

# MAINE STATE LEGISLATURE

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FOURTH REVISION.

THE  
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED AUGUST 29, 1883, AND TAKING EFFECT JANUARY 1, 1884.

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BY THE AUTHORITY OF THE LEGISLATURE.



PORTLAND:  
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**ERRATA:**

**The following two leaves are  
inserted because one or more pages  
in this chapter have errors  
noticed and corrected here.**

# ERRORS.

## ERROR IN THE TEXT OF THE REVISED STATUTES.

Page 63, § 3, line one.—Erase the last word “may.”

## ERROR IN THE TEXT OF THE REPEALING ACT.

Page 999.—Transfer “Chapter 48, Section 6, of an act to facilitate the prompt administration of justice by establishing a superior court in Kennebec County,” from the year 1879 to 1878.

## ERROR IN THE COMMISSIONER'S NOTES.

Pages 177, 178.—Erase the last two lines of page 177, and the first three lines of page 178.

## ERRORS IN THE MARGINAL REFERENCES.

- Page 59, § 6, ¶ xx.—Erase “*R. S.*, c. 1, ¶ xx”, and supply, at the bottom of the page, “*R. S.*, c. 1, § 4”
- “ 66, § 24.—Erase “*Resolve of 1837, c. 52.*”
- “ 69, § 44.—Supply “*Resolve of 1840, c. 107.*”
- “ 72, § 68.—Erase “*See c. 6, §§ 40-67.*”
- “ “ § 70.—Erase “*R. S.*, c. 2, § 66.”
- “ 79, § 12, (note b).—“*See c. 18, § 73*” should read “*See c. 18, § 75.*”  
“*See c. 30, § 15*” should read “*See c. 30, § 16.*”
- “ “ § 14.—Supply “*See c. 18, § 75.*”
- “ 83, § 40.—“*R. S.*, c. 3, § 34” should read “*R. S.*, c. 3, § 33.”
- “ 84, § 46.—“*See c. 18, § 67*” should read “*See c. 18, § 59.*”
- “ 86, § 59, ¶ i, (note b).—“*See c. 17, §§ 25-29*” should read “*See c. 17, §§ 27, 28.*”
- “ “ “ ¶ vi, (note e).—“*See c. 18, § 15*” should read “*See c. 18, § 17.*”
- “ 92, note.—“*c. 18, §§ 39, 103*” should read “*c. 18, §§ 39, 97.*”
- “ 97, § 16.—Erase “*R. S.*, c. 4, § 16.”
- “ 108, § 86.—“*Art. ii, § 2*” should read “*Art. ii, § 1, ¶ 2.*”
- “ 117, § 28.—Erase the first reference to “1878, c. 31, § 1.” Also erase “*R. S.*, c. 5, § 26.”
- “ 176, § 27.—“*Resolve of 1883, c. 20*” should read “*Resolve of 1883, c. 86.*”
- “ 183, § 5.—“*See § 93, ¶ 6*” should read “*See § 93, ¶ v.*”
- “ 202, § 102.—“1883, c. 229” should read “*See c. 115, § 1.*”
- “ 209, § 1.—Supply “1880, c. 215.”
- “ 210, § 7.—Supply “1880, c. 215.”
- “ 249, § 44.—“1875, c. 25, § 6” should read “1875, c. 25, § 6.”
- “ 270, § 16.—Supply “1880, c. 215.”
- “ 330, § 26.—“*See c. 40, § 77*” should read “*See c. 40, § 74.*”
- “ “ § 28.—“*See c. 40, § 38*” should read “*See c. 40, §§ 33, 40.*”
- “ 374, § 23.—“*See § 17*” should read “1880, c. 234, § 1.”
- “ 384, § 74.—Add “1883, c. 138, § 3.”  
“1883, c. 144, § 4.”
- “ 506, § 1.—Supply “*See 1880, c. 215.*”
- “ 642, § 80, bottom of the page.—Supply “1878, c. 48, § 6.”
- “ 709, § 105.—“*See c. 134, § 13*” should read “*See c. 134, § 19.*”
- “ 773, § 42.—Supply “1883, c. 198, § 2.”
- “ 804, § 35.—“*See c. 134, § 26*” should read “*c. 134, § 26.*”
- “ 861, § 1.—“*R. S.*, c. 2, § 20.” } should read “1883, c. 221.”  
“*R. S.*, c. 115, § 1.” }
- “ 862, § 4.—“*See c. 63, §§ 32 to 39*” should read “*See c. 63, § 35.*”

