

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 447

House of Representatives, March 7, 1913.

*Reported by Mr. Smith from Committee on Judiciary, and
ordered printed under joint rules.*

W. R. ROIX, Clerk.

STATE OF MAINE

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

AN ACT to amend chapter 151 of the Private and Special
Laws of 1887 entitled "An Act to create the Roman Catholic
Bishop of Portland and his Successors a Corporation Sole,"
as amended by chapter 47 of the Private and Special Laws
of 1891.

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

Section 1. Chapter 151 of the Private and Special Laws
2 of the State of Maine for the year 1887, entitled "An Act
3 to Create the Roman Catholic Bishop of Portland and his
4 Successors a Corporation Sole" as amended by chapter 47
5 of Private and Special Laws for the State of Maine for

6 the year 1891, is hereby amended by adding thereto the
7 following:

‘(1) Any unincorporated Roman Catholic church in the
9 State of Maine within the diocese of Portland may become
10 incorporated as a church by executing, acknowledging and
11 filing a certificate of incorporation with the Secretary of
12 State for the State of Maine, stating the corporate name by
13 which such church shall be known and the county, town,
14 city or village where its principal place of worship is or is
15 intended to be located. Such certificate shall be executed
16 and acknowledged by the Roman Catholic Bishop for the
17 time being of the diocese of Portland, the vicar-general of
18 the diocese in which such church is located or is to be
19 located, by the rector or pastor of said church and by two
20 laymen, members of such church, who shall be selected by
21 such officials or by a majority of them. On filing such cer-
22 tificate and upon payment to said Secretary of State of a
23 fee of five dollars, such church shall become a corporation
24 by the name stated in such certificate and shall hereafter
25 have succession, with power to take and hold by sale, gift,
26 lease, devise or otherwise real and personal estate of every
27 description, for charitable, educational, burial, religious and
28 church purposes, and to manage and dispose of the same
29 by any form of legal conveyance or transfer, according to
30 the discipline and government of the Roman Catholic
31 Church and of said diocese of Portland, with full power to
32 borrow money and convey by mortgage deed.

(2) The bishop of the diocese of Portland and the vicar
34 general of the diocese to which such incorporated church
35 belongs, the rector or pastor of such church and their suc-
36 cessors in office, shall *ex officio* be trustees of such church.
37 Two laymen, members of such church, selected by such
38 officers or by a majority of them, shall also be trustees of
39 such church, and such officers and such laymen trustees shall
40 together constitute the board of trustees thereof, of which
41 the bishop of the diocese of Portland for the time being
42 shall *ex officio* be president. One of such laymen so elected
43 shall serve for the term of one year from the time of his
44 selection and the other shall serve for the term of two years
45 from the time of his selection. Upon the expiration of
46 the term of either of said layment trustees, a new layman
47 trustee shall be selected as aforesaid to serve for the term
48 of two years from the time of his selection, and thereafter
49 one layman trustee shall be selected each year to serve for
50 the term of two years. No act or proceeding of the board
51 of trustees of any such church shall be valid without the
52 sanction in writing of the bishop of the diocese of Portland
53 for the time being, or, in case of his absence or inability to
54 act, without the sanction in writing of the vicar-general
55 or of the administrator of the diocese in which such church
56 is located. During a vacancy in the See of Portland the
57 duly appointed administrator thereof shall have all the
58 powers and perform all the duties of said bishop under the
59 provisions of this act. Such board of trustees in accord-

60 ance with the discipline and government of the Roman
61 Catholic church may adopt rules for its own government
62 and the government of said church.

(3) Upon application of any such incorporated church
64 to the Roman Catholic Bishop of Portland, corporation sole,
65 such Roman Catholic Bishop of Portland, corporation sole,
66 shall convey to such incorporated church so much real
67 estate and other property as may, in the judgment of said
68 board of trustees be necessary for the charitable, educa-
69 tional, burial, religious and church purposes of such church,
70 the same to be held, managed and disposed of by any form
71 of legal conveyance or transfer by such church, according
72 to the discipline and government of the Roman Catholic
73 church and of said diocese of Portland, provided, however,
74 that the rights of existing creditors of the Roman Catholic
75 Bishop of Portland, corporation sole, shall not be impaired
76 or diminished by any such conveyance of real or personal
77 property to any such church. Upon the dissolution of any
78 such church or upon the violation by any such church of
79 the rights and privileges granted to it as aforesaid, the prop-
80 erty conveyed to it as aforesaid shall vest in the Roman
81 Catholic Bishop of Portland Corporation Sole, to be held
82 and managed by it for the same purposes and in the same
83 manner as provided in the act creating said Corporation
84 Sole.'