

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 100

In Senate, Jan. 27, 1913.

Came from the House referred to the Committee on Judiciary and on motion by Senator Stearns of Oxford laid on the table and bill ordered printed pending reference in concurrence.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

PETITION.

*To the Honorable Senate and House of Representatives in
Legislature Assembled:*

We, the undersigned, duly authorized, hereby petition your honorable Body to repeal Chapter 151 of the Private and Special Laws of the State of Maine, for the year 1887, entitled "An act to create the Roman Catholic Bishop of Portland and his successors, a Corporation Sole" and to substitute in its stead an

act providing for the incorporation of Roman Catholic Parishes.

GODFREY S. DUPRE,
GEORGE C. PRICOURT,
ALBERT C. MAYNARD,
ALBERT J. BELAND,
ALFRED BONNEAU,

*Members of the Executive Committee of the
French-American Catholics of the State
of Maine.*

Be it enacted by the People of the State of Maine, as follows:

Section 1. Chapter one hundred and fifty-one of the Private and Special laws of the State of Maine for the year 1887, creating the Roman Catholic Bishop of Portland and his successors, a corporation sole, is hereby repealed. Provided, however, that debts contracted and securities lawfully given by said Roman Catholic Bishop of Portland shall become the debts of and an encumbrance on the property, real and personal, of the parishes and corporations organized and created by this and the twelve following sections of this chapter; but the creditors, pledgees or mortgagees, of the said Roman Catholic Bishop of Portland shall, within two years from the first day of August, 1913, and six months before the commencement of any process to collect, enforce or foreclose, any debt, pledge or mortgage, against the property, real or personal, and heretofore held by the said Roman Catholic Bishop of Portland, give notice of their election and intention to so collect, enforce and foreclose, to the

18 Roman Catholic Bishop of Portland and to the said parishes
19 and corporations; provided further, that real and personal
20 property, received, taken and held in trust by said Roman
21 Catholic Bishop of Portland for charitable, educational,
22 burial, religious and church purposes, shall be received,
23 taken, held and used for charitable, educational, burial, re-
24 ligious and church purposes, by the persons, societies, cor-
25 porations or parishes for the benefit and uses of which said
26 property, real and personal, has been heretofore held by said
27 Roman Catholic Bishop of Portland, provided, said persons,
28 societies, corporations or parishes shall become parishes and
29 corporations under this and the nine following sections of
30 this chapter. Provided always, that it may be lawful for
31 the Bishop of the Diocese of Portland, in said State of
32 Maine, to hold the aforesaid property, real and personal,
33 until the said persons, societies, corporations and parishes
34 shall have seen fit to become incorporated as is prescribed
35 in this chapter; and to hold such other property, real or per-
36 sonal, as is not and may not be by right claimed by any per-
37 son, society, corporation or parish.

Sect. 2. When five or more members of any Roman Cath-
2 olic Parish or Church now existing, who are twenty-one
3 years of age and upward, are desirous of becoming an in-
4 corporated Roman Catholic Parish or Church, they may
5 apply to a Justice of the Peace, who shall issue his warrant
6 to one of them, directing him to notify the other applicants
7 to meet at some proper place designated in said warrant;

8 and he shall give notice of such meeting seven days at least
9 before holding the same, by posting a notification thereof
10 on the outer door of such church, or at such other place as
11 the Justice appoints.

Sect. 3. Such persons so assembled shall elect a chairman
2 and a secretary for the purposes of said meeting. They
3 shall then by ballot, proceed to vote upon the question
4 whether the parish or church will become incorporated here-
5 under. If a majority of the ballots cast shall be in favor
6 of the parish or church becoming incorporated, it shall there-
7 upon become a body corporate with all the powers, rights
8 and privileges of corporations, including the right to make
9 by-laws for its own government, to receive, take and hold
10 real and personal property, as provided in section one of
11 this chapter, and to take by gift, purchase, devise or be-
12 quest, such other real and personal property as may be
13 deemed useful by said parish or church for charitable, edu-
14 cational, burial, religious and church purposes, subject to
15 all the liabilities imposed by the general statutes of this
16 State.