## ERRORS IN CITATIONS OF CASES.

- Page 10, § 8, ¶ iii, (note c).—"14 *Pet.*, 504" should read "14 *Pet.*, 540."  
 " 16, § 1, (note b).—"10 *Me.*, 483" should read "10 *Me.*, 283."  
 " 78, § 5, (note a).—"13 *Me.*, 472, 489" should read "13 *Me.*, 472."  
 " " § 7, (note b).—"12 *Me.*, 589" should read "12 *Me.*, 489."  
 " 147, § 97.—"58 *Me.*, 528" should read "58 *Me.*, 532."  
 " 166, § 1.—"64 *Me.*, 549" should read "64 *Me.*, 599."  
 " 200, § 93, ¶ iv.—Erase "20 *Me.*, 545."  
 " 211, § 19.—"3 *Me.*, 347" should read "3 *Me.*, 249."  
 " 241, § 5, (note b).—"68 *Me.*, 28" should read "63 *Me.*, 28."  
 " 257, § 80, (note a), Construction of ways.—"26 *Me.*, 340" should read "26 *Me.*, 240."  
 " 397, § 1, (note a).—Erase "66 *Me.*, 526."  
 " 521, § 2, (note a).—Erase "60 *Me.*, 377."  
 " " § 9.—Erase "60 *Me.*, 533."  
 " 563, § 10.—"31 *Me.*, 286" should read "31 *Me.*, 254."  
 " 597, § 23.—"4 *Me.*, 19" should read "4 *Me.*, 8."  
 " 705, § 78.—"43 *Me.*, 438" should read "48 *Me.*, 438."  
 " 728, § 12.—Erase "68 *Me.*, 30."  
 " 750, § 5.—Erase "20 *Me.*, 325."  
 " 765, § 1, (note a).—Erase "73 *Me.*, 228."  
 " 814, § 19, (note c).—Erase "71 *Me.*, 543."  
 " 817, § 8, (note b).—"27 *Me.*, 363" should read "27 *Me.*, 362."  
 " 885, § 1.—Erase "62 *Me.*, 285."  
 " 886, § 8.—"36 *Me.*, 225" should read "36 *Me.*, 227."  
 " 933, § 4.—"34 *Me.*, 478" should read "39 *Me.*, 478."

## OMISSION IN REFERENCE INDEX TABLE, PART I.

Page 1060.—Supply "1878, c. 48, § 6," with a reference to "R. S., c. 77, § 80."

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## CHAPTER 12.

## PARISHES AND RELIGIOUS SOCIETIES, MEETING-HOUSES, MINISTERIAL AND SCHOOL LANDS, AND FUNDS ARISING THEREFROM.

## PARISHES AND RELIGIOUS SOCIETIES.

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## PARISHES AND RELIGIOUS SOCIETIES.

SEC. 1. Any persons of lawful age, desirous of becoming an incorporated parish or religious society, may apply to a justice of the peace, who shall issue his warrant to one of them, directing him to notify the other applicants to meet at some proper place expressed in such warrant; and he shall give notice of such meeting seven days at least before holding the same, by posting a notification thereof on the outer door of the meeting-house or place of public worship of such society, if any, otherwise at such place as the justice appoints.

Mode of calling a meeting to form a parish.  
 R. S., c. 12, § 1.  
 66 Me., 107.

Seven days' notice to be given.

SEC. 2. Such persons so assembled may choose a clerk and other needful parish officers, and shall thereupon be a corporation, bear the name which they assume, and have all the powers of parishes and religious societies.

Organization; name.  
 R. S., c. 12, § 2.  
 19 Me., 21.  
 66 Me., 107.

SEC. 3. Every parish may take by gift or purchase any real or personal estate, until the clear annual income thereof amounts to three thousand dollars; convey the same, and establish by-laws not repugnant to law.

May hold property and pass by-laws.  
 R. S., c. 12, § 3.  
 66 Me., 107.

SEC. 4. The annual or other meetings of such parish may be called by its assessors, or clerk, to be held at the time when, and place in the town where, they are usually held; they shall be notified as prescribed in section one, or in the manner agreed on by its vote; and at such meeting, they may choose a clerk, who shall be sworn, two or more assessors, a collector, treasurer, standing committee, and all other needful officers. The assessors shall manage the prudential concerns of the parish, when no other persons are appointed for that purpose, and shall be sworn.

