

office of the register of deeds for the proper county, before such business has been transacted.

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

Approved April 10th, 1901.

## CHAPTER 220.

H. F. No. 376.

*An act to amend section three thousand ninety-six (3096) of the General Statutes of 1894, being section two hundred forty-nine (249) of chapter thirty-four (34), General Statutes 1878, as amended by Laws of 1885, chapter seven (7), relating to the power of cemetery associations to hold land.*

Amendment.  
Cemetery  
associations.

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

SECTION 1. That section three thousand ninety-six (3096) of the General Statutes 1894, being section two hundred forty-nine (249) of chapter thirty-four (34) General Statutes 1878, as amended by Laws of 1885, chapter seven (7), be amended so as to read as follows:

"Any association, incorporated agreeably to the provisions of this title, may take by purchase or gift, and hold within the county in which the certificate of their incorporation is recorded, not exceeding three hundred (300) acres of land, to be held, actually used and occupied exclusively for a cemetery for the burial of the dead, and for purposes necessary or proper thereto; such land, or such portion thereof as may from time to time be required for that purpose, shall be surveyed and divided into lots of such size as the trustees direct, with such avenues, alleys and walks as the said trustees deem proper, and a map of such survey shall be filed and recorded in the registry of deeds of the county in which the lands lie.

Land may  
be taken  
in amount  
of 300  
acres.

And whenever any such corporation which is the owner of a burying ground or place of sepulture wishes to enlarge the limits of the same, and cannot agree with the owner or owners of the land proposed to be taken for such purpose, application may be made to the district court of the judicial district and in the county wherein said land is situated, giving twenty days' notice thereof to the owner or owners by leaving a copy with him or them, or at their usual place of abode; and said court shall appoint a committee of three disinterested persons, who, having been sworn faithfully and impartially to discharge the duties of

Extension  
how ac-  
quired.

their appointment, and, after giving at least five days' notice to the owner or owners of the time and place of their meeting, shall proceed to examine the premises, and determine on the propriety, public necessity and convenience of such enlargement, and upon the quantity, boundaries, damage and value of the land which they shall deem proper to be taken for that purpose, and make report thereof in writing to said district court by filing the same in the office of the clerk thereof; and shall give the same notice of the filing of their report as of their meeting, and the parties interested may appear before said court and be heard thereon, at such time as the court shall appoint. And if said committee shall report that such enlargement is proper, and that public convenience and necessity require the same, and the court shall accept such report, the decision of such court thereon shall have the effect of a judgment; and execution may be issued thereon accordingly in favor of the person or persons to whom damages may be assessed for the amount thereof; but said land shall not be taken or enclosed, or used for that purpose, until the damages so assessed shall be paid to said owner or owners, or deposited with the treasurer of the county for his or their use, which shall be done within thirty days after such report shall be accepted; and the title to said land shall thereupon become vested in such association; and a copy of the report of said committee, and of the judgment of the court thereon, certified by the clerk thereof, together with a certificate of the payment of the damages determined by the committee, sworn to by the president and treasurer of said association, shall be recorded in the office of the register of deeds of the county in which such premises are situated; and such record shall be notice to all parties of the title of said corporation therein, and may be read as evidence of such title in all the courts of this state. Such association may also purchase, or take by gift, and hold personal property, and may sell the same, and apply the proceeds thereof to the purposes mentioned in section one hundred and seven of this title, and no other; and all real and personal estate which shall have been given or granted to any such association for the maintenance of any monument, the keeping in good order or the embellishment of any lot or grounds situated within the enclosure of such association, shall remain forever to the uses to which the same shall have been given or granted, according to the true intent of the grantor.

Association may hold and sell personal property.

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

Approved April 10th, 1901.