

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE
STATE OF MAINE,

PASSED OCTOBER 22, 1840;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

United States and of the State of Maine,

AND TO WHICH ARE SUBJOINED THE OTHER

PUBLIC LAWS OF 1840 AND 1841,

WITH AN

APPENDIX.

PRINTED AND PUBLISHED IN COMPLIANCE WITH A RESOLVE OF OCTOBER 22, 1840.

Augusta:

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1841.

dwelling within such bounds, made or hereafter to be made, to any of the quarterly meetings of said quakers, to said overseers for their use, or to the use of any of said quarterly meetings, or to the poor thereof; and to aliene and manage the same, according to the conditions, *in* [on] which the same may have been made; and sue for any right, that may have vested in any of the before named grantees or donees; provided, that the income thereof, to any one of such meetings, for the uses aforesaid, shall not exceed five thousand dollars per annum.

SECT. 32. The powers, granted in the two preceding sections, may be enlarged, restrained or repealed, at the pleasure of the legislature.

Legislature may modify these powers. 1825, 298, § 3.

CHAPTER 19.

OF MEETING HOUSES.

SECT. 1. Persons may incorporate themselves, to build a meeting house.

2. Owners of a meeting house may incorporate themselves, for repairing or enlarging it.

3. Owners of decayed or unoccupied meeting houses may be authorized to sell them.

4. Owners of meeting houses, and of pews therein, may incorporate themselves.

5. Mode of calling a meeting for that purpose.

SECT. 6. Manner of organizing and becoming incorporated.

7. Corporate rights and powers. Proviso.

8. Minority, of a different denomination, may have a division of time, and how obtained.

9. Mode of proceeding.

10. Proportion of minority, to be appraised.

11. Expenses, how paid.

12. Minority may occupy, their proportion of the time, unless the majority will purchase.

SECTION 1. Any number of individuals may incorporate themselves, for the purpose of erecting a meeting house, in the same manner, and with the same effect, as parishes may by law incorporate themselves; and may choose all officers, and do all those acts, which a parish may do, in the exercise of its lawful authority.

Persons may incorporate themselves, to build a meeting house. 1823, 377.

SECT. 2. The owners of any meeting house, not constituting a parish, shall have power to incorporate themselves, for the purpose of repairing, enlarging and removing the same, in like manner as parishes may incorporate themselves; and may choose officers, raise and assess taxes for the sole purposes aforesaid, and may do all those things, which a parish can, in virtue of the authority legally vested in them.

Owners of a meeting house may incorporate themselves, for repairing or enlarging it. 1834, 128. 3 Pick. 344.

SECT. 3. When any meeting house becomes decayed, or remains unoccupied for two years, the owners thereof, having so determined at any legal meeting, may apply to the district court for leave to sell the same, with, or without, the land belonging thereto; and the judge, after giving such public notice, as in his opinion the case may require, at his discretion, may order the same to be sold at auction, by such agent as he may appoint, and on such notice, as is

Owners of decayed or unoccupied houses may be authorized to sell them. 1834, 128.

CHAP. 19. required for sales of real estate by executors and administrators for payment of debts. The judge shall also appoint three disinterested persons, as commissioners, to ascertain what persons are interested in the said house, and the value of their respective shares, and the amount of debts, due from the owners of said house, as such, to other persons; the report of which commissioners shall be returned to the court for its acceptance; and the net avails of such sale shall be, by the judge, ordered to be applied to the payment of the said debts in the first instance, and the residue to be divided amongst the owners, ascertained as aforesaid. If any owner shall neglect for two years to apply for his proportion, the same shall be ratably distributed among the others.

Owners of meeting houses and of pews therein, may incorporate themselves. 1835, 187, § 1.
Mode of calling a meeting for that purpose. 1835, 187, § 2.

SECT. 4. The owners of any meeting house, or building erected for public worship, together with the owners of the pews therein, may be created bodies corporate, in the manner, and for the purposes hereinafter provided.

SECT. 5. Whenever a majority of the owners of any such building shall make application, to a justice of the peace of the same county, stating their desire to become a body corporate, he shall issue his warrant to one of the applicants, directing him to notify the owners to meet at the time and place, and for the purposes, named in said warrant, by posting up a certified copy of the same, in two public places in the town, where the building is situate; one of which notices shall be posted on the principal outer door of such building.

