

Chapter 454

TRADE AND LABOR ASSOCIATIONS

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

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 Notes: 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, 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:

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

INCORPORATION OF TRADES UNIONS AS MECHANICS' ASSOCIATIONS

Act 167 of 1869

AN ACT to authorize the incorporation of trades unions as mechanics associations under the provisions of Act No. 188 of the Compiled Laws of 1857, as amended, being sections 454.1 to 454.11 of the Michigan Compiled Laws; and to impose certain duties on the department of commerce.

History: 1869, Act 167, Imd. Eff. Apr. 5, 1869 ;-- Am. 1982, Act 87, Imd. Eff. Apr. 19, 1982

The People of the State of Michigan enact:

454.51 Association of trades unions as body corporate and politic; purposes; procedures; applicable law.

Sec. 1.

That any association of trades unions in this state, actually existing and conducting its operations under a constitution or articles of association, may become a body corporate and politic for the general purposes contemplated by Act No. 188 of the Public Acts of 1857, as amended, being sections 454.1 to 454.11 of the Michigan Compiled Laws, upon filing a copy of their constitution, or articles of association, verified by the oath of

1 or more of the executive officers of such association, in the corporation and securities bureau of the department of commerce. All such associations becoming corporations as above provided, shall be subject to the provisions of Act No. 188 of the Public Acts of 1857, as amended, except as otherwise in this act provided.

History: 1869, Act 167, Imd. Eff. Apr. 5, 1869 ;-- CL 1871, 2816 ;-- How. 3945 ;-- CL 1897, 7447 ;-- CL 1915, 9819 ;-- CL 1929, 10273 ;-- CL 1948, 454.51 ;-- Am. 1982, Act 87, Imd. Eff. Apr. 19, 1982

454.52 Trades unions; constitution or articles in lieu of agreement; trustees and officers, election.

Sec. 2.

The constitution or articles of association under which any such association may be organized, may stand in lieu of the articles of agreement required to be executed by section 2 of said act of 1857; and such constitution or articles of association may provide for the election of the trustees and other officers of such association annually or semi-annually, as the case may be: Provided, That nothing herein contained shall be so construed as to legalize any provision that may be contained in any such constitution or articles of association which is repugnant to the laws of this state, or to public justice.

History: 1869, Act 167, Imd. Eff. Apr. 5, 1869 ;-- CL 1871, 2817 ;-- How. 3946 ;-- CL 1897, 7448 ;-- CL 1915, 9820 ;-- CL 1929, 10274 ;-- CL 1948, 454.52

454.53 Trades unions; new corporation; vesting of rights; recovery.

Sec. 3.

All moneys, property or rights in action, equitably belonging to any association at the time the same may or shall become incorporated under the provisions of this act, shall vest in the corporation so formed, and may be recovered by such corporation in an action in assumpsit or on the case, from any person unlawfully withholding the same.

History: 1869, Act 167, Imd. Eff. Apr. 5, 1869 ;-- CL 1871, 2818 ;-- How. 3947 ;-- CL 1897, 7449 ;-- CL 1915, 9821 ;-- CL 1929, 10275 ;-- CL 1948, 454.53

454.54 Trades unions; alternate provisions.

Sec. 4.

Any corporation that may be formed under the provisions of this act, may be exempted from the operation of the provisions of section 5 of the aforesaid act of 1857, and may choose its officers, and conduct its operations in such manner as may be prescribed by its constitution or articles of association, subject to the restrictions contained in the proviso to section 2 of this act.

History: 1869, Act 167, Imd. Eff. Apr. 5, 1869 ;-- CL 1871, 2819 ;-- How. 3948 ;-- CL 1897, 7450 ;-- CL 1915, 9822 ;-- CL 1929, 10276 ;-- CL 1948, 454.54

Compiler's Notes: For provisions of section 5, referred to in this section, see MCL 454.5.

LABOR ASSOCIATIONS

Act 13 of 1897

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

History: 1897, Act 13, Imd. Eff. Feb. 18, 1897 ;-- Am. 1982, Act 513, Eff. Mar. 30, 1983

The People of the State of Michigan enact:

454.71 Labor associations; incorporation.

Sec. 1.

