

H. F. NO. 804.

CHAPTER 339.

Permanent
funds for
cemeteries.

An act to amend section one (1) of chapter one hundred and sixty-eight (168) of the general laws of 1887, entitled 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:

Amendment.

SECTION 1. That section one (1) of chapter one hundred and sixty-eight (168) of the general laws of eighteen hundred and eighty-seven (1887), entitled "An act to provide for the establishment of permanent funds for the care, maintenance and improvement of cemeteries," be and the same is hereby amended to read as follows:

Sec. 1. That any association formed under the provisions of title five (5) of chapter thirty-four (34) of the general statutes 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, 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, provided, 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 "permanent care and improvement fund" of such cemetery association.

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

Approved April 23, 1897.

H. F. No. 803.

CHAPTER 340.

Providing for
costs in criminal
proceedings in
municipal courts.

An act providing for deposits and security for costs and for taxation of costs and judgment for costs in criminal and quasi criminal proceedings in municipal courts.

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

Court may
require complainant to

SECTION 1. That the judge or judges of any municipal court in the state of Minnesota may provide by rule

that the complainant, or any party applying for a warrant for the arrest of any person for the violation of any law or ordinance, shall, by deposit of money with the clerk of the court in which the proceeding is pending or *about to be commenced, give security for costs in such sum not exceeding five (5) dollars as may be designated by rule before any complaint shall be drawn or warrant issued.*

give security for costs.

SEC. 2. Any municipal court may, during the pendency of any prosecution, require the complainant to give such security for costs as to the court seems proper, and for default in the giving of such security, when ordered, the court may dismiss the case.

In default of security for costs case may be dismissed.

SEC. 3. And in any case in any municipal court in this state wherein the defendant is discharged or acquitted, the trial judge may, if it appear to him that the complaint was wilful or malicious or without probable cause, order the costs of the case taxed against the complainant and judgment entered against complainant therefor, and said judgment shall be enforced in the same manner as judgments in civil cases; provided, that the deposit, if any there be, shall be applied in payment of the costs or judgment without execution issuing. The balance of any deposit remaining after satisfying the costs or judgment shall be returned to complainant.

Court may order costs and judgment against complainant, when

SEC. 4. Unless the trial judge shall order the costs of the case taxed against complainant and judgment entered against him therefor, the deposit made in any case shall be returned to the complainant.

Return of deposit by complainant.

SEC. 5. Provided, however, that the provisions of this act shall not apply in cases where warrants are issued upon written order of a city, village or county attorney.

SEC. 6. This act shall be in force and effect from and after the date of its passage.

Approved April 23, 1897.

CHAPTER 341.

H. F. No. 259.

An act to provide for the enforcement by assignees and receivers of the liability of all stockholders, directors, trustees and other superintending officers of corporations for the benefit of the creditors thereof.

Enforcement of liabilities of stockholders for benefit of creditors.

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