

SEC. 7. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

When act to
take effect.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved March 8, 1887.

CHAPTER 167.

[H. F. No. 26.]

274-167
39-nw 98

AN ACT RELATIVE TO PLATS OF TOWNS AND CITIES IN THIS STATE, AND OF ADDITIONS TO AND SUBDIVISIONS THEREOF, AND THE CORRECTION AND LEGALIZATION OF THE SAME.

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

Plats of towns,
additions, etc.

SECTION 1. That in all cases where the plats, or what purport to be plats of any towns or cities in this state, or of additions to or subdivisions thereof, or copies thereof, fail to identify and show correctly, upon their face, the tract of land covered or intended to be covered thereby, the surveyors, or one of them, who laid out or surveyed the same, and, in case said surveyor or surveyors shall have died, or his or their place of abode be unknown, or he or they be unable or refuse to make or execute such certificate, one of the original proprietors, may within one year from the passage of this act, make and file in the office of the register of deeds of the county in which said lands are situate, a certificate duly executed and acknowledged by him or them, as deeds are to be executed and acknowledged, wherein shall be set forth a full description of the lands actually covered and intended to be covered by said plat.

If such certificate be made by a proprietor or proprietors of such town, city, addition or subdivision, the same shall also be sworn to by him or them as being correct in all respects.

Certificates to
be recorded.

And such certificate so executed, acknowledged and verified, shall be recorded at length by said register of deeds in a book by him provided for that purpose, entitled, "Book of Plat Certificates," and said register of deeds shall thereupon note upon such plat and the copy thereof filed in his office as aforesaid and referred to in such certificate and affidavit, the fact of filing such certificate and the book and page where recorded; and he shall receive from the person offering said certificate for record, the fees provided by

law for similar services. And such certificate or the record thereof, shall, together with such plat, be *prima facie* evidence, in all cases, as to the lands covered by said plat.

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

When act to take effect.

Approved March 7th, 1887.

CHAPTER 168.

[H. F. No. 888.]

275-168
48 . . . 91

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF PERMANENT FUNDS FOR THE CARE, MAINTENANCE, AND IMPROVEMENT OF CEMETERIES.

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

SECTION 1. That any association formed under the provisions of title five (5) of chapter thirty-four (34) of the general statutes of A. D. one thousand eight hundred and seventy-eight (1878), which shall have established and shall be maintaining a cemetery of more than twenty (20) acres in extent within five (5) miles of any city of over fifty thousand (50,000) inhabitants, may, by a two-thirds ($\frac{2}{3}$) vote of the trustees of such association, which vote may be taken at any regular meeting of such trustees, provide—in accordance with the terms of this act—for the establishment of a permanent fund, the income whereof shall be devoted to the care, maintenance, and improvement of such cemetery, which fund shall be known as the "Permanent Care and Improvement Fund" of such cemetery association.

Care of cemeteries.

SEC. 2. Upon such vote the trustees of such association shall proceed to choose by ballot and appoint by deed of the association, a board of trustees of such fund. Such board shall consist of not less than three (3) nor more than five (5) persons, (the exact number to rest in the discretion of the said trustees of the association)

Board of trustees.

Such trustees of said fund must be citizens and freeholders of the state of Minnesota during all the time they exercise the powers of such trust. Upon the election, appointment and qualification, as herein provided, of the said trustees of such fund, all the title to the funds included in said trust, and all the rights, powers, authorities, franchises and trusts whatsoever thereunto appertaining shall at once vest in them; or, in case of the failure of any of those so

Qualification of trustee.