That labor associations may be incorporated under the provisions of this act.

History: 1897, Act 13, Imd. Eff. Feb. 18, 1897 ;-- CL 1897, 7434 ;-- CL 1915, 9806 ;-- CL 1929, 10277 ;-- CL 1948, 454.71

454.72 Labor associations; incorporators; articles of association, execution, contents.

Sec. 2.

Any 10 or more residents of this state, who are members of any chartered body, or of different chartered bodies, which body or bodies receive their charter from the American Federation of Labor, or from any international labor organization issuing charters under authority from the American Federation of Labor, may make and execute articles of association under their hands and seals, which said articles of association shall be acknowledged before some officer of this state having authority to take acknowledgments of deeds, and shall set forth:

First, The names of the persons associating in the first instance, their places of residence and the name and location of the labor organization or organizations to which they severally belong.

Second, The corporate name by which such association shall be known in the law.

Third, The purposes of the association, which shall be to provide a building or buildings to be used in the interests of organized labor, and the period for which such association is incorporated, not exceeding 30 years.

History: 1897, Act 13, Imd. Eff. Feb. 18, 1897 ;-- CL 1897, 7435 ;-- CL 1915, 9807 ;-- CL 1929, 10278 ;-- CL 1948, 454.72

454.73 Labor associations; articles; filing; copy of articles as evidence of existence and incorporation of association.

Sec. 3.

A copy of said articles of association shall be filed with the corporation and securities bureau of the department of commerce and thereupon the persons who shall have signed said articles of association, their associates and successors, shall be a body corporate by the name expressed in such articles of association. A copy of such articles of association, under the seal of 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 existence and due incorporation of such association.

History: 1897, Act 13, Imd. Eff. Feb. 18, 1897 ;-- CL 1897, 7436 ;-- CL 1915, 9808 ;-- CL 1929, 10279 ;-- CL 1948, 454.73 ;-- Am. 1982, Act 513, Eff. Mar. 30, 1983

454.74 Labor associations; powers.

Sec. 4.

Every corporation organized under the provisions of this act may take, receive, purchase and hold in its corporate capacity and for its corporate purposes, real and personal property, and the same or any part thereof demise, sell, convey, use and dispose of at pleasure; and may erect and own suitable building or buildings to be used in whole or in part for meetings of labor organizations or for any other purpose in the interests of labor organizations, and may borrow money, and for that purpose may issue its bonds and mortgage its property to secure the payment of said bonds.

History: 1897, Act 13, Imd. Eff. Feb. 18, 1897 ;-- CL 1897, 7437 ;-- CL 1915, 9809 ;-- CL 1929, 10280 ;-- CL 1948, 454.74

454.75 Labor associations; stock, liability of stockholders.

Sec. 5.

Every such corporation shall have full power and authority to provide by its by-laws for the issuing of certificates or shares of stock and for the manner in which the same shall be held and represented. All stockholders of every corporation formed under this act, shall be limited in their liability to creditors of any such corporation, to an amount equal to the amount unpaid on their said stock.

History: 1897, Act 13, Imd. Eff. Feb. 18, 1897 ;-- CL 1897, 7438 ;-- CL 1915, 9810 ;-- CL 1929, 10281 ;-- CL 1948, 454.75

454.76 Labor associations; new membership; stock; board of trustees, election.

Sec. 6.

Every such corporation shall have power to provide by its by-laws for succession to its original membership and for new membership, and, after it is organized, may admit to membership and sell stock to members of labor organizations recognized by the American Federation of Labor as being eligible, under its laws, rules and regulations, to receive charters from the said American Federation of Labor, and shall also have power to provide by its by-laws for election from its membership, of a board of trustees and to fix the number and term of office of such trustees.

History: 1897, Act 13, Imd. Eff. Feb. 18, 1897 ;-- CL 1897, 7439 ;-- CL 1915, 9811 ;-- Am. 1919, Act 321, Eff. Aug. 14, 1919 ;-- CL 1929, 10282 ;-- CL 1948, 454.76

454.77 Labor associations; board of trustees, powers; officers, appointment.

Sec. 7.

