

under the laws of the State of North Dakota may provide by its by-laws for the election of its directors for a term of three years.

Sec. 2. That when any such Building and Loan Association adopts by-laws for the election of its directors for a term of three years, then at the first annual election of directors, after the adoption of such by-laws, the directors shall be divided into three groups equal in number as nearly as practicable, the first group to be elected as directors for a period of one year, the second group for a period of two years, and the third group for a period of three years so that as nearly as possible the terms of one-third of such directors shall expire each year and thereafter such directors shall be elected for the full period of three years.

Sec. 3. All acts or parts of acts in conflict herewith are hereby repealed.

Approved February 19th, 1923.

CARNIVALS

CHAPTER 149.

(S. B. No. 315—Whitman.)

CARNIVALS.

An Act Defining Carnivals and Prohibiting the same except under certain restrictions; Defining the Powers and Duties of town and fair boards in Regard thereto; and Providing a Penalty.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Sec. 1. DEFINITIONS.) The word "Person" as used in this Act shall mean and include natural persons, firms and corporations and their clerks, agents and abettors. The word "Carnival" shall mean and include an aggregation of attractions, whether shows, circuses, acts, games, vending devices, or amusement devices whether conducted under one or more managements or independently, which are temporarily set up or conducted in a public place or upon any private premises accessible to the public with or without admission fee and which, from the nature of the aggregation, attracts attendance and causes promiscuous co-mingling of persons in the spirit of merrymaking and revelry. The words "Town Board" shall mean and include village or city councils or commissions, or their agents, duly authorized to make any contract or issue any permit as provided

in this Act. The words "Fair Board" shall mean and include the officers of any state or county fair association, or their agents duly authorized to make any contract or issue any permit as provided by this Act.

Sec. 2. CARNIVALS, WHEN PERMITTED, PROHIBITIONS.) No person shall within this state set up, run, operate, or conduct any itinerant carnival except within the limits of an incorporated municipality, or within the limits or upon the grounds of a state or county fair association and then only when such person shall have procured and has in his possession a written contract and permit from the Town Board of the municipality or the Fair Board of the fair association where such carnival is set up and operated setting forth the conditions under which such carnival shall be operated. The permit shall be granted upon the condition and the contract shall state that there shall not be set up or operated any gambling device, lottery, number or paddle wheel, number board, punch board, or other game of chance or skin game of any kind whatsoever; or lewd, lascivious or indecent show, indecent exposure of the person, suggested lewdness or immorality, the hooche-kooche or other indecent dance, men only shows, where women or girls perform, or any other lewd, immoral or indecent show or attraction; and that such will not be allowed or permitted and that such person will not knowingly allow or permit to follow or be connected with such carnival any man or woman infected with venereal disease and will cooperate with such town or fair board discovering and apprehending any such man or woman.

Sec. 3. POWERS AND DUTIES TOWN AND FAIR BOARDS.) No such permit shall be granted by such town board or fair board until they shall have investigated such carnival and are satisfied that, if permitted, the same will be operated in accordance with the laws of the state and ordinances of the municipality and that none of the illicit or unlawful acts mentioned in the contract will be permitted. Such town boards and fair boards are hereby authorized to enter into such contracts, issue such permits, collect such permit fees as are necessary to pay expenses of said investigation, aid in policing such grounds and in otherwise compensating such municipality or association in such amount as they may determine and shall require such person to execute and deliver to such municipality a bond in the penal sum of not to exceed \$500.00 to be approved by such board, conditioned for the faithful conduct of such carnival in accordance with the laws and ordinances and that the same shall be forfeited upon the violation of the laws or acts prohibited by such contract. The said town board and fair board are hereby required to enforce the provisions of this Act, such contract made and entered into, the laws of this state and the ordinance of such

municipality in relation to such carnivals and shall not allow or permit the acts prohibited in this Act by such person. Each license shall contain the provision that sheriffs, constables, and police officers shall have free access to the grounds and all booths, shows and concessions on such grounds at all times and it shall be the duty of all officers present at such carnival to enforce all the provisions of this act and the laws of this state.

Sec. 4. CONTRACT, PERMIT MUST BE SHOWN.) The contracts and permits as provided for in this Act shall be made in duplicate and one shall be in the possession of the town or fair board and the other in the possession of the manager of such carnival and in either case shall upon request of an officer or citizen be produced and shown. Refusal to show the same to one asking to see it, shall be presumptive evidence that such carnival is being operated without such contract or permit.

Sec. 5. PENALTY.) Any person or persons, town board or fair board, who shall violate any of the provisions of this Act shall be guilty of a misdemeanor and shall upon conviction be fined in any sum not less than \$50.00 nor more than \$500.00, or be confined in the county jail not to exceed 90 days, or by both such fine and imprisonment.

Sec. 6. EMERGENCY.) Whereas, there is repeatedly left in the trail of such carnivals venereal disease and such carnivals operate numerous gambling devices and skin games, this Act is hereby declared to be an emergency measure and shall be in force and effect from and after its passage and approval.

Approved March 6th, 1923.

CHILD WELFARE

CHAPTER 150.

(S. B. No. 172—Baird and Baker.)

POWERS AND DUTIES OF BOARD OF ADMINISTRATION.

An Act Granting to and Imposing Upon the Board of Administration Certain Powers and Duties With Referance to the Welfare of Children, and the Administration and Enforcement of Laws Relating Thereto.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Sec. 1. In addition to the other duties prescribed by law the Board of Administration shall have the following duties and powers: