# UNITED SPANISH WAR VETERANS
## Act 174 of 1931

AN ACT to incorporate the United Spanish War Veterans, Department of Michigan, and subordinate camps of the United Spanish War Veterans.

**History:** 1931, Act 174, Imd. Eff. May 27, 1931.

*The People of the State of Michigan enact:*

### 35.271 United Spanish war veterans; incorporation.

Sec. 1. That the United Spanish War Veterans, Department of Michigan, and subordinate camps of the United Spanish War Veterans of the Department of Michigan may be incorporated in pursuance of the provisions of this act.

**History:** 1931, Act 174, Imd. Eff. May 27, 1931;—CL 1948, 35.271.

### 35.272 United Spanish war veterans; articles of association, execution, contents.

Sec. 2. The commander, senior vice-commander, junior vice-commander, adjutant and quartermaster, of the Department of Michigan, United Spanish War Veterans, 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 officers above mentioned and their places of residence;

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

Third, The object and purpose of such association, which shall be to promote the general welfare of the order known as the United Spanish War Veterans, and the period for which it is incorporated, which shall not exceed 30 years.

**History:** 1931, Act 174, Imd. Eff. May 27, 1931;—CL 1948, 35.272.

### 35.273 Articles of association and rules and regulations; filing; body corporate, powers and duties; trust property; by-laws.

Sec. 3. A copy of said articles of association, together with a copy of the rules and regulations of the United Spanish War Veterans, shall be filed with the secretary of state, and thereupon the persons who shall sign such articles of association, their associates and successors, shall be a body politic and corporate by the name expressed in such articles of association, and by that name, they and their successors shall have succession and shall be persons in law capable to purchase, take, receive, hold and enjoy to them and their successors estates, real and personal, of suing and being sued, and to have a common seal which may be altered or changed at pleasure, but said corporation shall have no power to divert any gift, grant, or bequest from the specific purpose or purposes designated by the donor or donors. It shall also have the power to act as trustee under any gift or bequest for any specified purpose within those named by its rules and regulations or the spirit thereof, and may administer such trust by such officers and in such manner as is in accordance with such rules and regulations of the order and with the specified instructions of the donor or donors, and such trust when so created shall not be invalid for want of the names of specific beneficiaries to be benefited thereby. And in case the charter of any such camp or department should be taken away or surrendered, or whenever such camp or department shall become defunct as a corporation and incapable of carrying out the provisions of any such trust as trustee thereof, the same shall be turned over to and received by a commission, or board of trustees, of not more than 3 persons in number, which said board of trustees shall be appointed by the circuit court of the county in which said camp was organized, or if said property be real estate, in which said real estate is situated, which said board of trustees shall continue to administer said trust fund in accordance with the provisions and the spirit of the rules and regulations of the United Spanish War Veterans, and the conditions expressed in said trust, and they shall account to and be governed in the management thereof by said court, and may be required to give the same bonds as receiver appointed under the general powers of the court: Provided, That the value of the real estate and personal estate owned in fee by said camp or department, shall not exceed the value of 100,000 dollars, and that they and their successors shall have power to give, grant, sell, lease, demise and dispose of such real and personal estate or any part thereof to be disposed of, together with the proceeds, rent and income, as directed by such corporation under its rules and regulations. Said corporation shall have full power to make and establish rules and by-laws for regulating and governing all of its affairs and business not repugnant to the laws and constitution of this state or of the United States, and to designate, elect, or appoint from its members such officers under such name and style as shall be in accordance with the rules of the United Spanish War Veterans.

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**History:** 1931, Act 174, Imd. Eff. May 27, 1931;—CL 1948, 35.273.

### 35.274 Articles of association; certified copy admissible as evidence.

Sec. 4. A copy of the record of such articles of association under the seal of the state, duly certified by the secretary of state, shall be received as prima facie evidence in all courts of this state of the existence and due organization of such corporation.

