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STATE OF MICHIGAN

LAWS RELATING TO

# OLD SOLDIERS

COMPILED UNDER THE SUPERVISION OF  
COLEMAN C. VAUGHAN  
SECRETARY OF STATE



WYNKOOP HALLENBECK CRAWFORD CO., STATE PRINTERS  
LANSING, MICHIGAN  
1916



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*Mich. Laws, statutes, etc.*

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## CHAPTER I.—INSTITUTIONS.

An Act to authorize the establishment of a home for disabled soldiers,  
sailors, and marines in the state of Michigan.

[Act 152, P. A. 1885.]

*The People of the State of Michigan enact:*

(1) § 2055. SECTION 1. That there shall be established in this state an institution under the name and style of the "Michigan soldiers' home," and that the sum of one hundred thousand dollars be and is hereby appropriated from the general fund for preparing grounds, and for the erection of suitable buildings and fixtures thereon, and furnishing and equipping the same; and the further sum of fifty thousand dollars, or so much thereof as may be necessary, for the purpose of maintaining such soldiers' home for the years eighteen hundred eighty-five and eighteen hundred eighty-six: **Appropriations made for buildings, etc.** Provided, That the board may use ten thousand dollars of the above, or so much as may be needed, to support or maintain such persons as are entitled to support under this act up to the time the home is ready for occupancy, in such manner and such place as the board may deem best: **For maintenance, etc.** Provided, however, That it shall not be lawful for the board of managers hereinafter created to draw upon the sum hereby appropriated, an amount exceeding one hundred and ten thousand dollars in the year eighteen hundred and eighty-five, and the sum of forty thousand dollars in the year eighteen hundred and eighty-six. **Proviso.**

(2) § 2056. SEC. 2. The general supervision and government of said soldiers' home shall be vested in a board of managers, to consist of six members, who shall be appointed by the governor, by and with the advice and consent of the senate, the members of which board shall hold their office for the respective terms of two, four, and six years from the first day of March, eighteen hundred and eighty-five, and until their successors shall be appointed and qualified, said respective terms of office to be designated in their several appointments, and thereafter there shall be two members of said board appointed every two years whose term of office shall continue for six years, or until their successors are appointed and qualified. The governor shall be a member of said board ex-officio, and shall be chairman thereof. **Board of managers.**

Secs. 3-5. These sections provide for the selection of a site and the erection of buildings.

Compensation of members of board.	(3) § 2057. SEC. 6. Each of the members of said board shall be entitled to receive three dollars per day for each day he shall be engaged with the business of the board and his actual and necessary expenses, the accounts for such expenses and compensation to be allowed by the board of state auditors and paid from the general fund in a similar manner to those for members of other boards of the several state institutions.
Annual meeting of board.	(4) § 2058. SEC. 7. It shall be the duty of the members of the board of managers to meet annually at the home on the second Wednesday in March of each year, and at said annual meeting they shall elect of their own body, a treasurer and a clerk, who shall hold their office for one year, and until their successors shall be elected and qualified.
Officers of.	
Other meetings. To prepare form of government, etc., for home.	(5) § 2059. SEC. 8. It shall be the duty of the board of managers to meet once in every three months, on their own adjournment, and oftener if they shall deem it advisable, at which meeting they shall prepare and carefully digest and mature a system of government for said home, embracing all such rules, regulations, and general laws as they may deem necessary for preserving order, for enforcing discipline, for preserving the health of such disabled soldiers, sailors or marines as may be received at this home.
May visit similar institutions for said purpose.	(6) § 2060. SEC. 9. For the purpose of maturing said system of government and discipline, it shall be competent for said board to authorize one of its members to visit similar institutions now in operation and by personal inspection and investigation, to acquire an insight into the principles and practical workings of said similar homes, for the information and benefit of said board; the expense actually and necessarily incurred in any such visit and investigation, to be charged against the appropriation hereinbefore made.
Commandant of home.	(7) § 2061. SEC. 10. The board of managers shall have power, and it shall be their duty to appoint a commandant for said home, who shall be an ex-officer, soldier, sailor, or marine, whose salary shall not exceed twelve hundred dollars per annum, and who shall nominate, for the action of the board of managers, all necessary subordinate officers, who shall also be ex-officers, soldiers, sailors, or marines, who may be dismissed by said commandant for inefficiency or misconduct; but in case of every removal a detailed statement of the case shall be reported to the board of managers by the commandant. The board of managers shall have power to fix the salaries of all subordinate officers: Provided, The amount so paid shall not exceed such reasonable compensation as is paid for the like service in similar institutions.
Salary of.	
Subordinate officers.	
Salaries of. Proviso.	
Who to be admitted.	(8) § 2062. SEC. 11. All honorably discharged soldiers, sailors and marines who have served in the army or navy of the United States in the late war of the rebellion, in the Mexican war, the Spanish-American war, or the war in the Philippines, and who are disabled by disease, wounds or otherwise, and who have no adequate means of support, and by



reason of such disability are incapable of earning their living and who would be otherwise dependent upon public or private charity, shall be entitled to be admitted to said home, subject to the rules and regulations that shall be adopted by the board of managers to govern the admission of applicants to said home: Provided, That no applicant shall be admitted to said home unless he served in a Michigan regiment or was accredited to the state of Michigan or was a resident of the state of Michigan for at least five years next preceding the date of his application for admission to said home: Provided, That nothing herein shall be so construed as to prevent the board of managers from admitting to membership in said home any honorably discharged soldier, sailor or marine otherwise qualified, but who has adequate means of support and is not dependent upon public or private charity, upon condition that such applicant pay to the board of managers in advance for the use and benefit of the state of Michigan, such sum for his support as said board of managers may determine to be proper.

Proviso,  
who not  
admitted.

Proviso, ad-  
mission upon  
payment.

Am. 1899, Act 62; 1907 Ex. Sess., Act 2; 1915, Act 49.

(9) SEC. 11a. The board of managers shall have power and authority to accept for the use and benefit of the state of Michigan from any soldier, sailor or marine, who is or may hereafter become a member of the home, any gift of real estate or money. Instruments conveying title to such real estate shall run to the state of Michigan as grantee: Provided, That said board of managers shall accept no gift of real estate unless the donor shall possess an unencumbered title in fee simple to the same.

Acceptance  
of gifts.

Title.  
Proviso,  
condition of  
acceptance.

Added 1915, Act 49.

(10) SEC. 11b. Any moneys which may be received by the said board of managers by virtue of and under the provisions of sections eleven and eleven-a shall be reported to and turned over to the auditor general of the state of Michigan and credited to the general fund of the state.

Disposition  
of moneys.

Added Id.

(11) § 2063. SEC. 12. The method of drawing money from the state treasury and accounting for the same shall be similar to that now in force with other state institutions, as prescribed by the general law.

Drawing and  
accounting  
for money.

Sec. 13 provided for a tax levy for the sums appropriated for 1885-6.

