

CONGREGATIONAL CHURCHES (EXCERPT)
Act 53 of 1901

458.307 Powers of corporation; seal; offerings and funds for certain purposes.

Sec. 7.

Such corporation may have a seal and alter the same at will. It may, in its corporate name, sue and be sued in all courts of competent jurisdiction. Subject to the provisions of this act it shall have power to choose, call and settle a pastor and fix his salary; to elect trustees, treasurer and clerk and such other officers as may be provided for in its articles of association; to direct and control their actions; to acquire, hold, manage, control, sell and convey property both real and personal; to hold and recover all debts, damages, rights, privileges and all property, real, personal or mixed of whatsoever nature they or it may be and in whosoever hands held, belonging or appertaining to said church or to the religious organization out of which it is incorporated or reincorporated the same as if the right and title to said property had originally been vested in said corporation. It may hold so much real estate as may be needed for the purpose of church building, parsonage and cemetery purposes and of any so-called institutional activities; it may also hold for a period not exceeding 10 years, such real estate as may be conveyed or devised to it even though the same be not needed for the purposes above mentioned or be actually occupied by it in the exercise of its franchises: Provided, however, That all property of said corporation whether real, personal or mixed or whether held in fee or in trust and the income therefrom and the proceeds thereof when sold shall, subject to the terms of any trust or trusts relating thereto or to any part thereof, be held and used by said corporation for the benefit of said church as a Congregational religious organization, and for no other purpose whatsoever, except as provided in section 8 of this act. Said corporation may and shall hold in perpetuity as a permanent fund all property given, bequeathed or devised to it or acquired by it for the purpose of an endowment, the income from which fund, subject to the terms of any specific trust or trusts relating thereto, or to any particular part thereof, may be used for any lawful purposes of said church or corporation: Provided, That as to real estate, said property, when so required by law, may be sold and the proceeds from such sale covered into said fund: And Provided further, That said corporation, in the lawful administration of said fund, may sell any property therein and re-invest the proceeds of such sale in such securities and other property as shall be lawful investments for savings banks and trustees in this state, said property and securities when acquired, to become a part of the principal of said fund: And Provided further, That none of the offerings of said church received or collected for missionary or benevolent purposes shall be used for the current running expenses of said church or corporation; nor shall any fund or funds, money or other property received, set aside, accumulated or acquired for a specific purpose be diverted to any other use without the consent of the donor or his duly authorized representatives.

History: 1901, Act 53, Imd. Eff. Apr. 9, 1901 ;-- Am. 1913, Act 298, Eff. Aug. 14, 1913 ;-- CL 1915, 11022 ;-- CL 1929, 10956 ;-- CL 1948, 458.307