

with the clerk, the judge to whom the same is presented shall make and file his order fixing a date of hearing to determine whether the member of the village council named in the petition has knowingly authorized or participated in a violation of this act. A copy of the order shall be served on the member therein named in such manner as the court shall direct at least five days before the date of the hearing. If, at the hearing, it shall appear to the satisfaction of the court that the member has knowingly authorized or participated in a violation of this act, then the court is authorized and required to make an order removing the member from the village council, and the office theretofore occupied by the member shall be declared vacated. Such vacancy shall then be filled in the manner provided by law for filling vacancies on the village council, except that, if two or more members of the village council are removed by the same order of the court, then the vacancies thereby created shall be filled by the governor. Persons so named by the governor to fill such vacancies shall thereupon qualify within ten days after they have received notice thereof. In the event of the failure of a person so named to qualify within the time herein set forth, the governor is hereby authorized and required to name another person to fill the position.

Sec. 9. Voters may modify provisions of act.—Except so far as the rights of creditors shall be substantially impaired thereby, the voters of any such village may at any regular or special election, upon due submission of the question to them, modify the application of any provision of this act to the extent that its application in the first instance was discretionary with them; and with like exception as to impairing substantial vested rights, nothing herein shall preclude amendment or repeal of this act, or any part of it.

Approved April 9, 1941.

CHAPTER 147—H. F. No. 959

An act authorizing the establishment of proof of corporate existence of certain corporations, validating acts thereof and authorizing the renewal of the period of corporate existence of certain corporations whose period of duration has expired without renewal thereof.

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

Section 1. Proof of corporate existence of certain corporations—acts validated.—Any county agricultural society which is a member of the state agricultural society of the

state of Minnesota and which was organized prior to 1897 pursuant to the provisions of General Statutes 1878, Chapter 34, and whose incorporation was defective due to a failure to file its articles of association thereto as therein prescribed or where the record of which filing has been lost or destroyed and which has each year since its organization held a county fair and agricultural exhibit and whose period of duration has expired without renewal thereof, at any annual meeting of its stockholders or at a special meeting thereof called for that purpose upon ten days written notice to the members thereof, at which there shall be a quorum present as provided in its articles of association and amendments thereto, by a majority vote of all members present and voting thereat, may elect to renew the corporate existence for an additional term of not to exceed 30 years from the date of such meeting, with the same force and effect as if such renewal had been effected before its said period of duration expired, by filing with the register of deeds of the county in which it is located and with the secretary of state of the state of Minnesota copies of its original articles of association and all amendments thereto, accompanied by a certificate signed by its president and secretary certifying that the same are true and correct copies thereof, that said agricultural society was organized under the provisions of General Statutes 1878, Chapter 34, that the formation of said association is incomplete because of the failure to file its articles of association as required by statute or that the record of the filing thereof has been lost or destroyed and that it has each year since its organization held a county fair and agricultural exhibit, which said copies of the articles of association and amendments thereto, and which said certificate shall be received and filed by the secretary of state without the payment of any filing fee or other fee to the state of Minnesota. Provided, however, that the proceedings to obtain such renewal shall be taken within six months of the passage of this act and provided further that this act shall not effect any pending litigation nor apply to any corporation whose charter has been declared forfeited by any court of competent jurisdiction in this state.

Sec. 2. **Proceedings to relate back.**—That when such steps are taken to establish and renew the corporate existence of such a corporation, such proceedings shall relate back to date of the original organization and when said period is extended, as provided by this act, all corporate acts and contracts done, performed, made and entered thereto after the original organization shall be and each is hereby declared to be legal and valid.

Approved April 9, 1941.