REFORMED CHURCHES IN AMERICA

Act 82 of 1899

AN ACT to provide for the incorporation of reformed churches in America, formerly known as Reformed Protestant Dutch churches; and to impose certain duties upon the department of commerce.

History: 1899, Act 82, Imd. Eff. May 25, 1899 ;-- Am. 1982, Act 79, Imd. Eff. Apr. 19, 1982

The People of the State of Michigan enact:

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458.401 Reformed church or congregation; trustees; execution and acknowledgment of articles of association; filing copy of articles with department of commerce; trustees and successors as body politic.

Sec. 1.

That the minister or ministers and elders and deacons, and if during any time there be no minister, then the elders and deacons during such time, of every reformed church or congregation now or hereafter to be established in this state, and elected according to the rules and usages of such churches within this state, shall be trustees for every such church or congregation, and it shall be lawful for the said trustees, if not already incorporated, to assemble together as soon as they shall deem it convenient, and execute under their hands and seals articles of association, in duplicate, and acknowledge before some officer authorized by law to take acknowledgment of deeds. One of such duplicate copies shall be retained by such corporation and 1 copy shall be filed in the corporation and securities bureau of the department of commerce. And such trustees and their successors shall thereupon, by virtue of this act, be a body corporate by the name or title expressed in such articles of association.

History: 1899, Act 82, Imd. Eff. May 25, 1899 ;-- CL 1915, 10954 ;-- CL 1929, 10966 ;-- CL 1948, 458.401 ;-- Am. 1982, Act 79, Imd. Eff. Apr. 19, 1982

458.402 Articles; contents.

Sec. 2.

The articles of association of any such corporation shall state the purpose for which such society is incorporated, the name of the corporation, the period for which it is incorporated, and the name and place of residence of each of the persons associating in the first instance.

History: 1899, Act 82, Imd. Eff. May 25, 1899 ;-- CL 1915, 10955 ;-- CL 1929, 10967 ;-- CL 1948, 458.402

458.403 Powers of trustees.

Sec. 3.

The trustees of every church, congregation or society hereinabove mentioned, and their successors may respectively have and use a common seal, and may renew and alter the same at their pleasure, and are hereby authorized and empowered to take into their possession and

custody all the temporalities belonging to such church, congregation or society, whether the same consists of real or personal estate, and whether the same shall have been given, granted or devised directly to such church, congregation or society, or to any other person for their use; and also, by their corporate name or title, to sue and be sued in all courts of law or equity, and to recover, hold and enjoy all the debts, demands, rights and privileges, and all churches, meeting houses, parsonages and burying places, with the appurtenances, and all estates belonging to such church, congregation or society, in whatsoever manner the same may have been acquired, or in whose name soever the same may be held, as fully and amply as if the right or title thereto had originally been invested in the said trustees; and also to purchase and hold other real and personal estate, and to demise, lease and improve the same for the use of such church, congregation or society, or other pious uses, and also to repair and alter their churches or meeting houses, and to erect others, if necessary, and to erect dwelling houses for the use of their ministers, and other buildings for the use of such church, congregation or society; and such trustees shall also have power to make rules and orders for managing the temporal affairs of such church, congregation or society, and to dispose of all moneys belonging thereto, and to regulate and order the renting of the pews in their churches and meeting houses, and the perquisites for the breaking of the ground in the cemetery or church yards and in the said churches or meeting houses, for burying the dead and all other matters relating to the temporal concerns and revenues of such church, congregation or society; and to appoint a clerk and treasurer of their board, and a collector to collect and receive the said rents and revenues, and to regulate the fees to be allowed to such clerk, treasurer and collector, and them or either of them to remove at pleasure, and appoint others in their stead; and such clerk shall enter all rules and orders made by such trustees, and payments ordered by them, in a book to be provided by them for that purpose.

History: 1899, Act 82, Imd. Eff. May 25, 1899 ;-- CL 1915, 10956 ;-- CL 1929, 10968 ;-- CL 1948, 458.403

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458.404 Receipt of bequests or gifts of money for investment; real estate.

Sec. 4.

