UNITED MISSIONARY CHURCHES

Act 265 of 1949

AN ACT to provide for the incorporation of United Missionary churches, for the change of name of Mennonite Brethren in Christ churches, and continuation of same as United Missionary churches, and to repeal certain acts and parts of acts.

History: 1949, Act 265, Eff. Sept. 23, 1949

The People of the State of Michigan enact:

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458.521 Applicability of act.

Sec. 1.

This act shall be applicable to the corporation heretofore incorporated under any general or special act as a Mennonite Brethren in Christ church, and to churches hereafter incorporated under this act as United Missionary churches.

History: 1949, Act 265, Eff. Sept. 23, 1949

458.522 United Missionary churches; incorporation; change of name in articles.

Sec. 2.

The articles of association of every ecclesiastical corporation heretofore incorporated under any general or special act of this state as a Mennonite Brethren in Christ church in the name of which the words "Mennonite Brethren in Christ" appear are hereby amended by deleting from the name of each of such corporations the words "Mennonite Brethren in Christ" and substituting therefor the words "United Missionary". Such change of name of every such corporation shall become operative ipso facto upon the effective date of this act without the filing of any amendment to the articles of association of any such corporation.

History: 1949, Act 265, Eff. Sept. 23, 1949

458.523 United Missionary churches; organization, number of persons.

Sec. 3.

It shall be lawful for any number of persons not less than 5, of full age, with the consent of the district superintendent of the district in which the proposed church is to be located, to organize and procure the incorporation of a United Missionary church.

History: 1949, Act 265, Eff. Sept. 23, 1949

458.524 United Missionary churches; articles of association, certificate.

Sec. 4.

The persons desiring to organize such church shall execute and acknowledge, before any persons authorized to take acknowledgments of deeds, articles of association in writing, whereby they shall agree to organize a church which shall be governed by the discipline, rules

and uses of the United Missionary church. To such articles of association there shall be attached a certificate by the district superintendent of the district in which said church is to be located, that said church was organized by the consent of said district superintendent.

History: 1949, Act 265, Eff. Sept. 23, 1949

458.525 United Missionary churches; contents and form of articles.

Sec. 5.

Said articles of association shall contain the following items:

First. The name of said church.

Second. The township, village or city, and the county in which it shall be located.

Third. An agreement to worship and labor together according to the discipline, rules and usages of the United Missionary churches in America, formerly known as the Mennonite Brethren in Christ church.

Said articles may be in the following form:

We, the undersigned, desiring to become incorporated under the provisions of Act Number ..... of the Public Acts of 1949, entitled "An act to provide for the incorporation of United Missionary churches, for the change of name of Mennonite Brethren in Christ churches, and continuation of same as United Missionary churches, and to repeal certain acts and parts of acts" (title of act may be omitted where act number is used), do hereby make, execute and adopt the following articles of association to-wit:

First. The name assumed by the corporation and by which it shall be known in law is "..... United Missionary church".

Second. The location of said church shall be in the ..... of ....., county of ....., state of Michigan.

Third. The members of said church shall worship and labor together according to the discipline, rules and usages of the United Missionary church as from time to time authorized and declared by the general conference of said church, and the annual conference within whose bounds said corporation is situated. In witness whereof we, the parties hereby associating for the purpose of giving legal effect to these articles, hereunto sign our names with our places of residence.

Done at the ..... of ....., county of ....., and state of Michigan, this ..... day of ....., A.D. 189....

.....	....	
(Signatures.)	} SS.	(Residences.)

State of Michigan,

County of .....,

On this ..... day of ....., A.D. ....., before me, a ..... in and for said county, personally appeared ....., known to me to be the persons named in, and who executed the foregoing instrument, and severally acknowledged that they executed the same freely and for the intents and purposes therein mentioned.

.....

I, ... District Superintendent of the ..... district, of the ..... annual conference of the United Missionary church, the same being the district in which the church mentioned in the foregoing articles of association is to be, or is now located, do hereby certify that such church was organized by and with my consent and concurrence.

