BENEVOLENT AND PROTECTIVE ORDER OF ELKS

Act 22 of 1891

AN ACT to provide for the incorporation of lodges of the Benevolent and Protective Order of Elks.

History: 1891, Act 22, Eff. Oct. 2, 1891

The People of the State of Michigan enact:

457.301 Lodges of Benevolent and Protective Order of Elks; incorporation.

Sec. 1.

That any lodge of the Benevolent and Protective Order of Elks, organized within this state, and having a charter from the grand lodge of the Benevolent and Protective Order of Elks, may become incorporated under the provisions of this act.

History: 1891, Act 22, Eff. Oct. 2, 1891 ;-- CL 1897, 8079 ;-- CL 1915, 10553 ;-- CL 1929, 10649 ;-- CL 1948, 457.301

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457.302 Incorporators; articles of association, execution, contents.

Sec. 2.

Any 10 or more persons residents of this state, being members in good standing of a lodge of the Benevolent and Protective Order of Elks, having competent authority from the grand lodge of the order, desirous to become incorporated, may make and execute articles of association, under their hands and seals, which articles of association shall be acknowledged before some officer authorized by law to take acknowledgments of deeds, and shall set forth:

First, The names of the persons associating in the first instance, and their place of residence;

Second, The corporate name by which such association shall be known in the law, and the place of its business office;

Third, The objects and purposes of such association, which shall be to protect and aid its members and their families, and to promote friendship, and social intercourse, and to accumulate a fund for that purpose; and the period for which it is incorporated, not exceeding 30 years.

History: 1891, Act 22, Eff. Oct. 2, 1891 ;-- CL 1897, 8080 ;-- CL 1915, 10554 ;-- CL 1929, 10650 ;-- CL 1948, 457.302

457.303 Filing articles of association, charter, and constitution of grand lodge; signatories as body politic and corporate; rights thereof; maximum value and disposition of real and personal estate; disposition of proceeds, rents, and incomes; rules, regulations, and bylaws; officers; board of trustees.

Sec. 3.

A copy of the articles of association together with the charter and constitution of the grand lodge of the benevolent and protective order of elks, shall be filed with the secretary of state; and thereupon the persons who have signed the articles of association, their associates and successors, shall be a body politic and corporate, by the name expressed in the articles of association, and by that name they and their successors shall have succession, and shall be persons in the law, capable to purchase, take, receive, hold, and enjoy to them and their successors estates, real and personal, including a lodge house or temple suitable to their needs, objects and purposes, of suing and being sued, and to have a common seal, which may be altered or changed at their pleasure. The value of the real and personal estate shall not exceed $10,000,000.00, and they and their successors may give, grant, sell, lease, mortgage, demise, and dispose of that real and personal estate or part thereof at their will and pleasure, and the proceeds, rents and incomes may be devoted in furtherance of the corporate powers, needs, objects, and purposes. The corporation shall have full power to make and establish rules, regulations and bylaws, for regulating and governing all the affairs and business of the corporation not repugnant to, or inconsistent with the constitution, rules, and edicts of the grand lodge of the order, or the constitution and laws of this state, or of the United States, and to elect and appoint from its members officers under a name and style as shall be in accordance with the constitution of the grand lodge of the order. The lodges organized under this act, as amended, having a membership of 1,000 or more shall have a board of 5 trustees. One trustee shall be elected annually for the term of 5 years, except that at the first election after this act goes into effect 5 trustees shall be elected, 1 for 1 year, 1 for 2 years, 1 for 3 years, 1 for 4 years, and 1 for 5 years.

History: 1891, Act 22, Eff. Oct. 2, 1891 ;-- CL 1897, 8081 ;-- Am. 1905, Act 33, Imd. Eff. Mar. 29, 1905 ;-- Am. 1911, Act 18, Eff. Aug. 1, 1911 ;-- Am. 1915, Act 83, Eff. Aug. 24, 1915 ;-- CL 1915, 10555 ;-- CL 1929, 10651 ;-- CL 1948, 457.303 ;-- Am. 1975, Act 108, Imd. Eff. June 6, 1975

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457.304 Articles; certified copy as evidence.

Sec. 4.

A copy of the record of such articles of association under the seal of the state, duly certified according to law, shall be received as prima facie evidence in all courts of this state of the existence and due incorporation of such corporation.

History: 1891, Act 22, Eff. Oct. 2, 1891 ;-- CL 1897, 8082 ;-- CL 1915, 10556 ;-- CL 1929, 10652 ;-- CL 1948, 457.304