

**CHAPTER 305****BOOM COMPANIES**

**305.01-305.06** Repealed, 1947 c 221 s 1.

**CHAPTER 306****PUBLIC CEMETERIES****306.01 CEMETERY ASSOCIATIONS AND PRIVATE CEMETERIES, HOW GOVERNED**

Jurisdiction over foreign corporation doing a single act within the state. 36 MLR 264.

Limitation in certificate of ownership conveying a cemetery lot that monuments or other structures be subject to the approval of the officers of the cemetery corporation with authority to remove in case the president of the cemetery association deems the monuments improper or detrimental is a legal regulation and not invalid for indefiniteness. The approval or disapproval of monuments is within the discretion of the corporation's management except where the action is arbitrary or unreasonable. Refusal to permit a lot owner to place sculptured lions on a lot was neither arbitrary nor unreasonable. *Abell v Proprietors of Green Mount Cemetery*. 26 At(2d) 24.

A corporation organized for the purpose of operating a cemetery for profit must be organized under chapter 301. It cannot be organized under section 306.01. OAG May 16, 1950 (102).

**306.02 CEMETERY CORPORATIONS OR ASSOCIATIONS**

A cemetery association may not be organized for pecuniary profit nor may it be organized under the provision of any section of chapter 301. A cemetery may be incorporated under the provisions of section 306.02 and in no other way. OAG May 16, 1950 (102).

A member of a cemetery association may continue to act as such after his election to the city council. The offices are not incompatible. OAG Jan. 5, 1948 (358-E-9).

**306.023 UNUSED PUBLIC CEMETERY; TRANSFER TO OPERATING PUBLIC CEMETERY**

**HISTORY.** 1949 c 298 s 1.

**306.025 TRANSFER OF CEMETERIES TO VILLAGES**

**HISTORY.** 1945 c 188 s 1-7.

A public cemetery association may not transfer the cemetery to a city whose charter does not authorize the operation and maintenance of a cemetery by it. OAG Nov. 17, 1949 (870-B).

There is no statutory authority by which a town and a village may jointly acquire cemetery land, but any town may acquire by purchase or gift land within its limits to be used as a cemetery (section 365.26). A village may purchase and hold