**History:** 1931, Act 174, Imd. Eff. May 27, 1931;—CL 1948, 35.274.

### 35.275 United Spanish war veterans; power to charter and govern camps.

Sec. 5. Such corporation when duly formed shall have power to institute and charter camps of the United Spanish War Veterans within this state, and from time to time issue such orders for the government of camps as are not repugnant to the rules and regulations of the national headquarters of the United Spanish War Veterans of the United States.

**History:** 1931, Act 174, Imd. Eff. May 27, 1931;—CL 1948, 35.275.

### 35.276 Subordinate camps; incorporation; articles of association, execution; body corporate, powers and duties; certified copy of articles as evidence.

Sec. 6. At any time when a subordinate camp of the United Spanish War Veterans shall by a 2/3 vote of the members present, at any regular meeting of said camp, resolve to become incorporated, the commander, senior vice-commander, junior vice-commander, and adjutant of such camp, may make and execute articles of association under their hands and seals, specifying as provided in section 2 of this act, and file a copy of the resolutions passed at a regular meeting of the camp, with the clerk of the county in which such corporation shall be formed, which shall be recorded by such clerk in a book to be kept in his office for that purpose, and thereupon such camp of the United Spanish War Veterans, the officers thereof, their associates and successors, shall be a body politic and corporate by the name expressed in such articles of association, and by that name they and their successors shall have succession, and shall be persons in law with the same powers, duties and liabilities as the United Spanish War Veterans, Department of Michigan, have under section 3 of this act: Provided, That a certified copy of the record of such articles of association, under the seal of the circuit court of the county where such record is recorded, shall be received as prima facie evidence in all the courts in this state of the existence and due organization of such corporation.

**History:** 1931, Act 174, Imd. Eff. May 27, 1931;—CL 1948, 35.276.

### 35.277 United Spanish war veterans corporation; erection of buildings and memorials; joint construction with public corporation; cemeteries.

Sec. 7. Any corporation formed in pursuance of this act may erect and own such suitable memorial edifice, building, or hall, as to such corporation may seem proper for its purpose, and it may, if so desired, create for that purpose a capital stock of not more than 100,000 dollars, to be divided into shares of not more than 10 dollars each, which said shares may be subscribed for and held by any person, but in case such persons, or any persons holding shares who are not members of said camp or of the department encampment of said department, or agents of the same, they shall have no voice in the control of said building during the life of said corporation: And provided further, In case any such corporation so desires, it may, for the purpose of building any such memorial buildings, unite in the erection thereof with any township, village, city or county, to be used jointly for the purpose of the United Spanish War Veterans, and the public purposes of any such public corporation, in such manner and form as may be agreed upon by the parties thereto respectively: Provided, That in case of the joint erection of any such memorial building, that when any such camp or department becomes defunct as a corporation the said building shall belong in perpetuity to the public corporation and its successors, subject to the provisions of law. And any such corporation organized under this act may take, purchase, hold and own suitable lots or parcels of ground as may be convenient for the purposes of a cemetery, and make all lawful rules and regulations for the disposition of lots therein and the burial of the dead: Provided, This act shall not be construed to affect any municipal regulation in regard to cemeteries: And provided further, That any such corporation may join with any public corporation in the creation of any such cemetery, or division of any existing cemetery, but in case of such joint agreement, such cemetery, after the dissolution of the said corporation, shall revert to and become the property of, or subject to the control of, any such public corporation, to be maintained by it in perpetuity as a distinct United Spanish War Veteran division of such cemetery.

**History:** 1931, Act 174, Imd. Eff. May 27, 1931;—CL 1948, 35.277.

### 35.278 Application of general corporation act.

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Sec. 8. All corporations formed under this act shall be subject to the provisions of the general corporation act of this state so far as the same may be applicable to corporations formed under this act.

**History:** 1931, Act 174, Imd. Eff. May 27, 1931;—CL 1948, 35.278.

**Compiler's note:** For provisions of the general corporation act, referred to in this section, see MCL 450.1 et seq.

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