

Amendment of
article.

statutes 1878 be and is hereby amended by adding thereto the following:

Provided, that such certificate may be amended or changed by a two-thirds vote of those present and voting at any annual meeting or at any special meeting which may be called by the trustees of the association for that purpose, two weeks' notice of such special meeting and of its objects having been given by publication in a newspaper published in the city or village in which such cemetery is located, or in the city or village nearest thereto in which a newspaper is published, and by the secretary mailing a copy of such notice to each known member of the association residing within ten miles of such cemetery. When any such certificate shall be so amended the amended certificate shall be signed and acknowledged by the president and secretary of the association, and recorded in the office of the register of deeds of the county in which such cemetery is situated.

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

Approved March 5th, 1895.

S. F. No. 404.

CHAPTER 39.

To amend Sec.
260 Chap. 34
G. S. 1878.

An act to amend section two hundred and sixty (260) of chapter thirty-four (34) general statutes of eighteen hundred and seventy-eight (1878), relating to the alienation and descent of cemetery lots.

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

SECTION 1. That section two hundred and sixty (260) of chapter thirty-four (34) general statutes of eighteen hundred and seventy-eight (1878) be and the same is hereby amended so as to read as follows:

Descent of cem-
etry lot.

Sec. 260. Whenever any lot in any such cemetery shall have been sold and conveyed for burial purposes, the same shall forever thereafter be inalienable except as hereinafter provided.

Before any interment shall have been made therein, or, in case such interment shall have been made, then after all bodies therein buried shall have been lawfully removed, the owner of such lot may sell, convey and release the same to the association maintaining such cemetery, at such price as shall be agreed upon, and such cemetery association may use any of its funds in making such repurchase and may hold or sell and convey such lot as though the same had never been sold.

Upon the death of any such proprietor, said lot,

unless otherwise disposed of by will as hereinafter prescribed, shall descend as follows: First. To the surviving wife or husband of such decedent. Second. If there be no wife or husband surviving, then to the eldest son of such decedent then living. Third. If there be no living son, then to the eldest daughter of said decedent. Fourth. If there be no living daughter, then to the youngest brother of the decedent. Fifth. If there be no living brother then to the youngest sister of the decedent. Sixth. If there be no surviving wife, husband, son, daughter, brother nor sister of the decedent, then such lot shall descend to the association, maintaining such cemetery, in trust, for the uses of a burial lot for the decedent and such of his relatives as the trustees of said cemetery may deem proper.

But said association, or, with its consent, any person to whom such lot shall descend, under the provisions hereof, may grant and convey the same to any one of decedent's sons, daughters, brothers, sisters, or grandchildren, and such grantee shall thereafter be deemed the proprietor thereof.

Any proprietor of a lot may dispose of the same by will to any one of his relatives who may survive him, or to such cemetery association in trust as aforesaid, but no such lot shall be affected by any testamentary devise unless the same be specifically mentioned in the will.

May be disposed of by will.

No interment shall be made in any such lot, except by written consent of the association, of the body of any person who was not at the time of death, the proprietor thereof or a relative of such proprietor, either by blood or marriage.

A record shall be kept by the association of all deeds, conveyances judgments, decrees, or other documents, affecting the title to lots in said cemetery, copies of which certified by the secretary of said association, shall be received in evidence in any of the courts of this state.

Record to be kept by association

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

Approved April 25th, 1895.