MECHANICS' ASSOCIATIONS
Act 188 of 1857

AN ACT to provide for the incorporation of mechanics' associations; and to impose certain duties on the department of commerce.

History: 1857, Act 188, Imd. Eff. Feb. 17, 1857;—Am. 1982, Act 98, Imd. Eff. Apr. 19, 1982.

The People of the State of Michigan enact:

454.1 Mechanics' associations; incorporation, purposes.

Sec. 1. That associations may be formed and incorporated for the purposes of promoting the mechanic arts in this state, for the relief of distressed mechanics whether members of any such association or otherwise and for such other charitable purposes as may be deemed proper by such association connected with the mechanical and architectural arts.

History: 1857, Act 188, Imd. Eff. Feb. 17, 1857;—CL 1857, 1788;—CL 1871, 2795;—How. 3924;—CL 1897, 7423;—CL 1915, 9795;—CL 1929, 10262;—CL 1948, 454.1.

454.2 Incorporation of mechanics' association; execution and acknowledgment of articles of agreement; filing copy of articles with department of commerce; signers of articles and associates as body politic and corporate.

Sec. 2. That any 6 or more persons residents of this state desirous to become incorporated for the above named objects may execute under their hands and acknowledge before some officer of this state having authority to take the acknowledgment of deeds articles of agreement as hereinafter specified a copy whereof verified by the affidavit of 2 or more of the trustees shall be filed with the corporation and securities bureau of the department of commerce; and upon the execution of such articles of agreement, the acknowledgment thereof and the filing of such copies as aforesaid the parties signing the same and those who may thereafter become associated with them shall become a body politic and corporate for the purpose aforesaid.

History: 1857, Act 188, Imd. Eff. Feb. 17, 1857;—CL 1857, 1789;—CL 1871, 2796;—How. 3925;—CL 1897, 7424;—CL 1915, 9796;—CL 1929, 10263;—CL 1948, 454.2;—Am. 1982, Act 98, Imd. Eff. Apr. 19, 1982.

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454.3 Mechanics' associations; articles, contents.

Sec. 3. Such articles of association shall contain,

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

Second, The name of such corporation and the place where its office for the transaction of business is established, and the period for which it is incorporated, not exceeding 30 years,

Third, The purposes for which it is incorporated, mentioned in the first section of this act,

Fourth, The number of trustees and regular officers and the time of holding its annual meetings,

Fifth, The terms and conditions of membership therein.

History: 1857, Act 188, Imd. Eff. Feb. 17, 1857;—CL 1857, 1790;—CL 1871, 2797;—How. 3926;—CL 1897, 7425;—CL 1915, 9797;—CL 1929, 10264;—CL 1948, 454.3.

454.4 Mechanics' associations; governing law.

Sec. 4. Every association formed under this act shall have all the rights, powers and privileges granted by, and shall be subject to all the provisions of chapter number 55, in title number 10 of the Revised Statutes so far as the same are not repugnant to the constitution or to this act.

History: 1857, Act 188, Imd. Eff. Feb. 17, 1857;—CL 1857, 1791;—CL 1871, 2798;—How. 3927;—CL 1897, 7426;—CL 1915, 9798;—CL 1929, 10265;—CL 1948, 454.4.

Compiler's note: For provisions of chapter 55, title 10, of the Revised Statutes, referred to in this section, see MCL 450.504 et seq.

454.5 Mechanics' associations; trustees, powers, selection, terms, quorum; treasurer; by-laws.

Sec. 5. The affairs of such association shall be managed by not less than 5, nor more than 9 trustees to be chosen by the members thereof and to hold office for 1 year and until their successors shall be chosen; a treasurer shall be appointed from the number of trustees, and the other regular officers shall be members of the association. A majority of the trustees shall be a quorum to transact business, and they may adopt such by-laws not repugnant to this act or to such articles of association as they may see fit and change the same at pleasure.

History: 1857, Act 188, Imd. Eff. Feb. 17, 1857;—CL 1857, 1792;—CL 1871, 2799;—How. 3928;—CL 1897, 7427;—CL 1915,

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9799;—CL 1929, 10266;—CL 1948, 454.5.

454.6 Mechanics' associations; property, limitations.

Sec. 6. No association shall hold any real estate hereafter acquired, for a longer period than 10 years, except such real estate as shall be actually occupied by it in the exercise of its franchises.

History: 1857, Act 188, Imd. Eff. Feb. 17, 1857;—CL 1857, 1793;—CL 1871, 2800;—Am. 1873, Act 70, Imd. Eff. Apr. 3, 1873;—How. 3929;—CL 1897, 7428;—CL 1915, 9800;—CL 1929, 10267;—CL 1948, 454.6.