The management and control of the business, affairs and property of such corporation shall be vested in said board of trustees, and said board shall have power to borrow any money, and cause to be made and issued any bonds and mortgages authorized by section 4 of this act. Said trustees shall appoint from their number a president, secretary and treasurer, who shall perform the duties of their respective offices in accordance with the rules and regulations prescribed by the board of trustees.

History: 1897, Act 13, Imd. Eff. Feb. 18, 1897 ;-- CL 1897, 7440 ;-- CL 1915, 9812 ;-- CL 1929, 10283 ;-- CL 1948, 454.77

ARBEITER BUNDS

Act 42 of 1887

AN ACT to provide for the incorporation of Arbeiter Bunds.

History: 1887, Act 42, Imd. Eff. Mar. 21, 1887

The People of the State of Michigan enact:

454.101 Arbeiter bunds; incorporators.

Sec. 1.

That any number, not less than 15, of workingmen's aid societies, otherwise called Arbeiter Unterstuetzungs Vereine, which have been duly incorporated under the laws of Michigan, may unite or form a union or bund, and become incorporated under the provisions of this act.

History: 1887, Act 42, Imd. Eff. Mar. 21, 1887 ;-- How. 3934j ;-- CL 1897, 7441 ;-- CL 1915, 9813 ;-- CL 1929, 10284 ;-- CL 1948, 454.101

454.102 Arbeiter bunds; articles of association, member executing.

Sec. 2.

Any such societies, not less than 15, desiring to form an incorporated union or bund under this act, shall delegate 1 of their members, by appropriate resolution, to be entered in the records of such societies, to act in executing articles of association under this act.

History: 1887, Act 42, Imd. Eff. Mar. 21, 1887 ;-- How. 3934k ;-- CL 1897, 7442 ;-- CL 1915, 9814 ;-- CL 1929, 10285 ;-- CL 1948, 454.102

454.103 Arbeiter bunds; articles, acknowledgment, execution, contents.

Sec. 3.

Such delegates may, in behalf of their respective societies, make and execute under their hands and seals, articles of association, which articles of association shall be acknowledged before some officer of the state having authority to take acknowledgments of deeds, and shall set forth:

First, The names of the societies associating in the first instance, and their respective locations and the names of the delegates acting on behalf of such societies.

Second, The corporate name by which such association shall be known in the law.

Third, The object and purpose of such association, which shall be the general welfare of the members of the societies forming such association, and the extending to them, and their families, in case of death, such material aid as may be fixed from time to time by the constitution and by-laws of the association.

Fourth, The period for which such bund is incorporated, not exceeding 30 years;

Fifth, The time and place where the first convention of such bund shall be held.

History: 1887, Act 42, Imd. Eff. Mar. 21, 1887 ;-- How. 3934-I ;-- CL 1897, 7443 ;-- CL 1915, 9815 ;-- CL 1929, 10286 ;-- CL 1948, 454.103

454.104 Arbeiter bunds; articles, filing; body corporate, powers; property limitation; officers, appointment.

Sec. 4.

Such articles of association shall be filed with the secretary of state, and thereupon such association shall be a body politic and corporate by the name expressed in such articles of association, capable of taking, holding, and disposing of real and personal property, of suing and being sued, and of having a common seal which may be altered or changed at their pleasure: Provided, That the value of such real estate shall not exceed 10,000 dollars. Such corporation shall have full power to adopt a constitution, and to make and establish rules, regulations and by-laws for regulating and governing all the affairs and business of said corporation, and for the admission and expulsion of members, and to designate, elect or appoint from among the members of the societies forming and belonging to such corporation, such officers, and under such name and style, and with such duties as the constitution and by-laws of such corporation may from time to time prescribe. The constitution and by-laws of such corporation may be amended from time to time in such manner as may be provided by such corporation.

History: 1887, Act 42, Imd. Eff. Mar. 21, 1887 ;-- How. 3934m ;-- CL 1897, 7444 ;-- CL 1915, 9816 ;-- CL 1929, 10287 ;-- CL 1948, 454.104

454.105 Arbeiter bunds; convention of delegates, powers; meeting, time, place; delegates, selection.

Sec. 5.