Sect. 4. They shall by ballot, at the same meeting, elect
2 a board of directors consisting of three laymembers of the
3 parish or church who shall be elected and remain in office,
4 as follows: Such laymember receiving the largest number
5 of votes shall be elected to serve for a term of three years,
6 the member receiving the next larger number of votes shall
7 be elected to serve for a term of two years, and the mem-

8 ber receiving the third larger number of votes shall be elect-
9 ed to serve for the term of one year; and annually there-
10 afterwards, one member shall be elected to fill the vacancy
11 created by the expiration of the term of the outgoing mem-
12 ber. At the same meeting, and annually thereafterwards,
13 they shall elect a president, a secretary, and treasurer for
14 the term of one year. Said president, secretary and treas-
15 urer shall be chosen from the three members of the board
16 of directors. The treasurer shall furnish a good and suffi-
17 cient bond for the faithful discharge of his duties.

Sect. 5. Within sixty days after the organization of a
2 parish under the foregoing sections, the president, secretary
3 and treasurer of said parish shall prepare, sign and make
4 oath to a certificate setting forth the name of the parish and
5 its purposes and a sufficient description of the real estate
6 received, taken and held by said parish and cause the same
7 to be recorded in the office of the registry of deeds in the
8 county in which said real estate is situated, and cause said
9 certificate to be filed with the secretary of state. In the
10 event of any one of the said officials refusing to execute
11 said certificate, a majority of the board of directors may
12 execute the same.

Sect. 6. The board of directors shall manage the pruden-
2 tial concerns of the parish, raise money by renting pews and
3 assessing taxes for services and admission to the church,
4 and by any other lawful means, but no money shall be paid
5 out of the funds of the parish or church, except for ex-

6 penses provided by the by-laws, and no collection shall be
7 taken up unless such payment and collection shall have been
8 approved by a majority vote of the board of directors. The
9 dissenting director, if he sees fit, and in lieu thereof one-
10 fifth of the members of the voters of the parish, shall with-
11 in fourteen days report his or their dissent to and call a
12 meeting of the parish, by posting on the outer door of the
13 church a notice stating the subject matter of the question
14 to be voted on, his or their dissent and the time and place
15 of the meeting.

Sect. 7. When it shall be deemed advisable, either by the
2 Roman Catholic bishop or bishops in this state, or by inter-
3 ested Roman Catholics, either to establish a new parish and
4 build a new church, or to divide an existing parish and set
5 off a portion of the parishioners for the purpose of estab-
6 lishing a new parish and erecting a new church, with or
7 without the request of interested Catholics, the Roman
8 Catholic bishop or bishops in this state may call or cause
9 to be called, a meeting of such persons as are interested,
10 intended or designated to become members of the new par-
11 ish for either of the purposes mentioned in this section, and
12 if two-thirds of such prospective members of the contem-
13 plated new parish, of the age of twenty-one and upward,
14 of either sex, by ballot, decide to become members of the
15 new parish and build a new church, said parish shall become
16 a body corporate and organize in the manner and for the

17 purposes provided in sections two, three, four, five and six
18 of this chapter.

Sect. 8. No conveyance in fee simple of the real estate of
2 the parish shall be valid unless it is signed and sworn to by
3 at least a majority of the board of directors, or required by
4 two-thirds of the voters of the parish and church present
5 at a meeting called for said purpose.

Sect. 9. After the organization of a parish under the
2 modes above prescribed, it shall be lawful for any parish
3 or church to determine the qualifications of the voters of
4 the parish.

Sect. 10. It shall be lawful for any parish or church or-
2 ganized under this chapter to appoint a committee or com-
3 mittees and require the treasurer of said parish or church
4 to pay over to the duly authorized officer or officers of said
5 committee or committees whatever sums of money may be
6 deemed advisable for the purpose of establishing and main-
7 taining the educational and charitable works of the parish
8 or church.