Meetings, how called.  
 R. S., c. 12, § 4.  
 1873, c. 143.  
 6 Me., 450.  
 66 Me., 107.

SEC. 5. The moderator of any meeting shall preserve order, manage the business, and administer the oath to the clerk and assessors.

Powers of moderator.  
 R. S., c. 12, § 5.  
 66 Me., 107.

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 R. S., c. 12, § 6.

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R.S., c. 12, § 9.  
6 Me., 173.

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R.S., c. 12, § 13.

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R.S., c. 12, § 14.  
1881, c. 32.

Persons deemed members.

R.S., c. 12, § 15.  
1881, c. 32.

2 Me., 70.  
7 Me., 416.

SEC. 7. If they unreasonably refuse, any justice of the peace on like application may issue his warrant to one of the applicants, who shall notify such meeting as prescribed in section one, or as agreed on by parish vote.

SEC. 8. When there has been no meeting of such parish or society for three years, a meeting may be called as provided in section thirty-four.

SEC. 9. Every parish, at a legal meeting, may raise money for the support of the public ministry of religion, for building, repairing, or removing houses of public worship, and for other necessary parish charges; and it may be assessed and collected like state taxes.

SEC. 10. When a house of public worship belongs to a parish, or it and the fee of the land, on which it stands, is vested in trustees for the use of a parish, such parish may assess any money raised as aforesaid, wholly or partly, on the pews or seats, whether owned by members of such parish or religious society or not; and the owners may be present and vote in raising such money.

SEC. 11. When taxes on pews and seats remain unpaid for six months after their assessment, the treasurer shall sell them at auction, first posting notice thereof at the principal outer door of such house of worship, three weeks before the time of sale, stating the numbers, if any, of the pews or seats and the amount of tax on each; and shall execute and deliver a deed thereof to the purchaser, and pay to the owner the overplus, after deducting the amount of tax and incidental charges.

SEC. 12. Whenever a parish or church raises its current expenses by assessment on its pews, any pew owner therein who shall not occupy his pew, either by himself or family, or rent the same, may give a written notice to the clerk of the parish or church, or to the parish committee or assessors, of his intention not to occupy said pew for one year following the next annual meeting of said parish or church, in which case said pew owner shall not be liable for any tax assessed on said pew during said year, neither shall he act and vote at said annual meeting unless he retains a pew for the occupancy of himself and family, and the parish or church may let said pew during said year, and appropriate the rent to the current expenses of the parish or church, and said parish or church shall not sell said pew for taxes assessed during that year.

SEC. 13. A parish in the actual occupancy of a church, meeting-house, or other building used for religious purposes may insure it against loss by fire. And in case of such loss, the company insuring shall not deny the occupancy of the parish, its legal existence, or its right to maintain an action on the policy. The money so recovered shall be held by the parish in trust for repairing or restoring the building, and shall be so applied.

SEC. 14. A person of either sex, of lawful age, may become a member of a parish or religious society by vote thereof at a legal meeting.

SEC. 15. Any such person residing in a local parish holding funds derived from this State or Massachusetts, shall be deemed a member of it until he dissolves the connection; such person having resided in such parish one year, after he has arrived at majority, without either giving written notice to its clerk of his consent to be a member thereof, or



paying a tax or subscription according to the mode that said parish has adopted to raise money, shall be deemed to have thereby dissolved his connection therewith; and said connection shall remain dissolved, and said person shall not be taxable until he renews the connection by giving written notice to its clerk of his consent to be a member of said parish; any person residing in a local parish may become a member of such parish not deriving funds from the State, by giving written notice to its clerk of his intention to do so within one year after he is of age or removes thereto.

SEC. 16. No such person shall be a member of a parish or religious society without his consent; and any person may dissolve his connection therewith by leaving with its clerk a certificate of his intention to do so; and all his liability for future expenses shall thereby cease; but he may be taxed for money previously raised, except in case of removal from a local parish.

SEC. 17. No such person shall vote in meetings of any territorial parish who is not the owner or occupant of a pew in its house of worship, or a contributor to its support.

SEC. 18. No territorial parish is hereby dissolved; and when one or more parishes are set off from a town, or incorporated therein, as aforesaid, the remainder is the first parish.

