

pecuniary profit or for social and charitable purposes under the laws of this state, whose period of duration has expired less than ten years prior to the passage of this act and the same has not been renewed and such corporation has continued to transact its business, may renew its corporate existence from the date of the expiration of its period of duration for an additional period not exceeding 30 years from and after the time of its expired period of duration, with the same force and effect as if renewed prior to the expiration of its term of existence, by taking the same proceedings and by paying into the state treasury the same incorporation fee as now provided by law for the renewal of the corporate existence of such corporations in cases where such renewal is made before the end of its period of duration.

**Sec. 2. Proceedings shall be taken, when.**—Such proceedings to obtain such extension shall be taken within six months after the approval of this act.

**Sec. 3. Acts legalized.**—When such steps are taken within such period, such proceedings shall relate back to the date of the expiration of said original corporate period, and when said period is extended as provided by this act any and all corporate acts and contracts done, performed, made and entered into after the expiration of said original period, shall be and each is hereby declared to be legal and valid.

**Sec. 4. Application.**—This act shall not apply to any corporation the charter of which has been declared forfeited by the final judgment of any court of competent jurisdiction of this state, nor any corporation as to which there is any action or proceeding pending in any of the courts of this state, for the forfeiture of its charter, nor to any action or proceeding now pending in any of the courts of this state.

**Sec. 5.** This act shall take effect and be in force from and after its passage.

Approved March 15, 1929.

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#### CHAPTER 74—H. F. No. 903

*An act to amend General Laws 1929, Chapter 42, Section 1, relating to an act authorizing the Commissioner of Drainage and Waters to reconstruct the outlet of State Ditch No. 2, and appropriating money therefor.*

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

Section 1. **Commissioner of Drainage to reconstruct outlets.**

—General Laws 1929, Chapter 42, Section 1, is hereby amended so as to read as follows:

"Section 1. The commissioner of drainage and waters is hereby authorized and directed, *in accordance with the provisions of General Statutes 1923, Chapter 44, relating to the establishment and construction of state ditches*, to reconstruct as expeditiously as may be the outlet in the Tamarack river of state ditch number 2, Marshall county, Minnesota, of a capacity to receive and discharge all the waters collected in said state ditch and discharged therein by state ditches numbers 47 and 90 and other ditches, and thereby abate the public nuisance created by the flooding of such waters over the banks of said state ditch number 2 onto the lands adjacent thereto and thus prevent injury to the lands so overflowed, *some of which are owned by the state*, and protect the health of the inhabitants of the vicinity of said ditch."

Approved March 18, 1929.

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#### CHAPTER 75—S. F. No. 148

*An act to establish and dedicate a state memorial park and soldiers' and sailors' rest, to be known as "Birch Cooley Battle Field State Memorial Park," and appropriating money therefor.*

WHEREAS, on September 2 and 3, 1862, on the Birch Cooley Battle Field in Renville County, Minnesota, soldiers and pioneer citizens of Minnesota laid down their lives, heroically fighting against overwhelming odds in defense of all the homes of Minnesota, in a battle which in its historical significance is second to none in the annals of the state; and

WHEREAS, the heroic deeds and sacrifices of the noble defenders in the battle of Birch Cooley contributed in a large measure to the wonderful history and development of this great state, and made sacred forever the ground which they watered with their life blood; and

WHEREAS, little has been done by the state to consecrate the ground on which these heroic men so nobly fought, or to commemorate for future generations their hardships and sacrifices; and

WHEREAS, the Birch Cooley Battle Field and vicinity is unsurpassed in natural beauty and is situated most advantageously for use as a public park; and

WHEREAS, the creation and dedication of the battle field as a public park will commemorate and perpetrate the memory of all our nation's defenders; and