The affairs of such corporation shall be controlled by a convention of delegates, which shall meet at least once in every 2 years in some suitable place in this state. Such delegates shall be appointed or elected by the respective societies forming such corporation, and the number of delegates which each society is entitled to send to such convention shall be determined by the constitution and by-laws of such association. The place of holding the first convention shall be designated by the delegates signing the articles of association under this act, and each convention held thereafter, before final adjournment, shall name the place of holding the next convention. The time of holding the same shall be specified by the constitution and by-laws of such association.

History: 1887, Act 42, Imd. Eff. Mar. 21, 1887 ;-- How. 3934n ;-- CL 1897, 7445 ;-- CL 1915, 9817 ;-- CL 1929, 10288 ;-- CL 1948, 454.105

454.106 Arbeiter bunds; articles, certified copy as prima facie evidence.

Sec. 6.

A copy of the records 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 union or bund.

History: 1887, Act 42, Imd. Eff. Mar. 21, 1887 ;-- How. 3934o ;-- CL 1897, 7446 ;-- CL 1915, 9818 ;-- CL 1929, 10289 ;-- CL 1948, 454.106

SOCIETIES TO PROMOTE INTERESTS OF TRADE AND LABOR

Act 145 of 1885

AN ACT to provide for the incorporation of societies to promote the interests of trade and labor; and to impose certain duties on the department of commerce.

History: 1885, Act 145, Eff. Sept. 19, 1885 ;-- Am. 1982, Act 425, Eff. Mar. 30, 1983

The People of the State of Michigan enact:

454.151 Society for promotion of trade and labor; incorporation; articles of association, execution; body politic.

Sec. 1.

That any number of persons not less than 5, may associate themselves together and become a body corporate and politic for the improvement of their several social and material interests, the regulation of their wages, the laws and conditions of their employment, the protection of their joint and individual rights in the prosecution of their trades or industrial avocations, the collection and payment of funds for the benefit of sick, disabled, or unemployed members, the securing of benefits to the families of deceased members, and for such other and further objects of material benefit and protection as are german to the purposes of this act. The persons so associating shall execute articles of association as hereinafter provided, sign and acknowledge the same before some officer duly authorized by the laws of this state to take acknowledgments of deeds, and upon the execution and acknowledgment of said articles of association aforesaid, the said association shall become a body politic for the purposes set forth in said articles of agreement.

History: 1885, Act 145, Eff. Sept. 19, 1885 ;-- How. 3934a ;-- CL 1897, 7451 ;-- CL 1915, 9823 ;-- CL 1929, 10290 ;-- CL 1948, 454.151

Compiler's Notes: In the first sentence of this section, the word "germain" should evidently read "germane."

454.152 Trade promotion societies; corporate name, powers.

Sec. 2.

Every association formed under the provisions of this act, shall have a corporate name, and may sue and be sued, plead and be impleaded, prosecute and defend in all courts of this state; shall hold, pay, sell, assign and lease such real, personal or mixed property as shall be required for its corporate purposes.

History: 1885, Act 145, Eff. Sept. 19, 1885 ;-- How. 3934b ;-- CL 1897, 7452 ;-- CL 1915, 9824 ;-- CL 1929, 10291 ;-- CL 1948, 454.152

454.153 Trade promotion societies; articles, contents.

Sec. 3.

The articles of association shall state:

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

Second, The purposes of the association, conforming with the provisions of this act;

Third, The corporate name and period of incorporation, not to exceed a period of 30 years;

Fourth, The terms, conditions, and qualifications of membership in the corporation;

Fifth, The officers and committees created, with the names of officers and members of committees first selected, the terms of such officers and members, and the time of holding an annual meeting.

History: 1885, Act 145, Eff. Sept. 19, 1885 ;-- How. 3934c ;-- CL 1897, 7453 ;-- CL 1915, 9825 ;-- CL 1929, 10292 ;-- CL 1948, 454.153

454.154 Trade promotion societies; by-laws, contents, enforcement.

Sec. 4.