Manner of organizing and becoming incorporated. 1835, 187, § 3.

SECT. 6. The owners of the building, when assembled, may choose a moderator and clerk, who shall perform the duties usually incumbent on such officers; and thereupon said owners shall be, and are declared to be, a body corporate, and shall be known by such name, as they shall adopt, and may agree on the mode of calling future meetings.

Corporate rights and powers. 1835, 187, § 4.
Proviso.

SECT. 7. Such corporation, so created, may by a vote of a majority of its members, use and control any meeting house or building, erected for public worship, of which they may be part or sole owners, in such manner as they please; provided, that nothing, in the three preceding sections, shall be construed to affect the rights of owners of such houses of worship, as have been, or shall be built by different religious denominations.

Minority, of a different denomination, may have a division of time, and how obtained. 1838, 327, § 1.

SECT. 8. When any house of public worship shall be owned by persons of different religious denominations, any one or more of such owners, being of the minority, and owning not less than ten pews, may apply to any justice of the peace and quorum, to obtain a division of the time of occupying the house; and the justice shall call a meeting of the owners of the house, by posting up, in a public place, in or about the house, a notice, thirty days at least before the meeting; which shall state the time, place and object of the meeting.

Mode of proceeding. 1838, 327, § 2.

SECT. 9. At such meeting, the owners, who may not be applicants, may designate another justice of the peace of the county, and the two justices may appoint a third person, who shall be disinterested, and not an inhabitant of the town, in which the house is located, or belonging to the denomination of either of the parties

interested; and such justices and third person shall constitute a board, before which the several owners may exhibit the amount, they respectively own in the house; and the minority owning at least ten pews, and wishing to occupy the house, some part of the time, shall have that part allotted to them, as nearly as may be, in proportion to the amount owned in the house by the minority, and the board shall designate, precisely, which weeks, in each year, the minority shall occupy the house, if they see fit so to do; if not, the majority may occupy the house.

SECT. 10. The said board shall appraise the value of the proportion of the house, belonging to the minority, allowing no greater sum, for any pew, than was actually paid for it by the owner; and they shall make a record of their proceedings, and within ten days cause it to be transcribed into the records of the town or plantation, where the house is situated.

Proportion of minority, to be appraised. 1838, 327, § 3.

SECT. 11. All reasonable expenses of the board shall be paid by the person or persons, at whose request the division was made; but the above provisions shall not affect any agreement, now in force, as to the mode of occupying a house of public worship.

Expenses, how paid. 1838, 327, § 3.

SECT. 12. The minority may occupy the house for such part of the time, as has been allotted to them, unless the majority should choose to purchase the interest of the minority; and in that case the majority shall have a right so to buy, by paying the minority the sum, at which their portion of the house was appraised, by the board; but if the minority shall prefer not to sell, and decline so to do, in that case they shall not avail themselves of any of the provisions in this chapter.

Minority may occupy, their proportion of time, unless the majority will purchase. 1838, 327, § 4.

CHAPTER 20.

OF MINISTERIAL AND SCHOOL LANDS, AND FUNDS ARISING THEREFROM.

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| <p>SECT. 1. Fee in ministerial lands, how vested.</p> <p>2. Fee in school lands, how vested.</p> <p>3. Selectmen, town clerk and treasurer to be trustees.</p> <p>4. Trustees shall choose their officers annually.</p> <p>5. Powers of such trustees.</p> <p>6. Funds to be placed on interest.</p> <p>7. Lands or funds reserved for the first settled minister, how vested.</p> <p>8. Trustees may hold estate for use of the ministry.</p> <p>9. Also for use of schools.</p> | <p>SECT. 10. Income of funded property, how applied.</p> <p>11. How expended. Town still liable to raise school taxes.</p> <p>12. Incorporated trustees may transfer funds to selectmen, clerk and treasurer, by consent of the town.</p> <p>13. Trustees to account annually to the town.</p> <p>14. If lands are vested in a parish, the assessors, clerk and treasurer to be trustees.</p> <p>15. First meetings of trustees, how called.</p> |
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SECTION 1. Where lands have been granted, or reserved, for the use of the ministry, or first settled minister, in any town in this state, and where the fee in such lands has not vested in some particular parish, within such town, or in some individual, the fee and estate in such lands shall be, and hereby is declared to be, vested

Fee in ministerial lands, how vested. 1824, 254, § 1.