ROMAN CATHOLIC BISHOPS

Act 207 of 1867

AN ACT to authorize the Roman Catholic archbishop of Detroit, Michigan, and the Roman Catholic bishops of Michigan, and their successors in office, and certain other persons, to hold property for the use or benefit of the church; to authorize the borrowing of money; to authorize the execution of contracts and agreements, and the administration of property held by them; and to authorize the exercise of any and all powers relating to the temporalities of the church.

History: 1867, Act 207, Eff. June 27, 1867 ;-- Am. 1937, Act 270, Imd. Eff. July 22, 1937 ;-- Am. 1954, Act 1, Imd. Eff. Feb. 4, 1954

The People of the State of Michigan enact:

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458.1 Conveyances to Roman Catholic archbishop, bishops, and administrators in trust for religious, educational, or charitable purposes.

Sec. 1.

All gifts, grants, deeds, wills and other conveyances, wherein or whereby any lands, tenements or other property within this state have been given, beqeathed, devised or granted, or in any manner conveyed by any person or persons whatever, unto any person or persons, by the name, style or title of Roman Catholic or Catholic bishop of the diocese of Bardstown, Kentucky, and his successors, or to the Roman Catholic bishop or Catholic bishop of Cincinnati, Ohio, and his successors in office, or to the Roman Catholic or Catholic archbishop of Detroit, or to the Roman Catholic or Catholic bishop of Detroit, or administrator of Detroit, and his successors, or to the Roman Catholic or Catholic bishop of Sault Ste. Marie, or administrator of Sault Ste. Marie, and his successors, or to the Roman Catholic or Catholic bishop of Marquette, or administrator of Marquette, and his successors, or to the Roman Catholic bishop or Catholic bishop of the diocese of Grand Rapids, or administrator of Grand Rapids, and his successors in office, or to any person in his own name as Roman Catholic bishop of the diocese of Grand Rapids, his heirs and assigns, or to the Roman Catholic bishop or Catholic bishop of the diocese of Lansing, or administrator of Lansing, and his successors, or to the Roman Catholic bishop or Catholic bishop of the diocese of Saginaw, or administrator of Saginaw, and his successors, or to the Roman Catholic bishop or Catholic bishop of the diocese of Kalamazoo, or administrator of Kalamazoo, and his successors, or to the Roman Catholic bishop or Catholic bishop of the diocese of Gaylord, or administrator of Gaylord, and his successors, or to any other person or persons, upon the trust expressed or implied, to take, hold and receive the same for the use and benefit of any religious congregation of Roman Catholics, or for the support, aid and maintenance of any hospital, almshouse, school, seminary, church, parsonage, or for the burial grounds, or other religious, educational or charitable purposes, within this state; and all such gifts, grants, deeds, wills, devises and bequests and other conveyances which may hereafter be made, shall be sufficient and effectual in law to vest the legal title of, in and to said lands and tenements or other property, in such grantee, donee or devisee, in the present archbishop of the diocese of Detroit, or administrator, and in the present bishops or administrators of the Roman Catholic dioceses within the state of Michigan, in their respective dioceses, and in the persons who after them may become Roman Catholic archbishop of the diocese of Detroit, and Roman Catholic bishops of said dioceses, and in the successors of said Roman Catholic archbishop and Roman Catholic bishops forever, in trust, for the uses and purposes for which the said property is or may be hereafter acquired, granted, bequeathed, or devised, and in no other person or persons whatever: Provided, That it shall be necessary in relation to all gifts, grants, deeds, wills and other conveyances heretofore made as aforesaid, that the person or persons to whom the same were made, or to such persons as they may have conveyed to, if living, shall release their estate or interests therein to the said Roman Catholic archbishop of the diocese of Detroit, and to the said Roman Catholic bishops in the state of Michigan within their respective dioceses: And provided further, That nothing in this act shall be taken or construed to give or grant to the said Roman Catholic archbishop and Roman Catholic bishops, or administrators of the said dioceses of the state of Michigan, or their successors, the right to hold real estate in trust for any society except for charitable, religious, educational and literary purposes, or for burial grounds, as provided for by this act.

History: 1867, Act 207, Eff. June 27, 1867 ;-- CL 1871, 3124 ;-- How. 4727 ;-- CL 1897, 8310 ;-- CL 1915, 10909 ;-- Am. 1927, Act 149, Eff. Sept. 5, 1927 ;-- CL 1929, 10845 ;-- Am. 1937, Act 270, Imd. Eff. July 22, 1937 ;-- Am. 1938, Ex. Sess., Act 4, Imd. Eff. Sept. 8, 1938

;-- CL 1948, 458.1 ;-- Am. 1954, Act 1, Imd. Eff. Feb. 4, 1954 ;-- Am. 1971, Act 136, Imd. Eff. Sept. 29, 1971

458.2 Roman Catholic archbishop, bishops or administrators; powers in administering property.

Sec. 2.

The archbishop of the Roman Catholic archdiocese of Detroit and the several bishops of the Roman Catholic dioceses within the state of Michigan and their successors in office, and administrators of the Roman Catholic dioceses within the state of Michigan, for the purpose of administering the property held by them respectively under this act and in respect thereto, are declared to have and to have had power:

(a) To enter into any and all lawful contracts in respect of the property held by them;

(b) To sue and be sued, complain and defend, in any court, or to be a party to any proceedings before any board, tribunal, commission, or any other public body;

(c) For the purposes of the Roman Catholic church to acquire, purchase, hold, convey, lease, mortgage, and in every way deal in real and personal property of all kinds without limitation; the power to hold real and personal estate shall include the power to take the same by gift, devise or bequest, and upon trusts, either express or implied;

(d) For the purposes of the Roman Catholic church to borrow money and to give promissory notes therefor, and to secure the payment thereof by mortgage or other lien upon real or personal property; to issue, sell or pledge bonds, notes, bills of exchange, debentures and other obligations and evidences of church indebtedness; and to guarantee, purchase, hold, sell, assign or otherwise dispose of the stock, bonds, or securities of corporations;

(e) To appoint agents and attorneys in fact;

(f) To exercise without limitation of the foregoing, any and all powers relating to the temporalities of the Roman Catholic church vested in such archbishop or bishop or administrator by virtue of his office.

History: Add. 1941, Act 105, Imd. Eff. May 20, 1941 ;-- CL 1948, 458.2 ;-- Am. 1954, Act 1, Imd. Eff. Feb. 4, 1954

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