

## CHAPTER 269—H. F. No. 1458

*An act relating to the adjutant general of the State of Minnesota; amending Minnesota Statutes 1949, Section 190.07.*

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

Section 1. Minnesota Statutes 1949, Section 190.07, is amended to read:

**190.07 Appointment; qualifications.** There shall be an adjutant general of the state who shall be appointed by the governor, who shall be a staff officer, who at the time of appointment shall be a commissioned officer of the National Guard of this state, with not less than ten years military service in the armed forces of this state or of the United States, at least three of which shall have been commissioned and who shall have reached the grade of a field officer.

*He shall hold rank equal to that of the highest rank authorized for the army and air national guard in the table of organization for units allotted to the state by the department of the army, or the department of the air force, or by both such departments, through the national guard bureau. However, he shall not be appointed to the rank of major general unless he has 20 years service in the national guard, of which 2 years has been in the rank of brigadier general.*

He shall hold office as provided in section 110, Act of Congress, approved June 3, 1916, and shall not be removed from office except as provided by the military laws of this state.

Approved April 8, 1953.

## CHAPTER 270—H. F. No. 1488

[Not Coded]

*An act relating to estimates and expenditures for road and bridge purposes in certain counties operating under the provisions of Minnesota Statutes 1949, Chapter 383; amending Laws 1951, Chapter 598.*

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

Section 1. Laws 1951, Chapter 598, is amended to read:

Section 1. **Hennepin county; road and bridge funds; road maintenance, road construction.** In counties now or hereafter having a population of 550,000 or more and operating under the provisions of Minnesota Statutes 1949, Chapter 383,

the county board in making up its annual itemized statement covering expenditures for the road and bridge fund for the next ensuing year shall divide it into two parts: one part shall be designated as for road maintenance, and the other part shall be designated as for road construction. Each part shall be treated as a separate fund. The part designated as for road construction shall be kept by the county auditor in a fund to be known as road construction fund, shall not be transferred to the suspense fund nor to any other fund at any time and shall be used for no purpose other than the construction and reconstruction of such roads as are herein designated.

**Sec. 2. Road construction fund.** The road construction fund shall be used exclusively for the construction and reconstruction of state aid roads and expenditures therefrom shall be made only for work which is done by contract awarded to the lowest responsible bidder and in accordance with the provisions of Minnesota Statutes, 1949, Sections 160.39 and 164.22.

Approved April 8, 1953.

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#### CHAPTER 271—S. F. No. 1122

*An act relating to transient merchants, amending Minnesota Statutes 1949, Section 329.11.*

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

Section 1. Minnesota Statutes 1949, Section 329.11, is amended to read:

**329.11 License; application, issuance, fee.** Any transient merchant desiring to engage in, do, or transact business by auction or otherwise, in any county in this state shall file an application for a license for that purpose with the auditor of the county in which he desires to do business, which application shall state his name, his proposed place of business, the kind of business proposed to be conducted, and the length of time for which he desires to do business. Such transient merchant shall pay to the treasurer of such county a license fee of \$150, any personal property taxes payable by him pursuant to Minnesota Statutes 1949, Sections 288.01 to 288.03 and shall give bond to the county in an amount to be determined by the county treasurer, which shall be not less than \$1,000 nor more than \$3,000 which bond shall be approved by the treasurer and be conditioned that he will in all things conform to the laws relating to transient merchants and further conditioned on full compliance with all material oral or written statements and representations made by the seller, his agents,