An Act to establish a home for widows, wives and mothers of soldiers, sailors and marines who served in the Mexican war, or late civil war, making appropriation for its erection and maintenance, and regulating the government and management thereof. (a)

[Act 212, P. A. 1893.]

*The People of the State of Michigan enact:*

**Dormitory to be erected; cost, purpose.** (12) § 2067. SECTION 1. There shall be erected upon the grounds of the Michigan soldiers' home a dormitory building, cottage or cottages, not to cost when completed, a sum to exceed twenty-five thousand dollars, for the care of widows, wives and mothers of honorably discharged soldiers, sailors or marines, who served in the Mexican war or the late civil war, or the Spanish-American war, or the war in the Philip-pines: Provided, That the wife or widow of a soldier, sailor or marine must have lived in the state at least five years next preceding her application for admission and have been married to the soldier, sailor or marine previous to the year eight-  
**Proviso.** teen hundred ninety, and must have arrived at the age of  
**Further proviso.** sixty years: Provided further, That any wife or widow of an honorably discharged soldier, sailor or marine having lived in the state at least five years, next preceding her application for admission who is totally disabled shall be eligible to ad-  
 mission to said institution.

Am. 1899. Act 139; 1913. Act 217.  
 Sec. 2. Repealed by act 139, of 1899.  
 Sec. 3. Made the necessary appropriations.

**Government.** (13) § 2069. SEC. 4. The government of this home shall be vested in the board of managers of the soldiers' home, as provided for under act one hundred and fifty-two, section two,  
**Commandant to have control.** session laws of eighteen hundred and eighty-five. The [com-  
 mandant] commandment of the soldiers' home shall have direct control and supervision of the home herein created, and the officers of the soldiers' home shall also be the official officers thereof.

**Surplus moneys, where placed.** (14) § 2070. SEC. 5. Any moneys which may be paid to the said board of managers from subscriptions, donations, or any source whatever of like private beneficence, should there be a surplus at the annual meeting at the end of the year, shall be covered into the state treasury and placed to the credit of the general fund: Provided, however, That all moneys, property or effects belonging to the residents of said home, whether derived from a pension granted said resident by the government of the United States, or otherwise, shall only come into the possession and under the control of the said board of managers, or any officer or employe thereof, except fines imposed, for the purpose of discipline and not otherwise; and said board of control and any officer or em-  
**Proviso, fines.**  
**Property, etc., when given to residents of home.**

(a) Title amended by Act 139 of 1899.

ploye of said home so receiving any property, money or effects of any resident thereof shall give proper receipt for same and hold the same in trust for said board of managers and the residence thereof for the specific purpose of paying or turning the same over to said resident at the time of his discharge from the Michigan soldiers' home and accounting for the same to the heirs or legal representatives of said residents after death.

Am. 1911, Act 102.  
Secs. 6 and 7 repealed by Act 139 of 1899.

(15) § 2073. SEC. 8. The conditions as to eligibility for admission into the home shall be: The husband or son of the applicant must have served in a Michigan regiment or have been accredited to the state of Michigan or have been a resident of the state on the fifth day of June, one thousand eight hundred eighty-four, and must have served in the army or navy of the United States during the Mexican or late civil war, and have been honorably discharged therefrom. Said applicant must be disabled by disease or otherwise, or without adequate means of support, and by reason of such disability, incapable of earning her living and dependent upon public or private charity.

Conditions  
for ad-  
mission.

Am. 1899, Act 139.

[Extract from Act 80, P. A. 1905.]

(16) SECTION 1. The board of state auditors, the board of trustees of the industrial school for boys, the state board of education, the board of guardians of the state industrial home for girls, the board of control of the Michigan college of mines, the board of trustees of the eastern Michigan asylum, the board of trustees of the Michigan asylum for the insane, the board of trustees of the northern Michigan asylum, the board of trustees of the state asylum, the board of trustees of the upper peninsula hospital for insane, the board of control of the state prison at Jackson, the board of control of the state house of correction and branch prison of the upper peninsula, the board of control of the Michigan reformatory at Ionia, the board of trustees of the Michigan school for the deaf, the board of control of the Michigan school for the blind, the board of managers of the Michigan soldiers' home, the board of control of the Michigan home for feeble minded and epileptic, the board of trustees of the Michigan employment institution for the blind, the board of control of the state public school, the state board of agriculture, the state board of fish commissioners, the Michigan state agricultural society, the board of regents of the university of Michigan, and the board of trustees of the Michigan state sanatorium for tuberculosis, shall have authority to make and prescribe rules and regulations for the care, preservation and protection of build-

State boards  
may make  
rules for care  
of property,  
etc.

May enforce  
rules and  
punish  
offenders.

ings and property dedicated and appropriated to the public use, over which they have jurisdiction or power of control and the conduct of those coming upon the property thereof, which may be necessary for the maintenance of good order and the protection of said state property; and shall have authority to enforce such rules and regulations, and empower one or more persons with the authority prescribed in this act, and cause any person or persons found guilty of a violation thereof to be punished in the manner hereinafter prescribed.

Am. 1907, Act 302.

An Act to provide for the maintenance of discipline and for the better government of the Michigan soldiers' home and the home for the soldiers, sailors and marines, who served in the late civil war, their wives and mothers.

[Act 90. P. A. 1895.]

*The People of the State of Michigan enact:*

Officers and  
rank.

(17) § 2064. SECTION 1. The officers of the Michigan soldiers' home and home for the soldiers, sailors and marines who served in the late civil war, in the Spanish-American war and in the Philippines, their wives and mothers, shall consist of a commandant, with the military rank of colonel; an adjutant, with the military rank of major; a surgeon, with the military rank of major; a quartermaster, with the military rank of captain; a chaplain with the military rank of captain; and such non-commissioned officers as the commandant may from time to time appoint.

Am. 1901, Act 81.

Duty of  
commandant  
relative to  
disorderly  
persons.

(18) § 2065. SEC. 2. It shall be the duty of the commandant to provide some suitable place within said home wherein disobedient or otherwise disorderly persons can be restrained, and the said commandant or such other officer as may be temporarily in command may place in restraint any disobedient or otherwise disorderly person, until such person can be brought before the proper judicial tribunal, or until the necessity for such restraint shall have passed away: Provided, No person shall be so restrained more than forty-eight hours.

Proviso.

Commandant  
to make  
written report  
of persons  
restrained  
to board of  
managers.

(19) § 2066. SEC. 3. It shall be the duty of such commandant to make a detailed written report of every case in which said restraint shall have been resorted to, to the board of managers of the home at the next meeting of the board after such action shall have been taken.

Sec. 4 repeals "all acts or parts of acts contravening the provisions of this act."

An Act to provide relief outside of the soldiers' home for honorably discharged indigent soldiers, sailors and marines, and the indigent wives, widows and minor children of such indigent or deceased soldiers, sailors and marines, and to repeal act number one hundred ninety-three of the public acts of eighteen hundred eighty-nine, as amended by act number two of the public acts of eighteen hundred ninety-three, and act number two hundred fifty-three of the public acts of eighteen hundred ninety-five.