Every association incorporated under this act shall have power to make all needful by-laws for its government and enforce the same by the usual penalties and forfeitures; may thereby establish a uniform system of dues, assessments or benefits to be levied upon members, prescribe the duties of officers, require bonds of the same for the faithful discharge of their duties.

History: 1885, Act 145, Eff. Sept. 19, 1885 ;-- How. 3934d ;-- CL 1897, 7454 ;-- CL 1915, 9826 ;-- CL 1929, 10293 ;-- CL 1948, 454.154

454.155 Trade promotion societies; officers; members; board of trustees.

Sec. 5.

The officers of the association shall consist of a president, secretary, treasurer, and board of trustees of not less than 3 members of the association. The president, secretary, and treasurer shall be ex-officio members of said board of trustees.

History: 1885, Act 145, Eff. Sept. 19, 1885 ;-- How. 3934e ;-- CL 1897, 7455 ;-- CL 1915, 9827 ;-- CL 1929, 10294 ;-- CL 1948, 454.155

454.156 Trade promotion societies; board of trustees, powers, quorum.

Sec. 6.

The board of trustees shall be the executive board of such association, and shall be charged with the general management of its affairs. Said board shall adopt by-laws for the association, and change the same at pleasure: Provided, That the by-law for the election of the members of said board of trustees and their terms of office shall be of no effect until the same is ratified by a majority vote of the members of the association. A majority of said board of trustees shall be a quorum for the transaction of business.

History: 1885, Act 145, Eff. Sept. 19, 1885 ;-- How. 3934f ;-- CL 1897, 7456 ;-- CL 1915, 9828 ;-- CL 1929, 10295 ;-- CL 1948, 454.156

454.157 Societies, unions, and associations as body corporate and politic; filing verified copies of constitution or articles of association.

Sec. 7.

All societies, unions, or associations of tradesmen or laborers actually existing and conducting their affairs under a constitution or articles of association, may become a body corporate and politic, for the general purposes of this act, upon filing a copy of their constitution or articles of the association, society, or union, verified by the oath of 1

of the executive officers of such society, association, or union in the corporation and securities bureau of the department of commerce. All societies, unions, and associations, becoming corporations as above provided, shall be subject to the provisions of this act.

History: 1885, Act 145, Eff. Sept. 19, 1885 ;-- How. 3934g ;-- CL 1897, 7457 ;-- CL 1915, 9829 ;-- CL 1929, 10296 ;-- CL 1948, 454.157 ;-- Am. 1982, Act 425, Eff. Mar. 30, 1983

Compiler's Notes: In the first sentence of this section, "œœaffarisâ€" evidently should read "œœaffairs.â€"

454.158 Trade promotion societies; existing societies, constitution or articles in lieu of articles of incorporation.

Sec. 8.

The constitution or articles of association of the society, union, or association referred to in the preceding section of this act when filed as therein provided, shall stand in lieu of the articles of incorporation required to be executed under this act and such constitution or articles of association may provide for the election of the trustees and other officers required by this act, naming the officers to act as the first incumbents: Provided; That nothing in this section contained shall be construed so as to legalize any provisions that may be contained in said constitution or articles of association, repugnant to the general laws of this state or to public justice.

History: 1885, Act 145, Eff. Sept. 19, 1885 ;-- How. 3934h ;-- CL 1897, 7458 ;-- CL 1915, 9830 ;-- CL 1929, 10297 ;-- CL 1948, 454.158

454.159 Trade promotion societies; new corporation, rights, recovery.

Sec. 9.

All moneys, properties, or rights in action, equitably belonging to any society, union, or association at the time the same shall become incorporated under the provisions of this act, shall vest in the corporation so formed, and may be recovered by such corporation in an action of assumpsit, or on the case from any person unlawfully withholding the same.

History: 1885, Act 145, Eff. Sept. 19, 1885 ;-- How. 3934i ;-- CL 1897, 7459 ;-- CL 1915, 9831 ;-- CL 1929, 10298 ;-- CL 1948, 454.159

BUILDERS AND TRADERS EXCHANGES

Act 28 of 1891

AN ACT to provide for the organization and incorporation of builder's and builders and traders exchanges; and to impose certain duties on the department of commerce.

