

CHAPTER 40.

AN ACT TO AMEND SECTION ONE (1), OF CHAPTER SIXTY-ONE (61) OF THE GENERAL LAWS OF THE EXTRA SESSION OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-ONE (1881), RELATING TO HIGH SCHOOL EDUCATION.

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

SECTION 1. That section one (1) of chapter sixty-one (61) of the general laws of the extra-session of one thousand eight hundred and eighty-one (1881), be amended to read as follows:

The high school board shall have full discretionary power to consider and act upon applications of schools for state aid and to prescribe the conditions upon which said aid shall be granted, and it shall be its duty to accept and aid such schools only as will, in its opinion, if aided, efficiently perform the service contemplated by law, but not more than five (5) schools shall be aided in each county in any one (1) year. Any school once accepted and continuing to comply with the law and regulations of the board made in pursuance thereof, shall be aided not less than three (3) years.

High school board to grant state aid to schools in certain cases.

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

Approved, March 2, 1883.

CHAPTER 41.

AN ACT TO AMEND SECTION NINETY (90), OF TITLE FOUR (4), OF CHAPTER THIRTY-FOUR (34) OF THE GENERAL STATUTES OF MINNESOTA, BEING SECTION TWO HUNDRED AND THIRTY-ONE (231), OF CHAPTER THIRTY-FOUR (34), OF GENERAL STATUTES ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), AS AMENDED BY CHAPTER EIGHTEEN (18) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-ONE (1881), EXTRA SESSION, RELATING TO RELIGIOUS CORPORATIONS.

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

SECTION 1. That section ninety (90) of title four (4) of chapter thirty-four (34) of the general Statutes, relating to

religious corporations, being section two hundred and thirty-one (231) of chapter thirty-four (34) of "General Statutes one thousand eight hundred and seventy-eight (1878)," as amended by chapter eighteen (18) of the General Laws of one thousand eight hundred and eighty-one (1881), extra session, approved November third (3d), one thousand eight hundred and eighty-one (1881), be, and the same is hereby, amended by inserting the words "which place must be within the diocese to which such bishop belongs," after the words "to be located," and before the words "and the said bishop," where they occur in the seventeenth (17th) line of section one (1) of said chapter eighteen (18) of the printed volume of said extra session laws of one thousand eight hundred and eighty-one (1881); also by inserting the words "in the diocese of such denomination in which any such corporation is located," after the words "of such denomination," and before the words "together with," where they occur in the fortieth (40th) line of said section one (1) in said chapter eighteen (18) of said printed extra session laws of one thousand eight hundred and eighty-one (1881); also by adding at end of said section as follows:

Relating to sub-
division of dio-
cese.

Should any diocese or dioceses, now or hereafter created, of any religious denomination within which any such corporation belonging to such denomination is, or may hereafter be located, be at any time subdivided according to the rules and practice of such denomination, and one or more new dioceses be formed therefrom, or from parts thereof, the bishop and vicar general of any such new diocese and their successors in office, shall, as soon as appointed and instituted, by virtue of their respective offices forthwith be and become members of any such corporation or corporations located in such new diocese, with all the rights, duties, privileges, powers and obligations of such members as herein, or in the articles of incorporation provided, and the bishop and vicar general of the diocese in which such corporation or corporations were located prior to such subdivision shall thenceforth cease to be members of any such corporation so located within such new diocese; and all the provisions of this section shall apply to any such new diocese, and to any such corporation or corporations therein located, with the same force and effect as to corporations now or hereafter located in any diocese now existing.