[Act 214, P. A. 1899.]

*The People of the State of Michigan enact:*

(20) SECTION 1. That it shall be the duty of the board of supervisors of the several counties of this state to levy, in the year eighteen hundred ninety-nine, and annually thereafter, a tax not exceeding one-tenth of a mill on each dollar, to be levied and collected as provided by law, upon the taxable property of each township and city, for their respective counties, for the purpose of creating a fund for the relief of honorably discharged indigent soldiers, sailors and marines of the war of the rebellion and of the late war with Spain, and the indigent wives, widows, minor children and mothers of each such indigent or deceased soldier, sailor and marine and female nurses of the war of the rebellion. Such sums, when collected, shall be paid to the county treasurer of the county where such tax is levied in each of the counties of this state, to be paid out by him upon the order of the commission hereinafter provided for, duly signed by the chairman and secretary thereof: Provided however, That in case any part of such fund shall not be necessary for the purpose for which it was raised, the same shall remain in the treasury of such county as a soldiers' relief fund, and shall be considered in raising future sums therefor.

Duty of supervisor to levy tax for relief fund.

Proviso.

(21) SEC. 2. It shall be the duty of the judge of the court of probate in each county, in the year nineteen hundred, to appoint three persons, residents of such county, of whom two at least shall be honorably discharged soldiers, sailors or marines, of the United States army and navy, volunteers or regulars to be known as the "Soldiers' Relief Commission" of the county, with the powers and duties in this act provided. One of such persons shall be appointed for a term of one year; one for a term of two years and one for a term of three years, and at the expiration of the term for which each of such persons was appointed, his successor shall be appointed for a term of three years thereafter. The persons so appointed shall organize by the selection of one of their number as chairman, and one as secretary, and in the event of the death, resignation, change of residence or other disability of any member of said board, creating a vacancy, the judge of probate shall fill such vacancy by an appointment for the unexpired term. They shall each file the constitutional oath of office with the probate court, and receive the proper certifi-

Judge of probate to appoint commission.

Term of office.

Officers.

Oath.

Compensation.	cate of their appointment. They shall be entitled to reasonable compensation for their services, to be fixed and paid by the board of supervisors of their respective counties.
List of persons entitled to relief.	(22) SEC. 3. The supervisor of each township and ward in each of the counties of this state, and where there is no ward supervisor the aldermen of the several wards of every incorporated city in this state, shall, on or before the last Monday in September in each year, make and place in the hands of the soldiers' relief commission of the county, a list of all the persons entitled to relief under the provisions of this act, and the soldiers' relief commission, on the first Monday in October in each year, shall proceed to determine the amount necessary for aid and relief to be granted such persons under this act, which shall be then and there recorded in the books to be kept by the secretary of said soldiers' relief commission. The commission may determine not only the sum to be paid, but the manner of paying the same, and may discontinue the payment of such relief in their discretion, and there shall be no appeal from their decisions.
Amount of relief, how determined.	
In case of emergency supervisor or alderman shall have power to act.	(23) SEC. 4. Whenever any emergency shall arise in case of sickness, accident or death, which, in the opinion of any supervisor or alderman, needs relief, such supervisor or alderman, when inconvenient to consult any of the members of said commission, shall have the power to draw an order on the county treasurer for a sum not to exceed ten dollars, and shall certify his action and the circumstances of the case to such soldiers' relief commission, which shall ratify the same, and such commission may grant such further relief at any time as it may deem necessary: Provided however, That no claim for relief shall be allowed and paid which shall create a deficiency in the fund.
Proviso.	
Commission to make full report.	(24) SEC. 5. Said soldiers' relief commission shall make to the board of supervisors, at its October session in each year, a full report of its doings and the amount of relief money on hand, the amount expended during the year preceding, and the amount estimated for the year ensuing, and such further information and suggestions as they may consider necessary to the discharge of their duties under this act.
Unexpended moneys may be transferred to the general fund.	(25) SEC. 6. In cases where moneys have heretofore been raised by any city or township under the provisions of the acts hereinafter repealed, the balance of such moneys unexpended on the first day of April, nineteen hundred, may, by vote of the common council or township board, be transmitted to, and made a part of the general fund of such city or township, as the case may be.
Oaths, who may administer.	(26) SEC. 7. The several commissioners appointed under this act shall have power to administer oaths in the execution of the duties of their offices.
Acts repealed.	(27) SEC. 8. Act number one hundred ninety-three of the public acts of eighteen hundred eighty-nine, same being one thousand nine hundred eighty-four o. Howell's annotated

statutes, as amended by act number two of the public acts of eighteen hundred ninety-three, and act number two hundred fifty-three of the public acts of eighteen hundred ninety-five, is hereby repealed: **Provided** however, That the soldiers' relief commission of the several counties now existing thereunder shall be vested with full power and authority to discharge their duties in accordance with the provisions of said act, and the amendments thereof, until the soldiers' relief commission of the county, as provided by section two of this act, has been duly appointed and the members thereof qualified in accordance therewith.

[Extract from Act 217, P. A. 1903.]

(28) **SEC. 23.** If any member of the Michigan soldiers' home shall be adjudged insane, in pursuance of this act, he may be ordered admitted to one of said asylums as a public patient. He shall not thereby lose his connection with the said Michigan soldiers' home, and the proper officers of said soldiers' home shall claim from the general government any proportion of the cost of maintaining such insane inmate to which said soldiers' home is entitled by law. The expenses of the examination and transportation of such insane inmate to such asylum shall be paid by the state.

An Act to provide for the disposition of the money now or hereafter accumulated in the "post fund" and the "posthumous fund" of the Michigan soldiers' home.

[Act 313, P. A. 1905.]

*The People of the State of Michigan enact:*

(29) **SECTION 1.** The money on hand in the post fund and in the posthumous fund of the Michigan soldiers' home, and such money as may hereafter accumulate in said funds, may be expended by the board of managers of said home, in furnishing the new hospital, and for such other purposes for the benefit of the said home and the inmates thereof, as the said board of managers may, in its discretion, determine.

An Act to provide for the appointment of a guardian for members of the Michigan soldiers' home in certain cases.

[Act 54, P. A. 1901.]

*The People of the State of Michigan enact:*

When commandant may be appointed guardian.

(30) SECTION 1. When, in the opinion of a majority of the board of managers of the Michigan soldiers' home, it is necessary that a guardian shall be appointed for any member of said home, the judge of probate of Kent county may, upon application being made to him, appoint the commandant of the Michigan soldiers' home to the office of said guardian.

To execute bond.

(31) SEC. 2. The board of managers of said home shall require from the commandant a good and sufficient bond for the faithful performance of his duties as such guardian, and upon a satisfactory showing being made to the judge of probate that such bond has been executed, he shall not require a further bond to be given.

Action taken by managers to be recorded.

(32) SEC. 3. Whenever said board of managers deem it necessary that a guardian be appointed for any member of the Michigan soldiers' home the action taken in the matter by them shall be a matter of record upon the clerk's minutes of the proceedings of said board.