History: 1891, Act 28, Imd. Eff. Apr. 15, 1891 ;-- Am. 1982, Act 80, Imd. Eff. Apr. 19, 1982

The People of the State of Michigan enact:

454.201 Builders and traders exchanges; incorporation, purposes.

Sec. 1.

That any number of persons, not less than 3, may associate themselves together and become incorporated as a builders or a builders and traders exchange for the purpose of providing and regulating suitable rooms or places of meeting; to promote mechanical and industrial interests, to inculcate just and equitable principles of trade, to establish and maintain uniformity in commercial usages, by rules and regulations; to acquire, preserve and disseminate valuable business information; to adjust differences and settle disputes between members, or between members and others; and for other purposes conducive to the interests of members thereof.

History: 1891, Act 28, Imd. Eff. Apr. 15, 1891 ;-- CL 1897, 7460 ;-- CL 1915, 9832 ;-- CL 1929, 10299 ;-- CL 1948, 454.201

454.202 Signing and acknowledging articles of association; filing copy of articles with department of commerce; incorporators and associates as body politic and corporate.

Sec. 2.

The incorporators shall sign and acknowledge before some person authorized to take the acknowledgment of deeds, articles of association, of which a copy shall be filed with the corporation and securities bureau of the department of commerce; and upon the filing of such articles, duly executed and acknowledged as aforesaid, the said incorporators and those who may thereafter become associated with them shall become a body politic and corporate for the purposes set forth in said articles.

History: 1891, Act 28, Imd. Eff. Apr. 15, 1891 ;-- CL 1897, 7461 ;-- CL 1915, 9833 ;-- CL 1929, 10300 ;-- CL 1948, 454.202 ;-- Am. 1982, Act 80, Imd. Eff. Apr. 19, 1982

454.203 Builders and traders exchanges; articles, contents.

Sec. 3.

The 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 located, and the period for which it is incorporated, not exceeding 30 years;

Third, Definitely and distinctly the purposes for which the corporation is formed;

Fourth, The number of its directors, if any, and regular officers and the time and place of holding its annual meeting;

Fifth, The terms and conditions of membership therein.

History: 1891, Act 28, Imd. Eff. Apr. 15, 1891 ;-- CL 1897, 7462 ;-- CL 1915, 9834 ;-- CL 1929, 10301 ;-- CL 1948, 454.203

454.204 Builders and traders exchanges; corporate powers; property limitation.

Sec. 4.

Said corporation by the name adopted by said articles shall have succession and power to sue and be sued and to adopt and use a corporate seal which it may alter and change at pleasure; may receive and hold property and effects, real and personal, by gift, devise or purchase, and may sell, mortgage or otherwise dispose of the same; may make all needful rules, regulations and by-laws for the management of its affairs, and prescribing the terms and conditions under and upon which members may be received into or expelled from said corporation, and may revise and alter the same from time to time as therein shall be provided; and may impose fines upon any of its members for breach of its rules, regulations, or by-laws, but no fine shall exceed 25 dollars: Provided, That no corporation hereby created shall, at any 1 time, hold real estate the value of which shall exceed 100,000 dollars.

History: 1891, Act 28, Imd. Eff. Apr. 15, 1891 ;-- CL 1897, 7463 ;-- CL 1915, 9835 ;-- CL 1929, 10302 ;-- CL 1948, 454.204

454.205 Builders and traders exchanges; committees of reference and arbitration; committees of appeal.

Sec. 5.

Said corporation may constitute and appoint committees of reference and arbitration, and committees of appeals, who shall be governed by such rules and regulations as may be prescribed in the by-laws for the settlement and adjustment of such matters of difference as may be voluntarily submitted for arbitration by members or others.

History: 1891, Act 28, Imd. Eff. Apr. 15, 1891 ;-- CL 1897, 7464 ;-- CL 1915, 9836 ;-- CL 1929, 10303 ;-- CL 1948, 454.205