Religious corporations for taking, holding, receiving, and disposing of any real or personal property for the use or benefit of any diocese now or hereafter existing of any religious denomination within this State, and for administering the temporalities of such diocese, and for the further purposes and with the powers hereinafter specified, may be created and organized in the manner and with powers, privileges and franchises as follows:

The bishop of any such diocese wherein any such cor-

Body corporate
to hold, receive
or dispose of
real and person-
al property—
how formed.

poration is to be located shall associate with him the vicar general and chancellor of such diocese, and they, or a majority of them shall select or designate and associate with them two (2) other persons who shall be members of such religious denomination and residents of such diocese, and the said five (5) persons, upon adopting and signing in duplicate, under their hands and seals, articles of incorporation by them duly acknowledged, reciting the fact of the association and selection of such two (2) persons by said bishop, vicar general and chancellor as aforesaid, and containing the name, general purpose and place of location of such corporation, and having one of said articles recorded in the office of the register of deeds for the county within which the place of location of any such corporation is situated, and the other filed in the office of the Secretary of State of this state, and their successors, shall thereupon be and become a body corporate, with power to take, hold, receive and dispose of any real or personal property for the use and benefit of such diocese, and for the use and benefit of the religious denomination therein creating such diocese and to administer the temporalities of such diocese, and to establish and conduct schools, seminaries, colleges or any benevolent, charitable, religious or missionary work, or society of such religious denomination within such diocese, together with the powers and privileges in this act enumerated, and all the rights, powers and privileges of other religious corporations constituted under this chapter; and shall be capable of suing and being sued, holding, purchasing and receiving title by devise, gift, grant or other conveyance of and to any property real or personal, with power to mortgage, sell and convey the same or any part thereof, and may adopt and establish by-laws and make all rules and regulations necessary or expedient for the management of its affairs in accordance with law. The persons who may hold the offices respectively of bishop, vicar general and chancellor of such religious denomination within and for such diocese, and their successors in office forever, shall by virtue of their respective offices, each of them, always be members of such corporation, and no person who shall subscribe to such articles as bishop, vicar general or chancellor, and no successor in office of any such person, shall continue to be a member of any such corporation after he or they shall have ceased to hold such office respectively. The two (2) persons so selected by said bishop, vicar general and chancellor, and the persons who may be chosen as their successors as hereinafter provided, shall constitute the other members of said corporation, and the two (2) persons so selected and designated in such articles of incorporation, shall remain members thereof for the term of two (2) years from the date of such articles, and until their successors are chosen in their places respectively, and the term of office of such two (2) persons and their successors shall be

Charitable and
missionary
work.

Term of office.

two (2) years from the time of their appointment and until their respective successors are chosen in their place and shall have accepted such office.

Successors how
chosen.

The successors respectively of such two (2) persons so selected by said bishop, vicar general and chancellor, and so signing such articles of incorporation as corporators, shall always be chosen by said other three (3) corporators, viz: By the bishop, vicar general and chancellor, or by any two (2) of them, and said three (3) last named corporators shall have power at any time, whenever a vacancy shall occur in said membership, as to said corporator so selected, and as often as any such vacancy shall for any cause occur, whether by expiration of the time of holding, by resignation, death, or otherwise, to fill any such vacancy; every such appointment to be in writing and entered of record in the minutes of the corporation, such appointees to be members of such religious denomination and residents of the diocese in which the corporation is located. Any corporator so selected may at any time resign his office of corporator, and cease to be a member of such corporation, such resignation and acceptance thereof to be always entered on the minutes of said corporation.

In case of vacan-
cy in office of
bishop.

Should there be at any time a vacancy in the office of bishop of said diocese, or should there be for any reason at any time a person other than the bishop appointed in his stead, to administer the spiritual and temporal of said diocese therefor, or during the time of such vacancy or such suspension of the authority of the bishop, the administrator of said diocese or such other person as may be appointed according to the rules of said denomination to preside over and administer the spiritual and temporal affairs of said diocese shall, while he is such administrator or appointee, be a member of said corporation, with all the powers as such corporator that are by this act vested in such bishop, and in his place and stead; but his membership shall at once cease whenever such vacancy in the office of bishop shall be filled, or such bishop shall be no longer incapacitated to act by reason of such suspension of his authority.

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

Approved February 27, 1883.