Commandant to serve without compensation.

(33) SEC. 4. The commandant of said home shall receive no fees or allowances as compensation for his services as such guardian, but actual reasonable expenses incurred in the execution of his trust may be allowed.

Property to be delivered to successor.

(34) SEC. 5. When, from any cause, the commandant of said home shall cease to hold the office of commandant, his trust as guardian of any member of said home shall also cease, and he shall turn over to his successor in office all property in his hands belonging to his wards, members of the Michigan soldiers' home, and said successor shall, ex officio, become the guardian of said wards, subject to the same conditions as would be required had he been originally appointed guardian of said wards.



## CHAPTER II.—ASSOCIATIONS.

An Act to incorporate the grand army of the republic, department of Michigan, and subordinate posts of the grand army of the republic.

[Act 37, P. A. 1883.]

*The People of the State of Michigan enact:*

(35) § 7760. SECTION 1. That the grand army of the republic, department of Michigan, and subordinate posts of the grand army of the republic of the department of Michigan may be incorporated in pursuance of the provisions of this act.

Incorporation authorized.

(36) § 7761. SEC. 2. The commander, senior vice-commander, junior vice-commander, assistant adjutant-general, of the department of Michigan, grand army of the republic, 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:

Articles of association, by whom executed and what to 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 grand army of the republic, and the period for which it is incorporated, which shall not exceed thirty years.

(37) § 7762. SEC. 3. A copy of said articles of association, together with a copy of the rules and regulations of the grand army of the republic, 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

Copy of articles of association, etc., where filed.

Body politic, etc.

May acquire and hold property.

Power to act as trustee, etc.

When trustees to be appointed by circuit court, etc.

names of specific beneficiaries to be benefited thereby. And in case the charter of any such post or department should be taken away or surrendered, or whenever such post 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 three persons in number, which said board of trustees shall be appointed by the circuit court of the county in which said post 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 grand army of the republic, 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 post or department, shall not exceed the value of one hundred thousand 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 and regulations of the grand army of the republic.

Proviso.

Rules and by-laws.

Copies of articles of association as evidence.

May charter posts, etc.

Subordinate posts of, may become incorporated.

(38) § 7763. 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.

(39) § 7764. SEC. 5. Such corporation when duly formed shall have power to institute and charter posts of the grand army of the republic within this state, and from time to time issue such orders for the government of posts as are not repugnant to the rules and regulations of the grand encampment of the grand army of the republic of the United States.

(40) § 7765. SEC. 6. At any time when a subordinate post of the grand army of the republic shall by a two-thirds vote of the members present, at any regular meeting of said post, resolve to become incorporated, the commander, senior vice-commander, junior vice-commander, and adjutant of such post, may make and execute articles of association under their hands and seals, specifying as provided in section two of this act, and file a copy of the resolutions passed at a regular meeting of the post, 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 post of the grand army of the republic, 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 grand army of the republic, department of Michigan, have under section three 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. Proviso.

(41) § 7766. **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 one hundred thousand dollars, to be divided into shares of not more than ten 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 post, 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 purposes of the grand army, 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 post 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] effect 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

May erect and own halls, etc.

May create capital stock.

Proviso.

Proviso.

Proviso.

May acquire cemeteries, etc.

Proviso.

Further proviso.

public corporation, to be maintained by it in perpetuity as a distinct grand army division of such cemetery.

(42) § 7767. SEC. 8. All corporations formed under this act shall be subject to the provisions of chapter one hundred and thirty of the compiled laws of this state so far as the same may be applicable to corporations formed under this act.

An Act to provide permanent headquarters in the capitol building for the grand army of the republic, to designate the purposes for which the same shall be used and to provide for an annual report by the commander.

[Act 8, P. A. 1897.]

*The People of the State of Michigan enact:*

Board of  
state auditors  
to set apart  
room in  
capitol.

Room in  
charge of  
whom, and  
used for  
what.

Annual  
report,  
disposition,  
etc.

(43) § 1687. SECTION 1. That the board of state auditors shall set apart a suitable furnished room in the capitol at Lansing, to be known as headquarters room of the grand army of the republic, department of Michigan. Said room shall be given like care and attention as is given to other office rooms in the capitol. The room shall be under the charge of the commander of the grand army of the republic for the department of Michigan, and such officer or officers of the grand army of the republic as he or his successors in office may appoint, and said room shall be used for the purpose of storing its supplies and property, arranging and keeping the records and history of the department of Michigan grand army of the republic, and conducting the general office business of the department as directed by the commander. The records shall be accessible under suitable rules and regulations established by the commander of the department, or his authorized assistant, to members of the grand army of the republic and others engaged in collecting historical information.

(44) § 1688. SEC. 2. The commander of the department of the Michigan grand army of the republic shall annually report to the governor on or before the first day of June of each year, such portions of the transactions of the grand army of the republic as he may deem to be of interest to that organization and to the people of the state. Said report shall include the names of the deceased members within the year, date of death, the company, regiment and post of which he was a member. Eight hundred copies of this report shall be printed and bound in paper cover. Two hundred copies shall be distributed among the members of the legislature and state officers, and six hundred copies shall be delivered to the commander of the department for distribution among the posts of the grand army of the republic.

Am. 1911, Act 159.

An Act to provide permanent headquarters in the capitol building for the Spanish war veterans, department of Michigan, to designate the purposes for which the same shall be used, and to provide for an annual report by the commander.

[Act 71, P. A. 1915.]

*The People of the State of Michigan enact:*

(45) SECTION 1. The board of state auditors shall set apart a suitable furnished room in the capitol at Lansing, to be known as "Headquarters Room of the Spanish War Veterans, Department of Michigan." Said room shall be given like care and attention as is given to other office rooms in the capitol. The room shall be under the charge of the commander of the Spanish war veterans for the department of Michigan and such officer or officers of the Spanish war veterans as he or his successors in office may appoint, and said room shall be used for the purpose of storing its supplies and property, arranging and keeping the records and history of the department of Michigan Spanish war veterans, and conducting the general office business of the department as directed by the commander. The records shall be accessible under suitable rules and regulations established by the commander of the department or his authorized assistant, to members of the Spanish war veterans and others engaged in collecting historical information.

Headquarters to be set apart.

Charge of room.

Use of room.

Records to be accessible.

(46) SEC. 2. The commander of the department of the Michigan Spanish war veterans shall annually report to the governor on or before the first day of June of each year, such portions of the transactions of the Spanish war veterans as he may deem to be of interest to that organization and the people of the state. Eight hundred copies of this report shall be printed and bound in paper cover. Two hundred copies shall be distributed among the members of the legislature and state officers, and six hundred copies shall be delivered to the commander of the department for distribution among the camps of the Michigan Spanish war veterans.

Annual report.

Copies printed. Distribution.

An Act to authorize the leasing of public buildings and parts thereof in this state to grand army posts at a nominal rent.

