatment or prevention of disease in man and other animal, and all substances and preparations, other than food, intended to affect the structure or any function of the body of man or other animal.

(e) The term "medicine" shall mean any remedial agent that has the property of curing, preventing, treating or mitigating diseases, or that is used for that purpose.