

INCORPORATION.

CHAPTER 72.

[S. F. 190.]

PROVIDING FOR INCORPORATION OF CERTAIN BENEVOLENT INSTITUTIONS.

AN ACT Entitled "An Act to Provide for the Incorporation of Certain Classes
of Benevolent and Charitable Institutions."

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. WHO MAY INCORPORATE.] That lodges, chapters, posts, encampments, councils, commanderies and other similar organizations, grand or subordinate, of the fraternities or associations commonly known as the Free and Accepted Masons, Independent Order of Odd Fellows, Grand Army of the Republic, Knights of Pythias, Ancient Order of United Workmen, and other similar benevolent or charitable fraternities or associations, may become corporations upon compliance with the provisions of this act.

§ 2. ARTICLES, WHAT TO CONTAIN.] That any such lodge, chapter, post, encampment, council, commandery or other similar organizations desiring to avail itself of the provisions of this act, shall cause to be prepared articles of incorporation, which must set forth:

1. The corporate name by which said corporation shall be known.
2. The place where it shall be located.
3. The time during which it shall exist.
4. The number of its directors or trustees, and the names and residences of the members who shall serve as directors or trustees until the election and qualification of their successors in office.
5. Whether it shall be subject to any grand, supreme or sovereign lodge or other superior body or bodies.
6. The amount of property (not exceeding \$50,000) which it may hold, and the disposition to be made of the same in case of its dissolution.
7. Whether the private property of its members shall be liable for its corporate debts.

§ 3. ARTICLES TO BE ACKNOWLEDGED.] The articles of incorporation must be subscribed and acknowledged by the trustees or directors therein named, who shall append thereto an affidavit duly subscribed and sworn to by each of them, setting forth that at a

regularly called meeting of the lodge or body which it is proposed to incorporate, the date of which meeting shall be stated in such affidavit, it was voted by a majority of the members present at such meeting, to incorporate such lodge or other body, and that the affiants are the duly elected directors or trustees of such lodge or other body.

§ 4. LIABILITY.] The private property of the members of corporations formed under this act shall not be liable for its corporate debts, unless it be so provided in the articles of incorporation.

§ 5. DURATION OF CORPORATIONS.] The duration of corporations organized under this act may be perpetual if it be so stated in the articles of incorporation.

§ 6. BY-LAWS.] All corporations formed under this act shall have the power to enact by-laws not inconsistent with the laws of the United States or of the State of North Dakota, and to amend and repeal the same in such manner as the members thereof shall determine. Every corporation formed under this act shall, within three months after the filing of its articles of incorporation in the office of the Secretary of State, adopt by-laws, and file a copy thereof within one month after the adoption thereof, in the office of the Secretary of State. The copy so filed shall be certified to by the directors or trustees of the corporation as being a true copy of the by-laws of such corporation. A copy of any by-law thereafter adopted, similarly certified to, shall be filed in the office of the Secretary of State within one month after its adoption, and in case of the repeal or amendment of any by-law the directors or trustees shall within one month after such amendment or repeal, file with the Secretary of State a certificate setting forth the fact of such amendment or repeal.

§ 7. CORPORATIONS TO BE GOVERNED BY BY-LAWS.] All corporations formed under this act shall elect their directors or trustees and their other officers, and call and hold their meetings at the times, places and in the manner prescribed by their by-laws. The officers, other than directors or trustees, shall be such as the by-laws shall prescribe, and shall perform such duties as may be designated by the by-laws.

§ 8. ARTICLES, WHAT MAY CONTAIN.] It may be provided in the articles of incorporation of any corporation formed under this act, that such corporation and the members thereof shall be subject to the jurisdiction of some grand, supreme or sovereign lodge or other body or bodies of the association or fraternity to which the lodge or other organization forming such corporation may belong, and that in case such supreme, grand or sovereign lodge, or other superior body or bodies, shall at any time revoke or suspend the charter granted by it to such lodge or other organization, the corporation shall be dissolved in the manner provided by the Civil Code, upon the application to the district court of the directors or trustees of such corporation, or of a majority of the

members thereof, or of the secretary or other managing officer or officers of the grand, supreme or sovereign lodge or other superior body or bodies, to the jurisdiction of which such corporation may be subject, and that in such case the property of such corporation shall be held by the directors or trustees thereof, in trust for such grand, supreme or sovereign body or bodies, and that after the debts of such corporation shall have been paid, and upon the entry by the district court of the final decree of dissolution, the property of such corporation shall be turned over by the directors or trustees to such grand, supreme or sovereign lodge or other superior body or bodies.

§ 9. REPEAL OF CONFLICTING ACTS.] Sections 386, 403, 405, 406, 408, 410, 411 and 539 of the Civil Code, and all other laws or parts of laws in conflict, are hereby repealed, so far as they affect the corporations named in this act.

Approved March 20, 1890.

INSURANCE.

CHAPTER 73.

[H. F. 2.]

DEFINING THE DUTIES OF THE COMMISSIONER OF INSURANCE.

AN ACT Entitled "An Act Defining the Duties of the Commissioner of Insurance."

In compliance with Section 67 of Article 2 of the Constitution in reference to cases of emergency, the following bill is introduced under and by provisions of the Constitution:

WHEREAS, An emergency exists in that the duties pertaining to the office of the Commissioner of Insurance, created by the Constitution, have heretofore been performed by the Territorial Auditor, and there being no constitutional provision authorizing the said Commissioner of Insurance to take possession of said office and to execute the duties thereof; therefore,

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. TRANSFER OF AUTHORITY FROM AUDITOR TO COMMISSIONER OF INSURANCE.] That the duties pertaining to the insurance department heretofore performed by the Territorial Auditor, be and