[Act 79, P. A. 1889.]

*The People of the State of Michigan enact:*

(47) § 3490. SECTION 1. Any county, city, town, village or school district in the state of Michigan is hereby authorized to lease for any period not exceeding five years each to

Authority to lease building, etc.

any post of the grand army of the republic established in any such county, city, town, village or school district, to be used by such post, any public building or any part thereof, belonging to any such county, city, town, village or school district, except school-houses in actual use as such, at a nominal rent to be fixed by the board of supervisors of such county, the board of aldermen of such city, the township board, the board of trustees of such village, or the school boards or boards of education of said district.

An Act to provide for the joint erection of soldiers' monumental buildings by townships, incorporated villages and cities, and to permit the same to unite with any grand army post in the erection of such buildings.

[Act 130, P. A. 1889.]

*The People of the State of Michigan enact:*

Right of townships, etc., to aid in building, etc.

(48) § 1700. SECTION 1. That whenever any township, incorporated village, or city, or county, in which a soldiers' monumental building is proposed to be erected by any post or posts, or the department of Michigan, of the order known as the grand army of the republic, shall desire to unite with such post or department in the erection of such building for township, village or city purposes, such township, village or city shall have the right to aid and assist in the construction and building of the same to the same extent as though such [building] buildings were to be used solely for such township, village and city or county purposes, and such township, village, city or county shall have power, and they are hereby authorized to contract with any such post or department, whenever the same shall have been incorporated, and thereby determine the proportions that said township, village, city or county shall pay towards the construction of said building, the architecture and arrangement of the same, and the separate portions respectively which shall be occupied or used by the respective parties to such contract.

May contract with post, etc.

Building committee, etc.

(49) § 1701. SEC. 2. And for the purpose of carrying the same into effect, the said township, village, city or county is authorized to appoint by its township board, village trustees, or common council of any such city, or board of supervisors of any such county, a board of three trustees, who shall constitute the building committee in behalf of said township, village, city or county, under the supervision of the township board, village trustees or common council, or board of supervisors appointing them, and who shall have power under such supervision to make the contracts hereinbefore specified, and

Power of, etc.

oversee, on the part of such township, village, city or county, the work of constructing such building, and who shall audit and sign all vouchers on the account of the same.

(50) § 1702. SEC. 3. It is further provided that the township, village, city or county so uniting in the erection of any such building may raise the funds necessary for the same in the same manner and to the same extent as is now provided by law for the building of municipal buildings.

Funds,  
raising of,  
etc.

(51) § 1703. SEC. 4. Such buildings shall be and remain the property of the said municipal corporation after the dissolution of such grand army post, but it shall be forever dedicated as a memorial building to the memory of the union soldiers of the war of the rebellion, and all relics, documents, books, papers and library belonging to such defunct post, or which may be deposited afterwards for such purpose, shall be cared for therein by proper supervision, by the public authorities, in a proper room or rooms kept for that purpose, and which shall at all reasonable times be kept open and free to the public: Provided, That in case any surviving organization of the descendants of such soldiers become and remain an incorporated body, as such incorporated organization may, at its option, and said town, village, city or county is hereby authorized and required, if so desired, to permit the said incorporated organization to maintain, so far as possible, the same relations to the said municipal corporations in said buildings, in substantially the same manner and to the same extent, during the life of said corporation or that of any corporation formed as its successor, having the same ends in view as the posts or department of the grand army of the republic might or could do: And provided further, That the amount of money contributed by said post or department to the construction of said building, in case the same, upon the dissolution of such post or department, shall be and remain so long as may be necessary a perpetual fund devoted to the maintenance of such building as a memorial building.

Building,  
disposition  
of, etc.

Proviso.

Further  
proviso.

## CHAPTER III.—DECEASED SOLDIERS AND SAILORS.

An Act to provide for the payment and reimbursement by counties, in certain cases upon application therefor, of expenses incurred in the burial of the bodies of army nurses, honorably discharged soldiers, sailors or marines, or the wives or widows of said soldiers, sailors or marines, and to repeal act number two hundred fifty-two of the public acts of nineteen hundred nine, approved June two, nineteen hundred nine.

[Act 235, P. A. 1911.]

*The People of the State of Michigan enact:*

Soldiers and  
sailors, burial  
provided for.

(52) SECTION 1. Hereafter whenever any honorable [honorably] discharged union soldier, sailor or marine, having served in the army or navy of the United States during the civil war or the late war with Spain, or the wife or widow of such soldier, sailor or marine, or any army nurse who was employed as a nurse by authority which is recognized by the war department, and who rendered actual service as a nurse in attendance upon the sick and wounded in any regimental post, camp or general hospital of the armies of the United States for a period of six months or more, and who was honorably relieved from such service, shall die, not possessed of an estate, both real and personal, exceeding the sum of one thousand five hundred dollars, and is a resident of this state, it shall be the duty of the board of supervisors in the respective counties, or the board of county auditors in counties having a board of county auditors, upon application therefor by the executor or administrator of the estate of such deceased person, or by the person or persons who may have incurred or advanced the expenses in connection with the burial of said army nurse, soldier, sailor, marine, or the wife or widow of said soldier, sailor or marine, to pay to the estate of such deceased person, or to the person or persons who incurred or advanced such expense, a sum not to exceed fifty-five dollars for the purpose of reimbursing such person or persons for the expenses thus incurred.

Amount paid.

Board of  
supervisors  
to appoint.

(53) SEC. 2. It shall be the duty of the board of supervisors, or board of county auditors in counties having a board of county auditors, of each county in this state to appoint in each township and ward, in their respective counties, a suitable person other than those designated for the care of paupers and the care of criminals, whose duty it shall be in the township or ward, whenever application is made for reimbursement by the county for such funeral expenses paid or advanced, or incurred for the burial of such deceased person, to make an investigation of such claim and report his action to the clerk of the board of supervisors of the county, or to the clerk of the board of county auditors as the case



may be, in all cases setting forth all the facts, together with the name, rank and command to which such soldier, sailor or marine belonged, and in case of such wife or widow, the rank and command to which her husband or deceased husband belonged, the name and service rendered as such army nurse, the date of his or her death, place where buried, and his or her residence and occupation while living. He shall require such person or persons who paid, advanced or incurred such burial expenses for such deceased person to furnish the board of supervisors, or board of county auditors in counties having a board of county auditors, with a sworn itemized statement of the expense incurred in the burial of the deceased person mentioned in the application. The person so appointed as aforesaid shall receive from the county the sum of two dollars per day for the time actually and necessarily employed by him in the performance of his duties.

Compensation.

