

Sec. 2. Proceedings for consolidation.—The council of either village may of its own motion, and upon petition of twenty-five (25) resident voters forthwith shall, order a special election upon the question of consolidation, the general terms of which shall be stated in such petition, and in the questions submitted to vote, and in case a majority of the votes cast at such election is in favor of consolidation the same shall be effectual on the agreement thereto by the other village after an election called as above provided is held therein in case a majority of the votes cast thereat are in favor thereof, and if a majority of the votes cast thereat are against such consolidation the vote of the council thereon shall be of no effect, and such consolidation shall not take place.

Sec. 3. Notice and proof of consolidation.—Upon such consolidation being effected and within thirty days thereafter, as provided in the preceding sections, a certified copy of the proceedings had with reference thereto in both such villages and of the consolidation agreement entered into between such villages shall be filed with the county auditor of the county wherein such villages are located. These certified copies so filed shall for all purposes constitute notice to the county auditor and all other county and state officers of such consolidation of the two villages.

Sec. 4. Agreements to be binding.—The agreements between such villages with reference to the terms of consolidation shall be binding upon the consolidated village.

Sec. 5. This act shall be in force and take effect from and after its passage.

Approved April 23, 1921.

CHAPTER 464—H. F. No. 1049.

An act to amend Section 6515, General Statutes 1913, relating to powers of county agricultural societies and authorizing the appointment of peace officers by such societies and defining their powers.

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

Section 1. Agricultural societies—Peace officers.—That Section 6515 General Statutes 1913 be, and the same hereby is, amended so as to read as follows:

"6515. An agricultural society may be incorporated by citizens of any county or two or more counties jointly, but only one such county shall be organized in any county; such society may sue and be sued in its corporate name; may adopt by-laws, rules and regulations, alter and amend the same; may purchase and hold, lease and control any real or personal property deemed to promote the objects of the society, sell and convey the same.

Such society shall have jurisdiction and control of the grounds

upon which its fairs are held, and of the streets and grounds adjacent thereto during such fair, so far as may be necessary for such purpose. *At or before the time of holding any fair, the president of any such society may appoint, in writing signed by him, as many persons to act as special constables as he may judge necessary, for and during the time of holding the same and for a reasonable time prior and subsequent thereto. Such constables, before entering upon their duties, shall take and subscribe the usual oath of office, indorsed upon their appointment, and shall have and exercise upon the grounds of such society, and within one half mile thereof, all the power and authority of constables at common law, and in addition thereto may, within such limits without warrant arrest any person found violating any law of the state, or any rule, regulation, or by-law of said society, and may summarily remove the persons and property of such offenders from the grounds and take them before any court of competent jurisdiction to be dealt with according to law. Every such peace officer shall wear an appropriate badge of office while acting as such.*

Any person who shall wilfully violate any lawful rule or regulation made by such societies during the days of a fair shall be guilty of a misdemeanor.

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

Approved April 23, 1921.

CHAPTER 465—H. F. No. 1058.

An act, relating to the refunding of wheelage taxes paid to municipal authorities in certain cases.

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

Section 1. **Wheelage tax shall be refunded.**—In all cases where persons have paid a wheelage tax to municipal authorities pursuant to any ordinance or charter provisions of such municipality and the amount of such tax so paid is in excess of the amount which a municipality may at the time of the passage of this act lawfully impose and collect, it shall be the duty of such municipality to refund the amount of such excess to persons who paid the same, or on whose behalf it was paid, as follows: The person paying such wheelage tax, or on whose behalf the same was paid, shall file an affidavit with the comptroller or other proper auditing officer of the municipality, stating the date of the payment of such tax, the amount paid, the name of the person paying the same or on whose behalf it was paid, the amount of such excess payment, the amount of refund to which the affiant is entitled, and such other facts as the controller or auditing officer may require, and thereupon said officer shall draw his war-