Dated at ....., Mich., ..., A.D. 19....

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.....
District Superintendent

History: 1949, Act 265, Eff. Sept. 23, 1949

458.526 United Missionary churches; triplicate articles, delivery to corporation and securities commission; fees; filing.

Sec. 6.

Triplicate originals of the articles shall be delivered to the Michigan corporation and securities commission. If the commission finds that the articles conform to the law, it shall, when all fees and charges have been paid as required by law, file 1 of the original articles in its office, forward 1 such original articles to the county clerk of the county in which such church is to be located for filing by such county clerk, and return 1 of such original articles to the incorporators. The commission and each of the county clerks receiving articles for filing shall each certify thereon and upon all amendments thereto the date when the same were filed in their respective offices. When such articles of association and certificate aforesaid shall be filed by the Michigan corporation and securities commission in its office the said persons so signing said articles of association, and their associates and fellow members of said church, and all who may thereafter become members of said church according to the discipline, rules and usages of the United Missionary church, shall thereupon become and thenceforth be a body politic or corporation, by the name expressed in said articles of association, with all the powers, rights and privileges appertaining to religious corporations by the laws of this state.

History: 1949, Act 265, Eff. Sept. 23, 1949

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458.527 United Missionary churches; government and policy.

Sec. 7.

Said church, when so organized, shall be in all matters of church government and ecclesiastical polity subject to the discipline, usages and ministerial appointments of the United Missionary church, as from time to time authorized by the general conference of said church, and the annual conference within whose bounds said corporation may be situated.

History: 1949, Act 265, Eff. Sept. 23, 1949

458.528 United Missionary churches; board of trustees.

Sec. 8.

The secular affairs of said church shall be managed by a board of trustees elected and organized according to the provisions of the book of discipline of the United Missionary church, who shall hold their office until their successors are elected and accept their trust unless they previously forfeit their membership, in which case they shall also forfeit their office as a trustee.

History: 1949, Act 265, Eff. Sept. 23, 1949

458.529 United Missionary churches; seal; powers; conveyance of property; discipline; administration of sacraments.

Sec. 9.

Said corporation may have a seal and alter the same at pleasure. It may, in its corporate name, sue and be sued in all courts of this state. It shall have power to acquire, hold, sell, move and convey property, both real and personal, in accordance with this act, and it may recover and hold all the debts, demands, rights, privileges and all property, whether real or personal, of whatsoever sort it may be, belonging or appertaining to said church, in whatever manner the same may have been acquired, and in whose hands soever the same may be held, the same as if the right and title had originally been vested in said corporation. The board of trustees may authorize 1 or more of said board to affix the name and seal of said corporation, and to execute and attest conveyances, notes, obligations, acquittances, and all necessary legal documents. It may sell (but not mortgage) or otherwise dispose of its personal property, and it may, under restrictions hereinafter provided, sell, mortgage or otherwise dispose of or encumber its real estate, but not for current expenses. It may hold so much land as may be needed for the proper purposes of the church and its parsonage. It may also hold, for a period not to exceed 10 years, real estate, which may be conveyed or devised to it or to said trustees to be sold and the proceeds to be used in any way for the benefit of said church, as directed in the conveyance or will. Said corporation shall at all times permit all ministers belonging to the United Missionary church as shall from time to time be duly authorized by the general conference, or the annual conference, within whose bounds the said corporation may be, to preach and expound God's Holy Word therein; and shall permit district superintendents and pastors, duly appointed, to execute the discipline of the United Missionary church, and to administer the sacraments therein.

History: 1949, Act 265, Eff. Sept. 23, 1949

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458.530 United Missionary churches; powers of trustees.

Sec. 10.

The trustees shall have power, according to the terms and limitations of the discipline of the United Missionary church, as from time to time authorized and declared by the annual conference of said church, to purchase, build, repair, lease, rent, mortgage or encumber its property: Provided, That in case of selling or disposing of real estate, the consent of the annual conference be obtained.