454.7 Mechanics' associations; funds, use; payment; building erection, cost; gifts, use, investments.

Sec. 7. The funds received by such association shall be used in the first instance, or shall be invested, and the income thereof used, after paying necessary expenses, exclusively for the purposes, or some of them, mentioned in the articles of association. (This provision, however, shall not be construed to prevent any association organized under this act from using any of its funds to erect, on the real estate occupied or to be occupied by it, as mentioned in the preceding section, such building as the association may deem proper, and rent such portions thereof as may not be required for its own purposes. When the association shall not desire to use its funds on hand, or shall have no funds, or not sufficient for the erection and furnishing of said building, it may procure the necessary money by loan, from any person or persons whether members of the association or otherwise, and secure the same by mortgage or mortgages upon any of its real estate; which mortgage or mortgages shall first be authorized by a resolution of the association, duly entered in its proceedings, and shall be executed in the name of the association, and officially signed by at least a majority of its trustees.) Any association organized under this act may take by gift, subscription, or devise, money to an amount not exceeding 50,000 dollars at any 1 time; and it shall be lawful to use said money for the purposes aforesaid, or to invest the same upon mortgage, or by loan in railroad stocks or bonds, or any city, county, state, or government securities; but no loan shall be made to any trustee or officer of such association: Provided, That any such association may, in its articles of agreement, designate the kinds of securities in which its funds may be invested, in which case no part of its funds shall be invested in any securities other than named in its articles.

History: 1857, Act 188, Imd. Eff. Feb. 17, 1857;—CL 1857, 1794;—CL 1871, 2801;—Am. 1873, Act 70, Imd. Eff. Apr. 3, 1873;—How. 3930;—CL 1897, 7429;—CL 1915, 9801;—CL 1929, 10268;—CL 1948, 454.7.

454.8 Mechanics' association; annual report, contents; neglect, penalty.

Sec. 8. Any such association whenever required by the attorney general or the legislature shall report to him or them under the oath of at least 2 of its trustees a full and true statement of its condition and affairs; and for any willful neglect to make such report within a reasonable time after the same is so required the association shall be liable to pay to the people of this state a fine of 50 dollars; or if the attorney general shall so elect or be instructed by the governor, he may proceed against such association by information, to forfeit its charter for such neglect.

History: 1857, Act 188, Imd. Eff. Feb. 17, 1857;—CL 1857, 1795;—CL 1871, 2802;—How. 3931;—CL 1897, 7430;—CL 1915, 9802;—CL 1929, 10269;—CL 1948, 454.8.

454.9 Consolidation of incorporated associations or societies into single corporation; vote or resolution; filing copy with department of commerce; effect.

Sec. 9. Any association or society now incorporated for any of the above purposes or hereafter to become incorporated under this act may become consolidated with any one created by virtue of this act into a single corporation which may be done by the vote or resolution of a majority of the members, of each at a meeting called for that purpose a copy of which vote or resolution signed by the presiding officer and secretary of such meeting and verified by their affidavit shall be filed in the corporation and securities bureau of the department of commerce. And upon such filing and an agreement entered into and a copy thereof filed as hereinafter provided, said corporations shall thereby become 1 association under this act to be called and known by such name as shall be given it in said agreement but subject to the provisions of this act and entitled to the same franchises and privileges as if it had been formed without such consolidation.

History: 1857, Act 188, Imd. Eff. Feb. 17, 1857;—CL 1857, 1796;—CL 1871, 2803;—How. 3932;—CL 1897, 7431;—CL 1915, 9803;—CL 1929, 10270;—CL 1948, 454.9;—Am. 1982, Act 98, Imd. Eff. Apr. 19, 1982.

454.10 Mechanics' association; consolidation agreement, contents, execution, filing, record; debts; creditors.

Sec. 10. Such agreement shall contain:

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First, The terms and conditions of such consolidation and the disposition of the corporate property of each.

Second, The name of the association thereby formed, the place where its office for the transaction of business is established, and the period for which it is incorporated, not exceeding 30 years.

Third, The purposes set forth in the first section of this act.

Fourth, The number of trustees and regular officers, and the time of holding its annual meetings,

Fifth, The terms and conditions of membership therein. Which agreement shall be executed and acknowledged, and copies thereof signed, verified, filed and recorded as provided in the first section of this act: Provided, however, That for the purposes of paying and enforcing the payment of its debts and liabilities and the protection of all the rights of creditors and claimants, the members and the property of each such association shall be subject to the same remedies as if such consolidation had not taken place.

History: 1857, Act 188, Imd. Eff. Feb. 17, 1857;—CL 1857, 1797;—CL 1871, 2804;—How. 3933;—CL 1897, 7432;—CL 1915, 9804;—CL 1929, 10271;—CL 1948, 454.10.

454.11 Mechanics' associations; libraries, maintenance and regulation.

Sec. 11. All societies or associations organized as aforesaid, shall have the right to keep and maintain libraries and make all needful by-laws for the good government and regulation of the same.

History: 1857, Act 188, Imd. Eff. Feb. 17, 1857;—CL 1857, 1798;—CL 1871, 2805;—How. 3934;—CL 1897, 7433;—CL 1915, 9805;—CL 1929, 10272;—CL 1948, 454.11.

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