

ing jointly for that purpose in the county wherein such drainage proceedings were originally instituted, upon notice by the county auditor of such county to the members of said county board or boards as in case of special board meetings.

Such proceedings shall be instituted by a petition to the county board filed with such county auditor and signed by parties interested in and affected by said proposed branch, setting forth the source, course, terminus and the size and dimensions of said proposed side lateral or spur ditch.

Thereupon the said auditor shall appoint a time and place to consider the same and shall call a special meeting of the county board or boards, as the case may be, to meet at such time and place for that purpose and shall cause notice thereof to be published once each week for two successive weeks in a newspaper published in each county affected.

The said county board or county boards, as the case may be, may employ a competent and experienced civil engineer to investigate and report on the matter.

On the day of hearing so appointed, or at any adjourned day thereof, the county board or boards shall proceed to hear all testimony offered in relation to said matter, and shall determine and decide the same, and if the county board or boards decide to permit such branch or lateral ditch to be built, or such other ditch to empty therein, determine and decide the terms and conditions under which same may be built, and the amount to be paid by petitioners therefor, if any, and upon compliance therewith and not otherwise, said petitioner or petitioners may proceed to construct and complete said private ditch or side lateral or spur ditch so petitioned for."

Approved April 20, 1911.

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#### CHAPTER 385—H. F. No. 515.

*An Act to amend section two thousand nine hundred thirty-six, Revised Laws 1905, relating to the incorporation of cemetery associations.*

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

**Incorporation of cemetery companies.**—Section 1. That section two thousand nine hundred thirty-six Revised Laws 1905 be and the same is hereby amended so as to read as follows:

"2936. A corporation or association may be formed for the purpose of procuring and holding or selling lands or lots exclusively for the purpose of public cemetery and such corporation may acquire and manage all real and personal prop-

erty necessary or proper for the establishment, embellishment, care and management of a cemetery and may construct and operate thereon a crematory and other proper means of disposing of the dead. It may also sell and convey cemetery lots or sell and convey real or personal property lawfully acquired by such association or corporation but not needed for cemetery purposes. Such corporation may be formed by three or more persons who shall execute and verify the certificate or articles of incorporation as required in the matter of the formation of other corporations under the provisions of this chapter. Such certificate of incorporation shall be filed for record in the office of the register of deeds of the county wherein such cemetery is situated and thereupon such association shall become a corporation. All cemeteries hereafter started or established except cemeteries established by religious corporations are hereby declared to be public cemeteries within the provisions of this act.

“Any cemetery lands and property or public burial ground now or hereafter owned or controlled by any town, village or city of this state may be transferred by such town, village or city, by deed or otherwise, to any cemetery association or corporation formed or organized under the terms of this act or heretofore existing, and such transfer may be with or without condition as shall be determined by such town, village or city as the case may be; such town, city or village may as a part of such transaction enter into contract or agreement with such cemetery association providing for the management and manner of maintaining, keeping and caring for such cemetery, for the sale of lots or lands therein and for such other matters in relation to the care and control thereof as shall be deemed advisable by such town, village or city.

Approved April 20, 1911.

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#### CHAPTER 386—H. F. No. 1135.

*An Act to establish, provide for, and continue a Department of Insurance in the State of Minnesota, and regulating the compensation and fees of such department, and for the repeal of laws inconsistent herewith.*

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

**Department of insurance.**—Section 1. There is hereby established and continued a department of insurance in the State of Minnesota. Its chief officer shall be styled the commissioner of insurance and shall be appointed by the governor, by and with the advice and consent of the senate, for the term of two