SEC. 19. The church wardens of Episcopal churches, the stewards or trustees of the Methodist Episcopal church, and the deacons of all other Protestant churches, are so far corporations as to take, in succession, all grants and gifts of real and personal estate, made to their churches, or to them and their successors; and if the ministers, elders or vestry are joined with them in such grants or gifts, the two classes of officers shall be corporations for that purpose. Such corporations may organize as corporations, and make such contracts in relation to such estate, its improvement or disposal, as they may be authorized under the rules of their church, or instructed by the church or society for which they hold such estate in trust to make, which contracts may be enforced by or against them, as in other cases; *provided, however*, that no disposal of such estate shall be made, inconsistent with the terms of the grant by which it is held.

SEC. 20. The ministers of a parish or religious society, and the deacons, elders, trustees, stewards and other presiding officers of a religious society or church, having by its usages no settled minister, may take, in succession, any estate granted to the minister and his successors, or for the use of the ministry, or poor of the church; and may prosecute and defend all suits respecting it; but they shall not so take, while the clear annual income of prior grants is three thousand dollars.

SEC. 21. No conveyance of such estate by a minister shall be valid longer than he is in the ministry; or by such deacons or other officers, longer than they are in office, if made by them without consent of the church, or by church wardens without the consent of the vestry.

SEC. 22. The records of a parish shall be open to the inspection of its members and to clerks of other parishes; and each clerk shall furnish attested copies thereof, on request, for a reasonable compensation.

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No person compelled to belong to a parish.  
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R.S., c.12, §16.  
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6 Me., 266, 451.

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Officers of churches are corporations for certain purposes.  
1881, c. 61.  
1 Me., 216, 280.  
3 Me., 347.  
6 Me., 357.  
15 Me., 416.  
66 Me., 108.  
71 Me., 474, 476.

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Ministers and officers of religious societies, powers of.  
R.S., c.12, §20.  
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5 Me., 221.  
19 Me., 291.  
26 Me., 512.  
66 Me., 108.

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R.S., c.12, §21.  
66 Me., 108.

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Parishes may appoint treasurer and collector, and allow discount. R.S., c.12, § 23.

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—powers may be enlarged.

Parish may become owner of pews; —proceedings. R.S., c.12, § 25.

Owner of pew dissenting, proceedings. R.S., c.12, § 26.

Persons may incorporate to hold a meeting-house. R.S., c.12, § 27. 66 Me., 400.

Owners may repair or dispose of meeting-houses. R.S., c.12, § 28. —warrant for calling meeting.

Appraisal; proceeds of sale, how dis-

SEC. 23. When a parish or religious society lawfully raises money by taxation, it may appoint its treasurer a collector of taxes, who shall have the same powers as a town treasurer who is collector; and it may allow a similar discount on taxes paid within the time fixed by it at a legal meeting, and the treasurer shall give like public notice thereof; and all other taxes shall be collected by him as town taxes are. When such treasurer and collector is qualified, the assessors shall deposit with him a list of the taxes with their warrant for their collection.

SEC. 24. The overseers of each monthly meeting of Quakers may take and hold, in succession, all grants of real, personal, or mixed estate made to them, for the use of their monthly meetings, the preparative meetings constituting them, or the poor thereof; also all grants of real estate situated within the limits of their monthly meetings, and gifts of personal estate made by persons living within said limits, for the use of any of the quarterly meetings of said Quakers, to said overseers for their use, or to the poor thereof; may convey and manage such estate according to the terms and conditions on which it was given; and may sue in their own names for any right that has vested in any of the said grantees or donees; *provided*, that the annual income thereof to one meeting for such uses does not exceed five thousand dollars. These powers may be enlarged, restrained or repealed by the legislature.

## MEETING-HOUSES.

SEC. 25. When it is deemed expedient by any organized parish to become the owner of the pews in any meeting-house used by it as a place of regular worship, a meeting of the owners and occupants thereof may be called as provided in section six, and a majority of such pew owners and occupants may vote to convey the pews by them owned or occupied, to such parish.

SEC. 26. Any owner or occupant of a pew in such meeting-house, who expresses his dissent from such vote, in writing, to the parish clerk within one month from such meeting, shall have his pew appraised as provided in section twenty-nine, and the appraised value shall be tendered to him, and he shall then deliver a deed of such pew to the parish. If such dissent is not expressed, said pew is forever forfeited to the parish.

