

for that year automatically reduce the maximum of ninety dollars per pupil to an amount that will allow all obligations to be paid in full, and the amount so paid shall be the full amount to be paid any school district under this act for that year.

Sec. 3. Superintendent to file enrollment with county auditor.—The County Superintendent of Schools shall annually submit to the County Auditor the enrollment in the public schools in each district, which enrollment shall serve as a basis for the distribution of county aid for each ensuing year, providing, however, that no apportionment shall be paid for pupils attending, less than one hundred (100) days in the public schools in the district, and that no district shall participate in the apportionment unless it has levied a special tax of at least thirty (30) mills for school purposes.

Sec. 4. Purposes.—The amount apportioned to each said district from said county school tax and proceeds thereof shall be kept in the general fund of the district and the expenditures and disbursements by said district of said funds shall be in the interest of education and may be used in the construction of necessary buildings, securing new equipment, for teachers' salaries, for supervision, and for operation and maintenance, but no part of said county school tax shall be expended for purposes for which school district taxes may not be expended each school district receiving aid under this act shall render to the county auditor an annual statement showing all expenses and disbursements of the district for the preceding school year on blank forms to be furnished by the auditor. Such statement shall be a sworn itemized statement and shall be furnished to the county auditor on July 31 of each year.

Sec. 5. Tax to be in addition to all other taxes.—This tax shall be in addition to all other state, county and local school taxes and shall be apportioned to the several districts at the same time as the other apportionments are made.

Sec. 6. This Act shall take effect and be in force from and after its passage.

Sec. 7. All acts or parts of acts inconsistent with this Act are hereby repealed.

Approved April 18, 1921.

CHAPTER 358—H. F. No. 835.

An act authorizing corporations owning and operating cemeteries to reinvest themselves with title to the unused portions of cemetery lots heretofore conveyed for abandonment by the holder of such lots, and relating to cemeteries.

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

Section 1. Cemetery associations to reinvest themselves with title to unused portion of lots—Notice.—That in all cases where a duly incorporated association has owned a site for a cemetery for more than forty years and has during said period sold lots and parcels for burial purposes, and has, prior to 1900, conveyed cemetery lots and parcels by deed of conveyance without restrictions contained therein and the grantee therein or parties claiming through such grantee have not used portions of such lots or parcels for purposes of burial and have not kept such lots or parcels free of weeds or brush but have allowed the same to remain *entirely unimproved for more than twenty years, and such lots or parcels are situate in such portion of the cemetery that they adjoin or are adjacent to improved parts of such cemetery and by reason of their unimproved condition detract from the appearance of such cemetery and interfere with its harmonious improvement and furnish a place for the propagation and growth of weeds and brush, such corporation may, by resolution of its governing board, demand of such owners or holders that they keep the premises clear of weeds and in a condition in harmony with other plots adjoining, and serve a copy of such resolution upon such party or parties if they can be found in such county, and if the sheriff of such county make return upon such resolution that such parties or any of them cannot be found in such county, then such resolution may be served upon the parties so absent from such county by publication thereof for three successive weeks in a legal newspaper published in such county.*

Sec. 2. Action to quiet title to be brought.—If for thirty days after the first day of May following such service or publication the party or parties fail to conform with the demands of such resolution, the rights of such party or parties may be deemed abandoned and thereupon said corporation, upon permission from its governing board, may bring an action in the district court of said county against all parties so in default, uniting as many parties so in default as it may desire in one action, to have the rights of said parties in such lots or parcels terminated and the property restored to such corporation free of any right, title, or interest of all such defaulting parties, their heirs or assigns. Such action in all other respects shall be brought and determined in the same manner as ordinary actions to determine title to real estate, provided that that portion of any tract or part of tract shall not be included in any of said proceedings in which a body lies buried and there shall be left sufficient ground adjoining such grave or burial place as will provide proper mode of approach, the *excepted portions, if any, to be particularly and fully described.*

Sec. 3. Prima facie evidence of abandonment.—In all such cases the fact that such grantee or holder has not, for a term of

twenty years or more used such plot or definite parts thereof and has failed to keep the same clear of weeds or brush, shall be prima facie evidence that such party has abandoned the same.

Sec. 4. Copy of judgment to be filed with register of deeds.—A certified copy of the judgment in such action quieting title may be filed in the office of the register of deeds in and for the county in which said parcel is situate.

Sec. 5. Effective Nov. 1, 1921.—This act shall take effect and be in force from and after November 1st, 1921.

Approved April 18, 1921.

CHAPTER 359—H. F. No. 922.

An act providing for the perpetuation of the location of government section and quarter section corners which may hereafter be obliterated by the construction of highways.

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

Section 1. Commissioner of highways and county boards to mark corners.—Whenever by reason of the construction of a public highway it may become necessary to destroy or obliterate a known section or quarter section corner it shall be the duty of the Commissioner of Highways, in case of trunk highways, and the county board in case of other roads, to provide for a permanent marking of such corners and the placing of reference or witness monuments by means of which such corners can readily be located.

The permanent marking of such corners and establishment of reference or witness monuments shall be in the manner following, to-wit: At the exact location of any such corner there shall be placed a stone, concrete or cast-iron marker not less than four inches in diameter at the top and not less than eighteen inches deep. In the case of a paved highway there shall also be placed over the marker and in the surface of the pavement a metallic plug not less than one inch in diameter and two inches in depth.

Reference or witness monuments evidencing the location of the corner shall be established, before the obliteration of the corner, at at least two places most practicable and shall consist of stone, concrete or cast iron.

Sec. 2. Records and reference to be filed with register of deeds.—Records of markers and reference or witness monuments, herein provided for, shall be preserved by the filing in the office of the Register of Deeds of the proper county or counties of certificates made by the engineer or surveyor placing and establishing such markers and monuments. Each certificate shall contain only the record of markers and monuments at one corner. The Register of Deeds for filing such certificates shall be entitled