

MAINE STATE LEGISLATURE

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FORTY-EIGHTH LEGISLATURE.

HOUSE.

No. 53.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

AN ACT to provide for the organization of parishes of the Protestant Episcopal Church in Maine.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECTION 1. Any five or more persons, professing attachment to the Protestant Episcopal Church, may execute and acknowledge before any justice of the peace an agreement in writing, whereby they shall agree to organize a parish to be maintained in accordance with the canons, doctrines, discipline and worship of the Protestant Episcopal Church.

SECT. 2. Said agreement shall also contain : First, the name or title by which the parish shall be known, which shall be as follows, viz., “The Rector, Wardens and Vestrymen of ——— church in ———”; but no

5 parish shall be organized in any town or city, bearing
6 the same name with any other Protestant Episcopal
7 Church already organized therein. Second, the town
8 or city and county in which it is located. Third, the
9 number of vestrymen, not exceeding eleven, and the
10 time of the annual meeting, which shall be in Easter
11 week.

SECT. 3. When said agreement is duly signed and
2 acknowledged, it shall be recorded in the registry of
3 deeds of the county in which the church is located.

SECT. 4. Any two or more persons who have signed
2 such agreement, may call the first meeting of such
3 parish, at such time and place as they may see fit, by
4 publishing a notice for five days previously to the time
5 fixed for such meeting, in some newspaper published
6 in the town or city in which such church is located,
7 and if no newspaper is published therein, then such
8 notice may be given by posting the same in two pub-
9 lic places in such city or town, and at such meeting
10 the affidavit of such publishing or posting shall be re-
11 corded in the minutes; at such meeting, in addition
12 to the signers of such agreement, any male person of
13 full age shall be entitled to vote, who shall sign a
14 declaration, in writing, to be kept in the book of
15 minutes, whereby he shall signify his intention of
16 attaching himself to said church and accepting the

17 terms of said agreement. At such meeting two war-
18 dens and the required number of vestrymen may be
19 elected, or at any adjournment thereof.

SECT. 5. At all subsequent meetings, the right of
2 voting shall be confined to the persons who became
3 actually entitled to vote at the first meeting, and to
4 such other male persons of full age as have, during the
5 previous six months, been stated worshippers in said
6 church and stated contributors to its support, and have
7 signed the written declaration referred to in section
8 four.

SECT. 6. The wardens and vestrymen so elected,
2 (two-thirds of them concurring in the choice,) may
3 choose some fit person, duly qualified, to act as min-
4 ister or rector of said church, agreeably to the consti-
5 tution of the Protestant Episcopal Church in the
6 United States of America; their choice shall be sub-
7 mitted to the parish for approval, and if approved by
8 a majority of those present, at any duly called parish
9 meeting, the person so elected shall be the rector or
10 minister of the parish. The minister or rector so
11 chosen shall preside at all meetings of the wardens
12 and vestrymen and have a casting vote, unless the
13 business or question to be decided has relation to the
14 personal interest of said minister or rector; *provided,*
15 that in the absence of such rector or minister, one of

16 the wardens shall preside. Whenever a vacancy
17 shall occur in the office of minister or rector by death,
18 removal or otherwise, the wardens and vestrymen may
19 elect a successor in the mode hereinbefore provided.

SECT. 7. The annual meeting shall take place at
2 such time in Easter week as may have been agreed
3 upon, and at such annual meeting an election of the
4 requisite number of wardens and vestrymen shall be
5 had, to serve until the next annual meeting, and until
6 their successors shall be chosen.

SECT. 8. The rector, wardens, and vestrymen ap-
2 pointed as aforesaid, shall be a body corporate and
3 politic, with all the rights and liabilities pertaining
4 thereto, except as herein provided; *provided neverthe-*
5 *less*, if at any time the parish be without a minister or
6 rector, the same rights and privileges shall be vested
7 in the wardens and vestrymen.

SECT. 9. The rector, wardens and vestrymen, or a
2 majority of them, may make rules, by-laws and ordi-
3 nances, and do anything needful and requisite for the
4 good government and support of the parish, provided
5 that said rules, by-laws and ordinances shall not be
6 repugnant to the constitution and by-laws of this state
7 or of the United States; all vacancies in such vestry
8 may be filled by the vestrymen at any meeting, and
9 the persons elected to fill such vacancies shall hold for

10 the same period as their predecessors would have
11 done.

SECT. 10. All the temporal affairs of such parishes
2 shall be managed by the rector, wardens and vestry-
3 men thereof, and they shall have authority to alter,
4 erect, repair, enlarge, and in case they deem it neces-
5 sary, to take down or remove and rebuild any church
6 or other building belonging to such corporation.

SECT. 11. It shall be lawful to such corporations to
2 hold real estate to such an amount as shall be reason-
3 ably necessary for a church, lectures or school rooms,
4 for dwellings for the ministers thereof, for hospitals or
5 charitable purposes, but it shall not be lawful for such
6 corporations to hold or use any real estate for any
7 other purpose.

SECT. 12. Any parish of the Protestant Episcopal
2 Church, heretofore organized under any other general
3 law may reorganize, so as to become subject to the
4 provisions of this act, whenever such parish shall at
5 any duly called parish meeting authorize the wardens
6 and vestrymen to execute and acknowledge an agree-
7 ment as provided in this act, which agreement shall
8 in addition to the requisites mentioned in the first
9 section, set forth that it is executed for the purpose of
10 reorganizing such parish according to the provisions
11 of this act. Such agreement shall be deemed sufficient

12 when so executed and acknowledged by a majority of
13 such wardens and vestrymen and recorded in said
14 registry of deeds.

SECT. 13. Upon such execution, acknowledgment
2 and recording of such agreement, such parish shall,
3 without further action, be deemed to all intents and
4 purposes reorganized, and all rights of property and
4 of contract shall remain unimpaired and the corporate
5 identity of such parish shall continue unchanged.
6 The wardens and vestrymen in office shall continue
7 therein until the annual election in Easter week next
8 following such reorganization, and until a new board
9 shall be chosen, and no other meeting or notice shall
10 be necessary to complete such reorganization ; *provided*,
11 that when a new board shall be chosen, it shall con-
12 sist of the number of vestrymen required by such arti-
13 cles of reorganization.

SECT. 14. All persons, members of such parish be-
2 fore its reorganization, shall be deemed members of
3 the same after its reorganization, and entitled to vote
4 at the annual and other meetings.

SECT. 4. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 18, 1869. }

Reported from the Committee on the Judiciary, by Mr. HUB-
BARD of Wiscasset, and ordered printed.

S. J. CHADBOURNE, *Clerk.*