SEC. 27. Any persons, for the purpose of erecting a meeting-house, or the majority in interest of the owners of a meeting-house, not a parish, may incorporate themselves as parishes may; and choose all officers and do all other acts that a parish may lawfully do.

SEC. 28. A majority of the pew owners or proprietors of a meeting-house, present at a legal meeting called for that purpose, may repair, remodel, or sell and convey their house or the land used with it, or remove or rebuild it. Any meeting relating thereto may be called as provided in section thirty-one; or by publishing the warrant in a newspaper printed in the county, at least fourteen days before the meeting.

SEC. 29. Before such alteration or sale is made, an appraisal of the relative value of the pews shall be made by three discreet persons, under

oath, to be elected by ballot at a legal meeting of said owners or proprietors. If a sale of said house and land is made, it may be private or public, as such meeting determines, and the proceeds shall be applied to pay the expenses of said sale and the debts and just claims against the property; and the balance shall be paid to the pew owners or proprietors, in proportion to their interests by the appraisal. If the meeting-house is altered or rebuilt, the appraisers, after the work is completed, shall assign pews to the former pew holders, to conform as nearly as practicable to those previously held by them; and the other pews may be sold to defray the expenses of the repairs and alterations, or be otherwise disposed of as the proprietors or pew owners determine. They may choose officers, raise and assess taxes on the pews, collect them for making such repairs and alterations, do all things that a parish may do, and appoint some suitable agent or agents to make such sale and conveyance, or repairs and alterations, and a treasurer or trustees to receive and distribute the proceeds of sale in manner aforesaid.

SEC. 30. When it is decided to repair, remodel, or rebuild a meeting-house, any owner or proprietor dissenting from the action of the majority and declining to take an interest in the house as altered, may demand and receive of such majority the appraised value of his interest, after deducting his proportion of debts against the property, to be recovered in an action for money had and received; which shall not be commenced until thirty days after such demand, nor after the lapse of a year after notice is posted for three successive weeks on the meeting-house door and some other conspicuous place in its precinct, stating the persons to whom the money is to be paid, the amount payable to each, and the time limited for payment. If said sums are not demanded within said time, they are forfeited to the majority for parish uses. But this section does not apply to any case where the repairs decided upon are only such as are necessary to keep such meeting-house in a tenable condition.

SEC. 31. The owners of a meeting-house or building for public worship, and the pew owners, may be incorporated, when any three or more of them apply therefor to a justice of the peace, who shall issue his warrant to one of them, stating the time, place and purpose of the meeting, and directing him to notify said owners by posting a certified copy of it for fourteen days on the principal outer door of such building and in one or more other public places in the same town.

SEC. 32. When so assembled, they may choose a moderator and clerk, who shall perform the usual duties of such officers; and thereupon said owners shall be a corporation, and be known by such name as they adopt, and they may agree on the mode of calling future meetings.

SEC. 33. Such corporation, by a major vote of its members, may use and control the meeting-house or building for public worship partly or wholly owned by them, as they please; but nothing in this and the two preceding sections shall affect the rights of owners of houses of worship, built by different religious denominations.

SEC. 34. When there has been no meeting of the incorporated pew owners, or proprietors or owners of a meeting-house, or building for public

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posed of; pews, how disposed of, in case of repairing or rebuilding; taxes may be raised and agents appointed to make sale. R.S., c. 12, § 29.

Proprietors dissenting, entitled to appraised value of their interest. 1872, c. 48.

—limitation and forfeiture.

Owners of meeting-houses and pews therein may incorporate themselves. R.S., c. 12, § 31. —mode of calling a meeting for that purpose.

Manner of organizing and becoming incorporated. R.S., c. 12, § 32.

Corporate rights and powers. R.S., c. 12, § 33. 59 Me., 252.

Meetings of owners of meeting-

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houses, how called.  
R.S., c. 12, § 34.

worship, for three years, a meeting may be called on application of three or more members thereof to a justice of the peace, who shall issue his warrant to one of them, stating the time, place and purposes of the meeting, directing him to notify such meeting by posting a certified copy of said warrant, three weeks before the time of meeting, on the principal outer door of such building, and in one or more public places in the same town, and publishing it in a newspaper published in the county, if any, otherwise in an adjoining county, or in the state paper.

How minority of different denominations may obtain division of time.  
R.S., c. 12, § 35.  
59 Me., 252.