(54) SEC. 3. It shall be the duty of the clerk of the board of supervisors or board of county auditors as the case may be upon receiving the report and statement of expenses provided for in the preceding section, to transcribe in a book kept for that purpose all the facts contained in said report respecting such deceased soldier, sailor or marine, or the deceased wife or widow of the same, or such deceased army nurse, and to report such application and statement to the board of supervisors or the board of county auditors, as the case may be, at the next meeting thereof. It shall be the further duty of said clerk upon the death and burial of any such soldier, sailor or marine, and upon request therefor, to make application to the proper authorities under the government of the United States for a suitable headstone as is now or may hereafter be provided by act of congress, and to cause the same to be placed at the head of the grave of such deceased soldier, sailor or marine. And also, to cause a suitable headstone to be placed at the head of the grave of the deceased wife or widow of such soldier, sailor or marine or army nurse if the same shall now or hereafter be provided by act of congress.

County clerk, duty of.

(55) SEC. 4. All expenses incurred in such burial as provided in this act, shall be audited and paid by the board of supervisors, or board of county auditors in counties having a board of county auditors, the same as other legal charges against the county.

Expenses, how paid.

(56) SEC. 5. Act number two hundred fifty-two of the public acts of nineteen hundred nine, approved June two, nineteen hundred nine, is hereby repealed.

Act repealed

An Act to authorize the board of supervisors of any county in this state to purchase lots in any cemetery or burial place for deceased soldiers, sailors and marines.

[Act 33, P. A. 1887.]

*The People of the State of Michigan enact:*

Lawful for board of supervisors to purchase lots, etc.

(57) § 1697. SECTION 1. That it shall be lawful for the board of supervisors of any county in this state to purchase one or more lots in any cemetery or burial place, for deceased soldiers, sailors and marines, who have served in the army of the United States in the late war of the rebellion.

Title, in whom vested etc.

(58) § 1698. SEC. 2. The title to such lots in any such cemeteries shall be vested in such county, or in such incorporated post of the grand army of the republic, as the board of supervisors may designate, such title to be held by such post of the grand army of the republic, and the title to such lots in any such cemeteries shall revert to the county when such post of the grand army of the republic shall cease to be a legal corporation.

An Act to authorize the purchase and improvement of grounds in a cemetery in or near Detroit, for the interment of deceased Michigan soldiers not otherwise provided a final resting place, and to make the necessary appropriations therefor.

[Act 45, P. A. 1873.]

SECTION 1.

This section provides for "purchasing and improving lots or grounds in a cemetery in or near Detroit, to be set apart and used exclusively as a place of interment for deceased Michigan soldiers and sailors of the war of the rebellion, not otherwise provided a final resting-place, and for the re-interment of soldiers and sailors heretofore buried in Elmwood cemetery under the direction of the state military board."

State military board to have charge.

(59) 1699. SEC. 2. That the state military board are hereby authorized to contract for the purchase and improvement of the said lots or grounds, and to take a deed therefor in the name of the state of Michigan, which deed shall be filed with the secretary of state and approved by him. The expenditures under this act shall be upon the certificate of the said board, upon which the auditor general shall draw his warrant upon the state treasurer in favor of the corporation or parties to whom the money may be due. The grounds shall remain under the charge and control of the state military board.

SOLDIERS' MONUMENT.—Act 1 of 1883, p. 1, makes an annual appropriation of not to exceed \$100 for the care and preservation of the soldiers' and sailors' monument at Detroit.

An Act to provide for the furnishing, at public expense, suitable markers for the graves of honorably discharged soldiers, sailors and marines, who served in the army of the United States, to provide for the marking and designation of such graves for memorial purposes, to provide a penalty for the removal or destruction of such markers or designs when placed, and to repeal act number one hundred thirty-six of the public acts of nineteen hundred seven, approved June twelve, nineteen hundred seven.

[Act 63, P. A. 1915.]

*The People of the State of Michigan enact:*

(60) SECTION 1. The common council, board of trustees or township board of every city, village or township in this state shall, upon the petition of any five reputable freeholders of any such city, village or township, procure for and furnish to said petitioners, at the expense of such city, village or township, some suitable and appropriate metal marker for the grave of each and every dead soldier, sailor and marine who served in the army of the United States and who is buried within the limits of said city, village or township, or within the limits of any cemetery belonging to any such city, village or township, or within the limits of any cemetery generally used by the population of any such city, village or township for burial purposes, and in which its soldiers, sailors or marines have been buried, and which is not controlled by the township authorities in which such cemetery is located; such metal markers so furnished to be placed on the grave of each soldier, sailor and marine for the purpose of marking and designating such grave for memorial purposes.

Metal markers to be furnished.

(61) SEC. 2. In all petitions to such common councils or boards, the petitioners shall set forth the names of all such soldiers, sailors and marines whose graves have not been appropriately marked as contemplated in this act, together with the number of such graves at the time of petitioning, and cemetery or cemeteries wherein the same are located.

Petitions, what to set forth.

(62) SEC. 3. Any person who shall wilfully take down, destroy, deface or carry away any such marker or other design or memorial flag placed at any such grave or graves for memorial purposes without authority from the person or persons causing the same to be placed in said cemetery or at such grave or graves, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be liable to a fine of not less than five nor more than fifty dollars, or imprisonment in the county jail for a period not exceeding ninety days or by both such fine and imprisonment in the discretion of the court.

Destruction, a misdemeanor.

Penalty.

(63) SEC. 4. Act number one hundred thirty-six of the public acts of nineteen hundred seven, approved June twelve, nineteen hundred seven, is hereby repealed.

Act repealed.

An Act to authorize townships, cities and villages to appropriate money to defray the expenses of the proper observance of Memorial or Decoration day.

[Act 110, P. A. 1905.]

*The People of the State of Michigan enact:*

Who may appropriate money for Memorial day.

Proviso as to amount.

Amounts, how assessed, etc.

Who to direct observance of.

(64) SECTION 1. It shall be lawful for the township board of any township, the board of trustees of any village or the common council of any city in this state, to appropriate money for the purpose of defraying the expenses of the proper observance of Memorial or Decoration Day: Provided, That the amount expended in any one year under the provisions of this act shall be limited as follows: In any township, city or village having a population of less than five thousand inhabitants, a sum not exceeding fifty dollars; in any village containing not less than five thousand inhabitants, a sum not exceeding one hundred dollars; in any village or city containing not less than ten thousand inhabitants, a sum not exceeding one hundred twenty-five dollars, and in any village or city containing not less than twenty thousand inhabitants, a sum not exceeding one hundred fifty dollars. The sums hereby authorized to be appropriated shall be assessed, levied and collected in the same manner as other expenses of such township, village or city are assessed, levied and collected.

(65) SEC. 2. The manner and extent of such observance of Memorial or Decoration day shall be under the direction of the township board of the township, board of trustees of the village or common council of the city, as the case may be, and the expense thereof shall be paid in the same manner as other expenses of such township, village or city are paid.

Concurrent Resolution providing for the designation of a day to be known as "Flag Day."

[C. Res. 10, P. A. 1901.]

(66) WHEREAS, The fourteenth day of June has been accepted by common consent as "Flag Day" throughout the United States, therefore be it

*Resolved by the House of Representatives* (the senate concurring), That the governor be authorized, and he is hereby requested to issue his proclamation calling the attention of the people to the observance of a day in honor of the stars and stripes, the day to be designated as "Flag Day."

