

CHAPTER 303.

OTTUMWA CEMETERY ASSOCIATION.

S. F. 267.

AN ACT to legalize the elections, acts and transactions, resolutions, by-laws, rules and regulations, contracts and certificates of the Ottumwa Cemetery Association.

WHEREAS, On or about the 30th day of March, 1857, the Ottumwa cemetery Association, of Ottumwa, Wapello county, Iowa, was duly incorporated under the provisions of the code of 1851; and,

WHEREAS, Said incorporation has never been extended or renewed and said Ottumwa cemetery association has never reincorporated; and,

WHEREAS, Said Ottumwa cemetery association has acquired and owns real estate situated in and adjacent to the city of Ottumwa, Wapello county, Iowa, which is used, improved and maintained by it as a cemetery, and it has continued to hold its meetings, elect officers and trustees and carry on its affairs and control, maintain, improve and operate a cemetery in accordance with its articles of incorporation, by-laws, rules and regulations, and from time to time have made, operated and amended resolutions, by-laws, and rules and regulations, and has sold lots in its cemetery and issued certificates to the purchasers thereof subject to its articles of incorporation, by-laws, rules and regulations, and made contracts; and,

WHEREAS, A question has arisen as to whether the duration of said corporation was limited to a term of years or was without limit, and a question has arisen as to the validity of its elections, acts and transactions, resolutions, by-laws, rules and regulations, contracts and certificates to purchasers of lots, and the rights to its property; therefore,

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Articles of incorporation extended. That the articles of incorporation of the Ottumwa cemetery association made and adopted on March 30th, 1857, be and the same are without limit unless terminated by the act of the general assembly.

SEC. 2. Elections, acts, transactions, etc., legalized — pending litigation. That all of the elections, acts and transactions, by-laws, rules and regulations, resolutions, contracts, and certificates of said Ottumwa cemetery association, are legal, valid and binding and of the same force and effect as if no question had existed as to the duration of said corporation, and that upon the adoption of new articles of incorporation in compliance with the laws of the state of Iowa by the trustees of said Ottumwa cemetery association who may be acting as such trustees at the time of the adoption of such new articles of incorporation, within six months from the time of the taking effect of this act, the said Ottumwa cemetery association as thus reincorporated, shall succeed and acquire all the rights, privileges, liabilities and property of the said association as confirmed and legalized by this act, including the title to the real estate held by the said Ottumwa cemetery association; provided, that nothing in this act shall affect pending litigation.

SEC. 3. In effect. This act being deemed of immediate importance shall take effect on and after its publication in the Register and Leader and the Ottumwa Review, newspapers published in cities of Des Moines, Iowa, and Ottumwa, Iowa, respectively, said publication being without expense to the state.

Approved April 7, A. D. 1909.

I hereby certify that the foregoing act was published in the Register and Leader and Ottumwa Review April 9, A. D. 1909.

W. C. HAYWARD,
Secretary of State.