

quired by said Mason's 1938 Minn. Supp., Section 1815, Mason's Minnesota Statutes of 1927, Sections 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, and 1828, prior to the making of assessment in accordance with Mason's Minnesota Statutes of 1927, Section 1821, and all requirements of the Charter of such city, had been fully and strictly complied with and certificates of indebtedness so issued shall have the same force, effect, and validity as they would have had if issued through strict and full compliance with the terms and provisions of said Mason's 1938 Minn. Supp., Section 1815, Mason's Minnesota Statutes of 1927, Sections 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, and 1828.

Sec. 3. ~~Not to affect pending actions.~~ This ^{section} shall not apply to or affect any action or appeals now pending in which the validity of any such proceeding is called in question.

~~Approved February 17, 1939.~~

CHAPTER 21— H. F. No. 9

An act to amend Mason's Minnesota Statutes of 1927, Section 7610, authorizing the amendment, in certain particulars, of the certificate of articles of incorporation of certain cemetery associations organized under the laws of this state, by removing the restriction limiting its provisions to cities of the first class, and granting perpetual duration to such cemetery associations.

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

Section 1. **Amendments to certificate of incorporation of cemetery associations.**—Mason's Minnesota Statutes of 1927, Section 7610, is hereby amended so as to read as follows:

"7610. The board of trustees of any cemetery association, organized under the laws of this state which has established and is now maintaining a public cemetery in this state may, by resolution duly adopted by at least a two-thirds vote of its members at any authorized meeting of said board, amend its certificate or articles of incorporation in any or all of the following particulars ;

(1) By providing for a board of associates, the number composing such board, the time and manner of their election and by whom they shall be elected, their term of office, their powers and duties and for the division of such board into classes, if it is so desired, with respect to the time for which they shall severally hold office.

(2) By specifying the names and addresses of the members of the first board of associates and their term of office.

(3) By providing that the management of the affairs of the said association may be vested in a board of not more than nine trustees and that such trustees may be divided into classes in respect to the time for which they shall severally hold office, or, if it is so stated, that only one trustee need be elected each year.

(4) By providing the time and manner of election of the trustees and specifying whether such trustees shall be elected by the owners of lots in the cemetery of such association, either from among themselves or from among the board of associates, or by the existing trustees from among lot owners or from among a board of associates, or by the board of associates from their own number or from the retiring trustees.

(5) By providing that any vacancy in the board of trustees, caused by death, resignation or otherwise, may be filled by the board of trustees for the unexpired term.

(6) By specifying the names and addresses of the first board of trustees and the time for which they shall severally hold office.

(7) By providing that the trustees may elect officers of the association and that the duties of such officers may be defined by the by-laws.

(8) By providing that the trustees may adopt by-laws and promulgate rules and regulations with respect to the cemetery of such association.

(9) *By providing that the duration of the association shall be perpetual or for a fixed period of time.*

(10) By any other lawful provision defining and regulating the power or business of such association and the powers and duties of its officers, trustees, associates and lot owners.

Approved February 17, 1939.