## CHAPTER IV.—EXEMPTIONS AND PRIVILEGES.

[Extract from Act 206, P. A. 1893.]

(67) § 3830. SEC. 7. The following real property shall be exempt from taxation:

- First, All public property belonging to the United States; Federal property.
- Second, All public property belonging to the state of Michigan, except licensed homestead lands, part paid lands held under certificates and lands purchased at tax sales and still held by the state; State property.
- Third, Lands owned by any county, township, city, village or school district and buildings thereon, used for public purposes; Public purposes.
- Fourth, Such real estate as shall be owned and occupied by library, benevolent, charitable, educational and scientific institutions incorporated under the laws of this state, with the buildings and other property thereon while occupied by them solely for the purposes for which they were incorporated: Educational institutions, etc.
- Provided, That such exemption shall not apply to fraternal or secret societies, but all charitable homes of such societies shall be exempt; Proviso.
- Fifth, All houses of public worship with the land on which they stand, the furniture therein and all rights in the pews, and also any parsonage owned by any religious society of this state and occupied as such; Religious societies.
- Sixth, All lands used exclusively as burial grounds and the rights of burial therein, and the tombs and monuments therein while reserved and in use for that purpose: Cemeteries.
- Provided, That the stock of any corporation owning such burial grounds shall not be exempt; Proviso.
- Seventh, The real and personal property of persons who, in the opinion of the supervisor and board of review, by reason of poverty, are unable to contribute toward the public charges; Indigent persons.
- Eighth, The real property of corporations exempt under the laws of this state, by reason of paying specific taxes in lieu of all other taxes for the support of the state: Specific taxes, in lieu of.
- Provided, That the track, right of way, depot grounds and buildings, machine shops, rolling stock and all other property necessarily used in operating any railroad in this state belonging to any railroad company, shall henceforth be made exempt from taxation for any purpose, except that the same shall be subject to special assessments for local improvements in cities and villages, and all lands owned or claimed by any such railroad company not adjoining the track of such company shall be subject to all taxes; Proviso.

- Agricultural societies.** Ninth, Property owned exclusively by the state agricultural society or any county or district agricultural society, and used by any such society exclusively for fair purposes;
- Public parks, etc.** Tenth, All lands dedicated to the public and actually used as a park, and any monument ground or any armory belonging to any military organization and not used for gain or any other purposes;
- Homesteads.** Eleventh, All real estate to the value of one thousand dollars used and owned as a homestead by any soldier or sailor of the federal government who served three months or more during the civil or Mexican war, and all real estate to the value of one thousand dollars used and owned as a homestead by any wife or widow of such soldier or sailor: Provided, however, That should such homestead exceed in value the sum of one thousand dollars it shall be exempt only to the amount of such sum: Provided further, That any soldier or sailor or the wife or widow of any such soldier or sailor desiring to accept the benefits named in this section as to the exemption from taxation shall make and file with the supervisor or assessing officer an affidavit stating under oath that he was a soldier or sailor of the federal government during the civil or Mexican war for a period of not less than three months, and in case it be the wife or widow of a soldier or sailor making such application, such affidavit must state that she is the wife or widow of a soldier or sailor of the federal government at the present time, who served not less than three months as such soldier or sailor during the civil or Mexican war. The said affidavit shall be sworn to before said supervisor, assessing officer or any officer authorized to administer oaths and then filed by the said officer in his office and turned over to his successor, where the same shall be open to inspection. Any person making a false affidavit in any particular for the purpose of exemption from taxation shall be deemed to be guilty of the crime of perjury, and punished accordingly: Provided, however, That this exemption shall not operate to relieve from the payment of taxes any of the persons hereinbefore enumerated who are the owners of taxable property of greater value than three thousand dollars.
- Proviso.**

Am. 1909, Act 309; 1911, Act 174.

- Personal property.** (68) § 3832. SEC. 9. The following personal property shall be exempt from taxation, to wit:
- First. The personal property of benevolent, charitable, educational and scientific institutions incorporated under the laws of this state: Provided, That such exemptions shall not apply to secret or fraternal societies, but the personal property of all charitable homes of such societies shall be exempt;
- Second. Of all library associations, circulating libraries,

libraries of reference and reading rooms owned or supported by the public and not used for gain;

Third. Of all posts of the grand army of the republic, sons of veterans' unions, and of the women's relief corps connected therewith, of all young men's Christian associations, and of women's Christian temperance union associations, young people's Christian unions, and other similar associations;

Fourth. Pensions receivable from the United States;

Fifth. So much of the debts due or to become due as shall equal the amount of bona fide and unconditional debts by the person owing;

Sixth. The property of Indians who are not citizens;

Seventh. The library, family pictures, school books, one sewing machine used and owned by each individual or family, and wearing apparel of every individual;

Eighth. Household furniture, provisions and fuel to the value of five hundred dollars to each household: *Provido.* No person paying board shall be deemed a householder;

Ninth. The working tools of any mechanic not to exceed in value the sum of one hundred dollars;

Tenth. Of all fire engines and other implements used in extinguishing fires, owned or used by any organized or independent fire company;

Eleventh. All mules, horses and cattle not over one year old, all sheep and swine not over six months old, and all domesticated birds;

Twelfth. Personal property owned and used by any householder in connection with his business of the value of two hundred dollars.

Am. 1909. Act 309.

An Act to prefer ex-soldiers for public employments.

[Act 205, P. A. 1897.]

*The People of the State of Michigan enact:*

(69) § 1690. SECTION 1. In every public department, and all public departments in all municipal corporations, and upon the public works of the state of Michigan, honorably discharged union soldiers, sailors and marines of the late rebellion, and the soldiers, sailors and marines of the late Spanish-American war shall be preferred for appointment and employment; age, loss of limb or other physical impairment which does not, in fact, incapacitate, shall not be deemed to disqualify them: *Provido,* however, That the applicant shall be of good moral character and shall have been a resident of the state for at least two years and of the county in which

*Ex-soldiers, etc., preference given in public employment.*

*Provido, character, residence, etc.*

the office or position is located for at least one year, and possesses other requisite qualifications.

Am. 1899, Act 85; 1907, Act 329.

Removal or  
transferral  
hearing.

(70) § 1691. SEC. 2. No veteran or other soldier, sailor or marine as indicated in the preceding section holding an office or employment in any public department or public works of the state, or of any city, town or village of the state shall be removed or suspended or shall, without his consent be transferred from such office or employment except after a full hearing before the governor of the state, the mayor of such city or before the common council of such town or village, and at such hearing the veteran shall have the right to be present and to be represented by counsel. Such removal, suspension or transfer shall be made only upon a written order of the governor, mayor, or the common council.

Order.

Am. Id.

Misdemeanor.

