

in such rural districts. The amount of such tax shall be certified by the chairman of the meeting to the county auditor to be by him levied against property in the respective districts and when collected by the county treasurer, such tax shall be paid to the treasurer of the central school who shall furnish the board of review full and detailed statement of all money received and expended.

Rural school district board to designate one member to act with board of central school.—Sec. 9. The school board of each rural school district associated with a central school under the provisions of this act shall designate one of its members by vote to act with the school board of the central school in carrying out the provisions of this act as to the teaching of agriculture, domestic economy, and manual training in such schools and in all matters pertaining to such instruction, both in the central school and in the associated rural schools, such member shall have equal power with the member of the school board of the central school.

Superintendent of school to have authority.—Sec. 10. The principal or superintendent of the central school shall have and exercise the same authority and supervision over the rural schools as over the central school. He shall prepare for the associated rural schools a suitable course of study embodying training and instruction in agriculture and such subjects as are related to farm life and can be successfully taught in rural schools.

Relationship may terminate at any annual school meeting by a majority vote of associated districts.—Sec. 11. The relationship and obligations between the associated rural school or schools and the central school may be terminated at any annual school meeting by a majority vote of the associated districts, but not until the central school has had at least one year's notice of the intention to vote on the question.

Sec. 12. This act shall take effect and be in force from and after its passage.

Approved April 19, 1909.

CHAPTER 248—H. F. No. 235.

An Act to tax the occupation of, and to license, hawkers, peddlers and transient merchants and defining said occupations.

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

Hawker or peddler defined.—Section 1. Every person traveling from house to house for the purpose of offering for sale any article of merchandise, either for immediate or future delivery or

according to sample is hereby declared to be a hawker and peddler.

And every person, corporation or co-partnership, exposing and offering for sale at retail in any city or village in this state a stock of goods, wares and merchandise is hereby declared to be a transient merchant, unless the carrying on and maintaining of said business in said city or village is in pursuance of an intention to maintain and carry on the same therein permanently and whenever it appears that any such stock of goods, wares and merchandise has been brought to any such city or village by a person not a resident therein and that it is claimed that such stock is to be closed out at reduced prices, such facts shall be presumptive evidence that the person so offering said goods for sale does not intend to maintain a permanent location in said city or village.

License to be obtained from the state—License fees.—Sec. 2. No person shall engage in or follow the business or occupation of a hawker or peddler until he shall have obtained a license from the state of Minnesota so to do; and for such license shall pay into the treasury of the state of Minnesota an annual license fee and tax as follows; where he shall use in such business or occupation a wagon or other vehicle drawn by two or more horses, or other beasts of burden, or automobile or other vehicle or conveyance propelled by any mechanical power, the sum of fifty dollars; where he shall use in such business or occupation a wagon or other vehicle drawn by one horse or other beast of burden, the sum of twenty-five dollars; where he shall use in such business or occupation a push or hand cart, bicycle or other vehicle not drawn by horses, or other beast of burden, or propelled by any mechanical power, the sum of ten dollars; and where he shall conduct such business on foot by means of pack, basket or other means of carrying merchandise on foot, the sum of ten dollars.

Application to be made to state auditor and license to be issued by secretary of state.—Sec. 3. The application for a license as hawker and peddler shall be made in writing to the state auditor on blanks to be furnished by him and upon the warrant of the state auditor the applicant shall pay the license fee required to the state treasurer who shall issue to the applicant his receipt therefor and upon the filing of such receipt with the secretary of state, that officer shall issue to the applicant a license to engage in such occupation in the manner described in such receipt for a period of one year from the date of such license.

Transient merchant to pay a fee of \$150—License—How issued.—Sec. 4. No person, firm or corporation shall engage in or follow the business of a transient merchant as hereinbefore defined at any place in this state without first obtaining a license

from the state of Minnesota, authorizing him so to do, and paying into the treasury of the state the sum of one hundred and fifty dollars.

Application for such license shall be made to the state auditor upon blanks prepared by him, who shall issue his warrant to the state treasurer authorizing the payment to him of said sum of one hundred and fifty dollars, said treasurer shall issue his receipt therefor and upon the filing of said receipt with the secretary of state said applicant shall be entitled to such license for the period elapsing from the date of such license until the first day of May next ensuing.

To carry on business in only one place at the same time.—

Sec. 5. No person, co-partnership firm or corporation shall carry on the business of transient merchant in more than one place in this state at the same time.

Not to interfere with city or village where authority has already been granted.—Sec. 6. Nothing in this act contained shall be construed as prohibiting or in any way limiting or interfering with the right of any city, village or other municipal corporation or governmental sub-division of the state to regulate or license the carrying on within such municipality of the business of hawker or peddler or transient merchant in any case where authority has been or shall hereafter be conferred upon it so to do, but the requirements of this act shall be in addition thereto.

Secretary of state may revoke license under certain conditions.—Sec. 7. Any license issued pursuant to the terms of this act may be revoked by the secretary of state upon the conviction of any person to whom the same was issued, of any false or fraudulent representation or misrepresentation in the sale of any goods, wares or merchandise or upon conviction of such person of the sale of any adulterated food, drink or drug, or the sale of any food deleterious to health; and the filing with the secretary of state of a certified copy of the final judgment of any court in which any such person may have been tried showing his conviction of such offense shall be sufficient authority for the revocation of such license.

Violation a misdemeanor.—Sec. 8. Every person and each member of any firm or co-partnership and each officer of any corporation engaging in or following the business of hawker, peddler or transient merchant in this state without having first obtained a license as hereinbefore provided shall be deemed guilty of a misdemeanor.

Not to apply to persons engaged in interstate commerce.—

Sec. 9. The provisions of this act shall not apply to persons engaged in interstate or foreign commerce, nor to the sale of articles which at the time of such sale are the subjects of interstate or

foreign commerce, nor to the salesmen of wholesale merchants or manufacturers in selling to retail merchants nor to the solicitation by permanent merchants or their employees of orders from customers resident in the same or the adjoining county as such permanent merchant; nor to any sale made by virtue of any judgment, order or process of any court or upon the foreclosure of any mortgage or pursuant to any law of this state or of the United States or in the enforcement of any contract right or lien, nor to the sale by any individual of any article grown, produced by him.

Not to apply to cities of 50,000 and over, where license has already been obtained.—Sec. 10. No license under this act shall be required of any person for carrying on his business or calling in any city of this state having a population of 50,000 or over when he has been duly licensed thereto by such city.

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

Approved April 19, 1909.

CHAPTER 249—S. F. No. 311.

An Act to amend section 2813 of the Revised Laws of 1905 relating to auctioneers.

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

Auditor may issue auctioneer's license.—Section 1. That section 2813 of the Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

Section 2813. The county board or auditor may license any voter of its county as an auctioneer. Such license shall be issued by the auditor, and shall authorize the licensee to conduct the business of an auctioneer in the county in which the same is issued, and adjoining counties, for the period of one year. It shall be recorded by the auditor in a book kept for that purpose. Before such license is issued, the licensee shall pay into the county treasury a fee of ten dollars.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 19, 1909.