

INCORPORATIONS.

CHAPTER LII.

PROVIDING FOR THE INCORPORATION OF VOLUNTARY ORDERS,
ASSOCIATIONS AND SOCIETIES.

AN ACT to regulate the incorporation of voluntary orders,
associations and societies.

Be it enacted by the Legislative Assembly of the Territory of Dakota:

SECTION 1. Any voluntary order, association, or society, Defining what bodies may become bodies corporate. having for its object the promotion of intelligence, temperance, benevolence, social improvement, mutual aid, general agriculture and related industries, the advance of domestic manufactures, co-operative sales, purchases and shipment of property, and facilitating the transaction of business, or any one or more of these objects; and the general organization and governing body of such order, association or society for the territory, or any district or county council, or association of the same, or any subordinate council, division, lodge or association of the same, each separately and for itself under its own proper name, number and designation, according to the constitution, by-laws, rules and usages of such order, association or society, Powers of such bodies. may become a body corporate and politic with perpetual succession, and may assume a corporate name as aforesaid, by which they may sue or be sued, plead and be impleaded, in all courts of law and equity; and may have a corporate seal and the same alter and renew at pleasure; and for and in aid of the purposes of their incorporation, may take and hold lands, tenements and hereditaments, goods, chattels and money, by purchase, gift, grant, devise or bequest, and may sell, alien, devise, convey, or dispose of the same at the pleasure and as the interests of said organization may require.

Manner in which certain bodies shall proceed to become incorporated.

SEC. 2. Whenever any such council, division, lodge or body of such voluntary order, association or society shall desire to become incorporated as provided in section 1 of this act, they shall do so in the following manner, to-wit:

At any regular meeting of such council, division, lodge or body, when notice shall have been given of such purpose at the last preceding regular meeting; or at a special meeting called for that purpose, whereof notice shall have been given to at least three-quarters of the members in good and regular standing under the laws of the order, association or society, they shall declare and set forth the name or number, or both, by which they shall be known, called and incorporated; the objects of the incorporation; the place of meeting, reserving to themselves the right to change the same according to the constitution, by-laws, rules and usages of such order, association or society, and shall further set forth the place or places of business, giving the territorial jurisdiction of the corporation; the number and names of its executive committee, directors, trustees, or board of agents or business committee, under whatever name chosen, who shall not be less than three nor more than nine in number and shall be members of the body; the names and official designation of the presiding officer and the secretary, or clerk; and shall further set forth what officers or committee is authorized to carry out the purposes, represent and transact the business of the corporation.

Duty of secretary of meeting to make record and file it with county clerk.

SEC. 3. The secretary or clerk of such meeting shall make a true record of the proceedings of the meeting, setting forth all the requirements provided for in section two of this act, which shall be attested by the signature of the presiding officer, and by the secretary or clerk, as a true record, and the secretary or clerk shall deliver the same to the register of deeds of the county where such meeting shall be held, and it shall be the duty of each register of deeds in this territory immediately upon the receipt of such certified statement to record the same in a book of record to be kept by him, provided for such purposes at the expense of the county, for which services he may demand the sum of ten cents per hundred words, and from and after making such record by the register of deeds, the said executive committee, directors, trustees, or board of agents or business committee, as the case may be, and their associated members and their successors shall be

invested with all the powers and immunities incident to aggregate corporations, and a certified transcript of the record herein authorized to be made by the register of deeds, shall be deemed and taken in all courts and places whatever in this territory as *prima facie* evidence of the existence of such corporation.

SEC. 4. Whenever the general organization and governing body of such order, association or society for this territory, if there shall be such, shall desire to become incorporated as provided in section one of this act, they shall do so in the manner provided in section two, and the secretary or clerk of such meeting as in said section two provided, shall make a true record of the proceedings of the meeting, setting forth all the requirements of section two which shall be attested by the signature of the presiding officer and by the secretary or clerk, as a true record, and the secretary or clerk shall deliver the same to the secretary of the territory, who shall record and carefully preserve the same in his office, and a copy thereof duly certified by said secretary under the seal of the territory, shall be *prima facie* evidence of the existence of such corporation.

Duty of register of deeds where papers are filed.

SEC. 5. This act shall not be construed as repealing any of the provisions of an act entitled "an act to regulate incorporations," approved January 6, 1868: *Provided*, That none of the provisions of said act shall apply to or regulate any order, association or society as aforesaid, which shall become incorporated under and by virtue of the provisions of this act.

Concerning the repeal of other acts.

SEC. 6. This act shall take effect from and after its passage and approval.

When to take effect.

Approved, January 12, 1875.