(71) SEC. 3. A violation of any of the provisions of this act, by a person having the power of appointment to a position, under him, in either of the departments mentioned in section one, shall be deemed a misdemeanor and upon conviction thereof in any court of competent jurisdiction shall be punished by a fine of not less than fifty dollars, and not more than one hundred dollars, or by imprisonment in the county jail not to exceed ninety days or by both such fine and imprisonment in the discretion of the court.

Penalty.

Added 1907, Act 329.

Rejection of  
application;  
remedy.

(72) SEC. 4. In case the application of any such soldier, sailor or marine, shall be rejected by the person having the power of appointment to the position for which he has applied, he shall be entitled to remedy therefor by mandamus to enforce the provisions of this act.

Added Id.

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An Act to prevent persons from unlawfully using or wearing the badge or button of the grand army of the republic, the loyal legion of the United States, or the United Spanish war veterans, and to repeal section eleven thousand seven hundred sixty-eight of the compiled laws of eighteen hundred ninety-seven.

[Act 109, P. A. 1905.]

*The People of the State of Michigan enact:*

Misdemeanor,  
who deemed  
guilty of.

(73) SECTION 1. Any person who shall wear the badge or button of the grand army of the republic, the loyal legion



of the United States, or the United Spanish war veterans without being entitled to use or wear the same under the rules and regulations of such several organizations, or who shall use or wear the badge or button thereof to obtain aid or assistance thereby within the state shall be guilty of a misdemeanor and if convicted thereof, shall be punishable by imprisonment in the county jail for a term not exceeding thirty days, or a fine not exceeding twenty dollars, or by both such fine or imprisonment in the discretion of the court. Penalty.

(74) SEC. 2. Section eleven thousand seven hundred sixty-eight of the compiled laws of eighteen hundred ninety-seven is hereby repealed. Section repealed.

#### CHAPTER V.—MISCELLANEOUS.

An Act to authorize and require county clerks to record soldiers' discharges.

[Act 83, S. L. 1867.]

*The People of the State of Michigan enact:*

(75) § 1704. SECTION 1. That the county clerks of the several counties in this state be and are hereby directed to procure, at the expense of the respective counties, suitable books in which to record soldiers' discharges. Record books authorized.

(76) § 1705. SEC. 2. It shall be the duty of each county clerk, on payment to him of the fees hereinafter provided, to enter at large, upon such record book, all soldiers' discharges that may be presented to him for record, and to fully index the same, arranging the names of the soldiers alphabetically: Provided, That no such discharges shall be recorded as aforesaid, unless proof of identity of the person named in such discharges shall be made as hereinafter directed. Duty of county clerk.

(77) § 1706. SEC. 3. To entitle a discharge to be recorded, there shall be attached thereto proof of identity of the person named therein, as follows: If the clerk shall personally know the person presenting such discharge to be the person described therein, he shall make, attach to, and record with such discharge, the following certificate: "I, \_\_\_\_\_, clerk of the county of \_\_\_\_\_, do hereby certify that I am personally acquainted with \_\_\_\_\_ and know him to be the identical person named in the discharge presented for record, and recorded herewith;" and if the county clerk shall not personally know the person named in said discharge, the same shall not be recorded unless there be made and attached thereto, an affidavit, subscribed and sworn to by two witnesses (citizens of said county), before the county clerk or some justice of the peace, or notary public of his county, which affi- Proof of identity.  
If personally known.  
If not personally known.

davit shall be in the following form: "On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 18\_\_\_\_, before me, a \_\_\_\_\_ in and for said county, personally appeared \_\_\_\_\_ and \_\_\_\_\_, citizens of said county (with whom I hereby certify that I am personally acquainted), who being by me duly sworn, severally depose and say that they are personally acquainted with \_\_\_\_\_, who, in their presence, presents his discharge, and know him to be the identical person named in said discharge."

Clerk's fee.

(78) § 1707. SEC. 4. The county clerk shall receive as his fee for certifying or taking the affidavit as above provided, and making such record as hereinbefore required, the sum of fifty cents, to be paid at the time such discharge, with the certificate or affidavit thereto attached, or written thereon, is received for record.

When paid.

Sealed certificate of record taken as evidence.

(79) § 1708. SEC. 5. Certified copies of such record, under the seal of the circuit court of the county in which such discharge is recorded, shall be received as evidence of the contents of the original discharge, in all cases where such evidence may be required.

An Act to provide for expense of furnishing official information from the records of the adjutant general's office for which no provision is made, pertaining to the enlistment, muster, history and final disposition of the soldiers and sailors from this state during the war of the rebellion and Spanish-American war; to furnish certificates of service to applicants where the soldier's muster out or discharge papers are lost; to furnish such information from the records of the office as to establish the soldier's or sailor's military or naval history; to distribute the regimental records, and to make an appropriation therefor, and to provide for a tax to meet the same.

[Act 89, P. A. 1909.]

*The People of the State of Michigan enact:*

Adjutant general to furnish history, etc., of soldiers.

(80) SECTION 1. The adjutant general is hereby authorized and directed to furnish the military or naval history of each soldier and sailor, so far as practicable and possible from records of the war and navy departments or other authentic sources, who enlisted from or was credited to this state during the war of the rebellion and the Spanish-American war; to furnish certificates of the military or naval history of soldiers and sailors whose muster out rolls or discharge papers have been lost, and to provide such other information as may be deemed necessary to establish proofs of identity and correct names whenever requested so to do without expense to applicant, and to issue regimental records and other military publications upon application.

Appropriation.

(81) SEC. 2. To defray the expense of necessary printing, postage and clerical service for the purpose mentioned in

this act there is hereby appropriated for the fiscal year ending June thirtieth, nineteen hundred ten, the sum of seven hundred fifty dollars, and for the fiscal year ending June thirtieth, nineteen hundred eleven, the sum of seven hundred fifty dollars.

(82) SEC. 3. The auditor general shall add to and incorporate in the state tax for the year nineteen hundred nine, the sum of seven hundred fifty dollars, and for the year nineteen hundred ten, the sum of seven hundred fifty dollars, which when collected shall be credited to the general fund to reimburse the same for the money hereby appropriated.

To be incorporated in state tax.

An Act to provide for the management and control of the military museum and old battle flags.

[Act 230, P. A. 1911.]

*The People of the State of Michigan enact:*

(83) SECTION 1. The military museum shall be kept in the rotunda in the capitol on the basement floor, until such time as the state provides a grand army memorial building. The battle flags shall be kept in the cases they now occupy, in the rotunda on the first floor of the capitol, for all time and never be taken out unless some other provisions shall be made by the legislature in reference thereto.

Military museum.

(84) SEC. 2. The board of state auditors shall have full control and management of the museum and battle flags, and a committee of three veterans of the civil or Spanish-American war shall be appointed by the department commander, grand army of the republic, to act jointly with the board of state auditors, in soliciting relics, placing them in position and such other assistance as the board may require of them.

Management.

(85) SEC. 3. The board of state auditors is authorized to pay any and all freight or express on relics that it considers of value.

Express, etc.

(86) SEC. 4. All acts or parts of acts so far as they contravene the provisions of this act are hereby repealed.