SEC. 35. When a house of public worship is owned by persons of different denominations, and when an organized society, or its members, own five pews therein, one or more of the minority owning not less than five pews may apply to a justice of the peace and quorum to obtain a division of the time of occupying the house; and he shall call a meeting of the owners by posting a notice in a public place in or about the house, thirty days at least before the meeting, stating the time, place and object thereof.

Mode of proceeding.  
R.S., c. 12, § 36.  
59 Me., 252.

SEC. 36. At such meeting, the owners, who are not applicants, or if they refuse or neglect, the justice who called the meeting, may designate another justice, and the two may appoint a third disinterested person, not an inhabitant of the town in which the house is located, or belonging to the denomination of either party interested; and the three shall be a board, before which the owners may exhibit the amount that they own in the house; the minority, owning at least five pews, shall have their part allotted to them, as nearly as may be, in proportion to the amount that they own in the house; and the board shall designate which weeks in each year, the minority, if they please, may occupy the house; if they do not, the majority may occupy it.

Proportion of minority to be appraised.  
R.S., c. 12, § 37.  
59 Me., 252.

SEC. 37. The board shall appraise the value of the minority's proportion of the house, make a record of their proceedings, and within ten days cause it to be transcribed into the records of such town.

Expenses, how paid.  
R.S., c. 12, § 38.

SEC. 38. All their reasonable expenses shall be paid by the persons who requested the division; but the above provisions shall not affect any agreement now in force as to the mode of occupying such house.

Minority may occupy their proportion of time, unless majority will purchase.  
R.S., c. 12, § 39.

SEC. 39. The minority may occupy the house for their allotted time, unless the majority purchase their interest, by paying the minority the sum at which it was appraised by the board; but if the minority decline so to sell, they shall not avail themselves of the four preceding sections.

## MINISTERIAL AND SCHOOL LANDS, AND FUNDS ARISING THEREFROM.

Fee in ministerial lands, how vested.  
R.S., c. 12, § 40.  
See c. 5, §§ 12-26.  
15 Me., 420.

SEC. 40. Where lands have been granted or reserved for the use of the ministry, or first settled minister, or for the use of schools, in any town, and the fee in these lands has not vested in some particular parish therein, or in some individual, it shall vest in the inhabitants of such town and not in any particular parish therein, for such uses.

Selectmen, town clerk and treasurer, to be trustees.  
R.S., c. 12, § 41.

SEC. 41. The municipal officers, town clerk and treasurer of each town where no other trustees are lawfully appointed for that purpose, shall be a corporation and trustees of such ministerial and school funds, with the usual powers granted to similar corporations.

SEC. 42. They shall annually elect a president, clerk and treasurer ; the treasurer shall give bond with sureties sufficient in the opinion of the trustees, for the faithful discharge of his duty ; and the clerk shall be sworn.

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Trustees shall choose officers, annually.  
R.S., c. 12, § 42.

SEC. 43. They may sell and convey all such ministerial and school lands belonging to and lying in their town ; and the treasurer's deed thereof, executed by order of the trustees, shall pass the estate.

Powers of such trustees.  
R.S., c. 12, § 43.  
29 Me., 46.

SEC. 44. As soon as may be, they shall place the proceeds of sale at interest secured by mortgage of real estate of twice the value of the principal, or by bond or note with sufficient sureties, or invest them in bank stock or public securities.

Funds to be placed on interest.  
R.S., c. 12, § 44.

SEC. 45. They may, by gift, grant, or otherwise, take and hold for the use of the ministry in their towns, real and personal estate, the annual income of which does not exceed one thousand dollars ; and for the use of schools may take and hold estate, the annual income of which does not exceed the sum which their town is bound to raise for the same use.

Trustees may hold estate for use of the ministry and schools.  
R.S., c. 12, § 45.

SEC. 46. The income of the fund, arising from the sale of lands under section forty-three, and from the rents and profits of real and personal estate held under section forty-five, shall be annually applied to the support of public schools in the town, and expended like other school moneys.

Income of funded property, how applied.  
R.S., c. 12, § 46.

SEC. 47. The trustees of any ministerial or school fund in this state, incorporated by the legislature of Massachusetts, may by consent of the town for whose use the fund was established, transfer it to the municipal officers, clerk, and treasurer thereof, who are hereby made trustees of the same ; and the income shall be annually applied and expended as provided in the preceding section.