The trustees of every such church, congregation or society, hereinabove mentioned, may receive bequests or gifts of money for investment upon bond or mortgage when the interest of such investment is to be used by such trustees for the lawful purposes of the corporation, and may receive gifts or bequests of real estate for like purposes, but such real estate, so received shall be sold within 10 years of the time it becomes the property of such corporation, and the proceeds derived from such sale shall be invested in like manner as if the original bequest had been in money.

History: 1899, Act 82, Imd. Eff. May 25, 1899 ;-- CL 1915, 10957 ;-- CL 1929, 10969 ;-- CL 1948, 458.404

458.405 Dissolution; incumbrance or alienation of land.

Sec. 5.

No corporation organized or reincorporated under the provisions of this act shall be dissolved or disbanded except by and with the consent of the classis to which such church shall belong, and no church building or parsonage, or any land necessarily used in connection therewith for the purpose of public worship, shall be sold, mortgaged, or in any manner

alienated by such trustees or congregation except by and with the consent of the classis to which such church belongs.

History: 1899, Act 82, Imd. Eff. May 25, 1899 ;-- CL 1915, 10958 ;-- CL 1929, 10970 ;-- CL 1948, 458.405

458.406 Real estate not needed for church; sale or incumbrance.

Sec. 6.

It shall be lawful for the trustees of every such church, congregation or society to sell and convey or mortgage, without the consent of the classis to which such church, congregation or society may belong, all real estate that may belong to such corporation, and upon which no church buildings or parsonage shall have been erected, and which is not necessary for use by such church, congregation or society in connection with their public worship.

History: 1899, Act 82, Imd. Eff. May 25, 1899 ;-- CL 1915, 10959 ;-- CL 1929, 10971 ;-- CL 1948, 458.406

458.407 Extension of corporate existence; term; filing resolution with department of commerce; effect.

Sec. 7.

Any corporation organized under the provisions of this act whose corporate existence is about to expire by limitation may extend its corporate existence for a term not exceeding 30 years, by filing with the corporation and securities bureau of the department of commerce duly attested copies of a resolution adopted by such corporation at a meeting called in accordance with the provisions of its bylaws expressing a desire to so extend its corporate existence, and upon the filing of such resolution as above specified, the corporate existence of such body shall be extended in accordance with the terms of such resolution for a term of not exceeding 30 years from the date of the expiration of its former term, and all rights of property and of contract shall remain unimpaired and the corporate identity of such body shall remain unchanged.

History: 1899, Act 82, Imd. Eff. May 25, 1899 ;-- CL 1915, 10960 ;-- CL 1929, 10972 ;-- CL 1948, 458.407 ;-- Am. 1982, Act 79, Imd. Eff. Apr. 19, 1982

458.408 Reincorporation under act; saving clause.

Sec. 8.

The trustees of every church, congregation or society that have heretofore been incorporated by virtue of the provisions of chapter 173, volume 1, Howell's annotated statutes of Michigan, providing for the incorporation of Reformed Protestant Dutch churches, and that are now operating thereunder, are hereby reincorporated under the provisions of this act, and shall be governed by all of the provisions thereof, the same as if they had been originally incorporated under this act, and all such corporations reincorporated under and made subject to the provisions of this act shall succeed to and be vested with all the property, real and personal, moneys, rights, credits and effects, and all the records, files, books and papers belonging to such corporations as formerly incorporated, and no rights or liabilities, either in favor of or against such former corporation, existing at the time of its reincorporation under and subject to the provisions of this act, and no suit or prosecution of any kind shall be in any

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manner affected by such change, but the same shall stand or progress as if no such change had been made, and all debts and liabilities of the former corporation shall be deemed debts and liabilities of the new corporation, and all the officers of any such corporation elected or appointed under the provisions of the former act incorporating such corporation and in office at the time of such reincorporation under this act shall continue to exercise their respective functions under the provisions of this act of reincorporation for the full term for which they were so elected or appointed, and until their successors shall have qualified and entered upon the duties of their office.

History: 1899, Act 82, Imd. Eff. May 25, 1899 ;-- CL 1915, 10961 ;-- CL 1929, 10973 ;-- CL 1948, 458.408

Compiler's Notes: Chapter 173, referred to in this section, consisted of Act 355 of 1865, which was repealed by Act 209 of 1897. The latter was subsequently repealed by Act 84 of 1921.

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