History: 1949, Act 265, Eff. Sept. 23, 1949

458.531 United Missionary churches; sale of real estate, authorization; proceeds.

Sec. 11.

Whenever it shall become necessary for the payment of debts or with a view of reinvestment, to make a sale of any real estate belonging to said church, the local conference of said church may, by a vote of a majority of all the members of said quarterly conference and the consent of the annual conference of which said church shall be a part, authorize a sale of said real estate by the trustees of said church with such limitations and restrictions as the quarterly conference and annual conference may judge necessary and impose, and the trustees of said church, when so authorized, may sell and convey said property, and with the proceeds

of such sale pay the debts of such corporation, or reinvest the said proceeds by the purchase or improvement of other property for the same uses, and deeded to the corporation in the same manner as provided in section 7 of this act, as said trustees may be directed by the local conference and the annual conference.

History: 1949, Act 265, Eff. Sept. 23, 1949

458.532 United Missionary churches; abandonment of property; license to sell.

Sec. 12.

In all cases where property belonging to any church society incorporated under the provisions of this act has been abandoned or is no longer used for the purpose for which said property was acquired or for the benefit of said church society, and has not been conveyed by said society, under the provisions of this act, or said corporation has dissolved or become extinct, the title to said property belonging to said corporation shall pass to the annual conference within whose bounds said property is located. And such annual conference may by such officer or committee as said conference may designate, for that purpose apply to the circuit court for the county in which said property may be, for license to sell the same. And such license may be granted by said court, after such notice of said application as the court may direct, and thereupon said property may be sold and the proceeds of such sale applied or used as said annual conference may direct.

History: 1949, Act 265, Eff. Sept. 23, 1949

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458.533 United Missionary churches; amending articles, acknowledgment, certificate, recording.

Sec. 13.

It shall be lawful for any church organized under the provisions of this act, by a 2/3 vote of the local conference of said church, to alter or amend its articles of association in any manner not inconsistent with the provisions of this act, or the book of discipline of the United Missionary church; and such alteration or amendment shall become operative when 2/3 of the of the members of the local conference shall execute amended articles and said amended articles are acknowledged in the same manner as stated in section 3 of this act, and the district superintendent has affixed his certificate thereto, as provided in said section, and the same has been recorded or left for record, as provided in section 4 of this act.

History: 1949, Act 265, Eff. Sept. 23, 1949

458.534 United Missionary churches; suits or proceedings.

Sec. 14.

In all proceedings or suits that may arise, or be brought in any of the courts of this state, touching or in any way concerning churches that may be incorporated under this act, all other acts or parts of acts inconsistent herewith shall be interpreted and construed in such manner as to give full force and effect to all the provisions of this act, and to all the rights and privileges granted by this act to churches incorporated thereunder.

History: 1949, Act 265, Eff. Sept. 23, 1949

458.535 United Missionary churches; execution of obligations or contracts by acting trustees, validity.

Sec. 15.

It is further provided, that the execution by the acting trustees of said corporation, in proper form, of any deed, mortgage, note, bond or other obligation or contract of said corporation, shall be prima facie evidence of the proper appointment of said trustees, and that the necessary steps have been taken to give them full authority to make such transaction.

History: 1949, Act 265, Eff. Sept. 23, 1949

458.536 Act repealed; rights saved.

Sec. 16.

Act No. 225 of the Public Acts of 1899, being sections 458.501 to 458.514, inclusive, of the Compiled Laws of 1948, is hereby repealed: Provided, however, That notwithstanding the repeal thereof, all rights of every kind and nature now held or enjoyed under and by virtue thereof, and all obligations and liabilities contracted or incurred by any such corporations thereunder, or under the provisions of any law now in force, now inconsistent with the provisions of this act, shall continue of the same force and effect as though such act had not been repealed: Provided, further, That all corporations incorporated under such act shall be deemed and taken to be corporations under this act, and from and after the taking effect of this act, shall be subject to all the provisions hereof as fully as though such corporation had been incorporated hereunder.

History: 1949, Act 265, Eff. Sept. 23, 1949

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