Incorporated trustees may transfer funds to selectmen, clerk and treasurer, by consent of the town.  
R.S., c. 12, § 47.

SEC. 48. At each annual meeting of their town, the trustees shall exhibit an account of their proceedings, and a statement of the funds, receipts, and expenditures, and of the application thereof to said uses.

Trustees to account annually to the town.  
R.S., c. 12, § 48.

SEC. 49. When such lands are vested in a parish, the assessors, clerk, and treasurer, where no other trustees are appointed for that purpose, shall be a corporation and trustees of such ministerial fund with like powers and under like liabilities, as the municipal officers, town clerk, and treasurer ; pay the annual income of such lands and of the proceeds of their sale according to the terms of the grants and reservations by which they were so vested ; and at each annual meeting for choice of parish officers, exhibit an account of their proceedings, and a statement of funds, receipts, and expenditures.

If lands are vested in a parish, the assessors, clerk and treasurer to be trustees.  
R.S., c. 12, § 49.

SEC. 50. The first meeting in any year of the trustees constituted by sections forty-one and forty-nine, may be called by seven days' personal notice of the time and place thereof, given by one of them to all the others.

First meeting of trustees, how called.  
R.S., c. 12, § 50.

SEC. 51. When in the grant of any townships or parts of townships certain portions are reserved for public uses, and such portions have not been located in severalty prior to the incorporation of the same into a town, the supreme judicial court in the county where the land lies, on application of the assessors of the town, may appoint three disinterested persons of the county, and issue to them its warrant under seal of the

Lots reserved for public uses, location of, by committee appointed by S. J. Court.  
1872, c. 63, § 1.

**CHAP. 12.** court, requiring them, as soon as may be, to locate such reserved portion according to the terms of the grant, and if the use or purpose of the reservation is prescribed in the grant, they shall set off and locate the lots accordingly, designating the use or purpose for which each lot is so reserved and located.

Committee,  
to be sworn.  
1872, c. 65, § 2.

**SEC. 52.** Said committee before acting under such warrant, shall be sworn to the faithful discharge of the duty assigned them, and a certificate thereof shall be indorsed on the warrant.

Notice of  
appointment  
and meeting.  
1872, c. 65, § 3.

**SEC. 53.** They shall also give notice of their appointment, and of the time and place of their meeting to execute the same, by publishing the same in some newspaper in the state to be designated by the court, and by posting written notifications in two or more public places in the same town, at least thirty days before making such location.

Return of the  
doings of the  
committee.  
1872, c. 65, § 4.

**SEC. 54.** They shall make return of said warrant and their doings thereon, to the next supreme judicial court in the county, after having completed the service; which, being accepted by the court and recorded in the registry of deeds of the same county, within six months, shall be a legal assignment and location of such reserved proportions, for the uses designated; and thereafter the lands so set off and located, shall be under the care and oversight of the trustees of the ministerial and school funds of the town, with all the powers and subject to the duties prescribed in this chapter, including the power to sell and convey the same.

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## CHAPTER 13.

### PRACTICE OF MEDICINE AND SURGERY.

- SEC. 1.** When a dead body may be delivered to a physician or surgeon.
- 2.** When the body of a deceased convict is so delivered for advancement of anatomical science, bond is required. Penalty.
- 3.** Unclaimed bodies are subject to the use of the Medical School of Maine for anatomical purposes.
- 4.** Municipal officers to notify officers of school, and to deliver subjects on request.
- 5.** Secretary of school to preserve such subjects without dissection for thirty days, and to identify them by public record.
- 6.** Any subject may be claimed within said time.
- 7.** Penalty for violations of the two preceding sections.
- 8.** Penalty for unlawful possession of a subject.
- 9.** Irregular practitioners cannot collect bills without certificate of character.

A body may  
be delivered  
to physician,  
if person has  
consented.  
1881, c. 93, § 2.  
R.S., c. 13, § 1.

**SEC. 1.** If any resident of the state, requests or consents that after his death, his body may be delivered to a regular physician or surgeon, for the advancement of anatomical science, it may be used for that purpose, unless some kindred or family connection makes objection.

When a con-  
vict's body  
may be used  
for anatomi-  
cal purposes.

**SEC. 2.** When any person convicted of crime dies, or is executed, in the state prison or any jail, the warden or keepers shall, on request, deliver his body to instructors in medical schools established by law, if