ORDER OF HERMANN'S SONS
Act 78 of 1893

AN ACT to provide for the incorporation of the state grand lodge and subordinate lodges of the Order of Hermann's Sons in the state of Michigan; and to impose certain duties upon the department of commerce.

History: 1893, Act 78, Imd. Eff. May 12, 1893;—Am. 1982, Act 116, Imd. Eff. Apr. 19, 1982.

The People of the State of Michigan enact:

457.641 State grand lodge; manner of becoming body corporate and politic.

Sec. 1. That the state grand lodge of the order of Hermann's Sons in the state of Michigan that now is or may hereafter be duly instituted or organized within this state under and pursuant to the provisions of the constitution and laws of the national grand lodge of said order may become a body corporate and politic in the manner following:

First, At some regular session of such grand lodge held under and pursuant to the constitution and laws thereof, a resolution shall be put to vote of the members thereof expressing the desire and determination of said grand lodge to be incorporated and directing the proper officers thereof to perfect such incorporation pursuant to this act; and if such resolution receive a majority vote of the members present it shall be declared passed, otherwise lost;

Second, On such resolution being passed the grand president and grand secretary of said grand lodge shall prepare articles of association under their hands and the seal of the grand lodge, setting forth the number of persons then under the jurisdiction of such grand lodge, the name of the grand lodge desiring incorporation; the date of its organization, a copy from the records of said grand lodge of the resolution mentioned in subdivision first of this section, the corporate name of said grand lodge by which it shall be known in the law, the general objects and purposes of the order, and the period for which it is to be incorporated which shall not exceed 30 years;

Third, Such articles of association shall be acknowledged by the officers executing the same and shall have annexed thereto the affidavit of the grand president and the grand secretary that they are members of and occupying respectively the official positions named in such grand lodge; that the resolution, a copy of which is contained in said articles of association, was duly passed at a regular meeting of said grand lodge, and received a majority vote of the members present; that the statements in said articles of association are true to the best of their knowledge and belief; and that said grand lodge was duly instituted and is acting pursuant to the constitution and laws thereof and of the national grand lodge of said order;

Fourth, Said articles of association with such affidavit annexed thereto, shall be filed with the corporation and securities bureau of the department of commerce, and thereupon said grand lodge shall be a body corporate and politic under the name expressed in said articles of association, and by that name shall be a person in the law, capable of suing and being sued, and of transacting all the business of said order necessary, proper, or incidental to the carrying out of its objects and purposes pursuant to its constitution and laws and the constitution and laws of the national grand lodge of said order, not inconsistent herewith nor with the constitution and laws of the United States or of this state. The objects and purposes of associations organized hereunder shall be the development of social and fraternal feeling among members thereof and to provide for fraternal and mutual life insurance and fraternal benefits and assistance for the members thereof and their families.

History: 1893, Act 78, Imd. Eff. May 12, 1893;—CL 1897, 8122;—CL 1915, 10596;—CL 1929, 10797;—CL 1948, 457.641;—Am. 1982, Act 116, Imd. Eff. Apr. 19, 1982.

457.642 Hermann's Sons, grand lodge; powers.

Sec. 2. Such grand lodge, so incorporated, shall have power to create, hold and disburse beneficiary, relief, general or other funds for the benefit of sick or disabled members or of the families and heirs of deceased members of subordinate lodges of said order, and to levy assessments or dues upon the members of said order for that purpose under the constitution and laws of said order or of the national grand lodge of said order. But such corporation shall be considered as engaged in the business of life insurance and shall be subject to the provisions of the statutes of this state relating to mutual benefit companies, associations or corporations.

History: 1893, Act 78, Imd. Eff. May 12, 1893;—CL 1897, 8123;—CL 1915, 10597;—CL 1929, 10798;—CL 1948, 457.642.

457.643 Subordinate lodges; incorporation.

Sec. 3. Any subordinate lodges of the said order of Sons of Hermann that now are or may hereafter be duly instituted or organized within this state under and pursuant to the provisions of the constitution and laws of

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the said order, may become incorporated under this act in the manner following:

First, At some regular meeting of such subordinate lodge, a resolution shall be put to vote of the members thereof, expressing the desire and determination of said lodge to be incorporated, and directing the proper officers thereof to perfect such incorporation pursuant to this act; and if such resolution receive a majority vote of the members present it shall be declared passed, otherwise lost;

Second, On such resolution being passed the president and secretary of such subordinate lodge shall prepare articles of association under their hands, and the seal of such lodge, setting forth the then number of members thereof in good standing, the name of such lodge desiring incorporation, the date of its organization or institution, a true copy from its records of the resolution mentioned in subdivision first of this section, the corporate name of such lodge by which it shall be known in the law, the place where the said lodge is located and the period for which it is to be incorporated, which shall not exceed 30 years;

Third, Such articles of association shall be acknowledged by the officers executing the same and shall have annexed thereto the affidavit of the president and secretary of the said lodge that they are members thereof and occupying respectively the official positions named therein; that the resolution a copy of which is contained in said articles of association was duly passed at a regular meeting of said lodge and received a majority vote of the members present; that the statements in said articles of association are true to the best of their knowledge and belief, and that said lodge was duly instituted and is acting under the constitution and rules of said order;

Fourth, Said articles of association with said affidavit shall be executed and filed with the corporation and securities bureau of the department of commerce. And thereupon said lodge shall be and become a body corporate and politic under the name expressed in such articles of association and by that name shall be a person in the law, capable of suing and being sued and of transacting all the business of said order necessary, proper, or incidental to the carrying out of the objects and purposes of said order pursuant to its constitution and laws not inconsistent with the constitution and laws of the United States or of this state.

History: 1893, Act 78, Imd. Eff. May 12, 1893;—CL 1897, 8124;—CL 1915, 10598;—CL 1929, 10799;—CL 1948, 457.643;—Am. 1982, Act 116, Imd. Eff. Apr. 19, 1982.

457.644 Property; holding, disposition.

Sec. 4. Corporations formed pursuant to this act may take and hold personal and real property so far as may be necessary for the proper purposes of said order; and may manage, direct, control, encumber, dispose of and deal with the same in such manner as may be by the constitution and laws of said order determined from time to time.

History: 1893, Act 78, Imd. Eff. May 12, 1893;—CL 1897, 8125;—CL 1915, 10599;—CL 1929, 10800;—CL 1948, 457.644.

457.645 Evidence of contents of articles and of existence and incorporation.

Sec. 5. A copy of the articles of association of any corporation organized under this act and of the affidavit annexed thereto, certified by the corporation and securities bureau of the department of commerce, shall be received as prima facie evidence in all courts of this state of the contents thereof and of the existence and due incorporation of such corporation.

History: 1893, Act 78, Imd. Eff. May 12, 1893;—CL 1897, 8126;—CL 1915, 10600;—CL 1929, 10801;—CL 1948, 457.645;—Am. 1982, Act 116, Imd. Eff. Apr. 19, 1982.

457.646 Governing law; amendment of act.

Sec. 6. All corporations formed under this act shall be subject to the general provisions relating to corporations in this state contained in chapter 191 of Howell's annotated statutes of Michigan, so far as the same may be applicable to such corporations and not inconsistent with the provisions of this act, and the legislature may alter or amend this act at any time.

History: 1893, Act 78, Imd. Eff. May 12, 1893;—CL 1897, 8127;—CL 1915, 10601;—CL 1929, 10802;—CL 1948, 457.646.

Compiler's note: For provisions of chapter 191 of Howell's annotated statutes, referred to in this section, see MCL 450.504 to 450.525 and 450.631 et seq.

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