

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

E I G H T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 719

H. P. 1079

House of Representatives, Feb. 21, 1933.

Reported by Mr. Fernald from Committee on Judiciary and laid on table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

Presented by Mr. Dow of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED THIRTY-THREE

AN ACT Relating to the Property of Extinct or Disbanded Congregational and Christian Churches, Parishes or Societies.

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

P. & S. L. 1893, c. 447, § 1, amended. Section 1 of chapter 447 of the private and special laws of 1893, as amended by chapter 31 of the private and special laws of 1927, is hereby further amended by striking out the whole of sections 1 and 2 of said chapter as amended and inserting in place thereof the following, so that said two sections as amended shall read as follows :

'Sec. 1. Rights transferred to Congregational-Christian Conference. The Congregational-Christian Conference ~~and Missionary Society~~ of Maine, a corporation duly organized and existing under the laws of the state of Maine, shall be and becomes vested with the property and effects of any extinct or disbanded Congregational ~~or Christian~~ church, parish or society within this state in trust to apply the same to paying the debts, if any, of such extinct or disbanded church, parish or society and to use any surplus for the purposes and objects of said ~~The Congregational-Christian Conference and Missionary Society~~ of Maine, and may sell and convert such property and effects into money ; provided, however, that in the sale and disposition of property so devolving on said ~~The Congrega-~~

tional-**Christian** Conference ~~and Missionary Society~~ of Maine said ~~society~~ **corporation** shall be deemed in respect to the right and power of possession, control, disposal and conveyance, the legal successor of such extinct or disbanded Congregational **or Christian** church, parish or society; and in the case of the sale of such property said ~~The Congregational-Christian Conference and Missionary Society~~ of Maine shall apply to the supreme judicial court **or superior court** in equity within the county where such property is situated for a judicial decree authorizing the sale thereof, and after such notice of said application as the court may direct, such decree shall be authority for making such sale.'

'**Sec. 2. Authority of proceeding transferred to Congregational-Christian Conference; recording of decree of sale.** The Congregational-**Christian** Conference ~~and Missionary Society~~ of Maine in order to determine when any such Congregational **or Christian** church, parish or society is extinct or disbanded, shall call a council of the local association of Congregational **and Christian** churches in which said church, parish or society is situated, and the finding of such council, together with the decree of the court, shall be its authority for proceeding to make such sale. Before the sale of any property as hereinabove provided, notice of said sale shall be published at least 2 weeks before the date of sale in a paper of wide circulation in the vicinity of the property formerly used by such extinct or disbanded church, parish or society; and the decree of the court shall be recorded in the registry of deeds for the county or counties in which said property is situated.'