

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## FORTY-EIGHTH LEGISLATURE

OF THE

## STATE OF MAINE.

1869.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1869.

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CHAP. 180.  
Inconsistent acts  
repealed.

SECT. 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECT. 5. This act shall take effect when approved.

Approved February 26, 1869.

## Chapter 180.

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 :*

Parishes, how  
organized, &c.

SECT. 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.

Agreement,  
form of.

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, Warden and Vestrymen of ——— church in ——— ;" but no parish shall be organized in any town or city, bearing the same name with any other Protestant Episcopal church already organized therein. Second, the town or city and county in which it is located. Third, the number of vestrymen, not exceeding eleven, and the time of the annual meeting, which shall be in Easter week.

Record of agree-  
ment, when made

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

First meeting,  
how called.

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

terms of said agreement. At such meeting two wardens and the required number of vestrymen may be elected, or at any adjournment thereof.

Wardens and vestrymen, election of.

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

Right of voting confined to certain persons.

SECT. 6. The wardens and vestrymen so elected, two-thirds of them concurring in the choice, may choose some fit person, duly qualified, to act as minister or rector of said church agreeably to the constitution of the Protestant Episcopal Church in the United States of America; their choice shall be submitted to the parish for approval, and if approved by a majority of those present, at any duly called parish meeting, the person so elected shall be the rector or minister of the parish. The minister or rector so chosen shall preside at all meetings of the wardens and vestrymen and have a casting vote, unless the business or question to be decided has relation to the personal interest of said minister or rector; *provided*, that in the absence of such rector or minister, one of the wardens shall preside. Whenever a vacancy shall occur in the office of minister or rector by death, removal or otherwise, the wardens and vestrymen may elect a successor in the mode hereinbefore provided.

Rector.

May preside at meetings.

Proviso.

Vacancies, how filled.

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

Annual meeting.

SECT. 8. The rector, wardens, and vestrymen appointed as aforesaid, shall be a body corporate and politic, with all the rights and liabilities pertaining thereto, except as herein provided; *provided, nevertheless*, if at any time the parish be without a minister or rector, the same rights and privileges shall be vested in the wardens and vestrymen.

Rights and liabilities.

Proviso.

SECT. 9. The rector, wardens and vestrymen, or a majority of them, may make rules, by-laws and ordinances, and do everything needful and requisite for the good government and support of the parish, *provided* that said rules, by-laws and ordinances shall not be repugnant to the constitution and laws of this state or of the United States; all vacancies in such vestry may be filled by the vestrymen at any meeting, and the persons elected to fill such vacancies shall hold for the same period as their predecessors would have done.

By-laws.

## CHAP. 180.

Temporal affairs,  
by whom man-  
aged.

SECT. 10. All the temporal affairs of such parishes shall be managed by the rector, wardens and vestrymen thereof, and they shall have authority to alter, erect, repair, enlarge, and in case they deem it necessary, to take down or remove and rebuild any church or other building belonging to such corporation.

Estate.

SECT. 11. It shall be lawful to such corporations to hold real estate to such an amount as shall be reasonably necessary for church lectures or school rooms, for dwellings for the ministers thereof, for hospitals or charitable purposes, but it shall not be lawful for such corporations to hold or use any real estate for any other purpose.

Reorganization,  
how effected.

SECT. 12. Any parish of the Protestant Episcopal Church, heretofore organized under any other general law may reorganize, so as to become subject to the provisions of this act, whenever such parish shall at any duly called parish meeting authorize the wardens and vestrymen to execute and acknowledge an agreement as provided in this act, which agreement shall in addition to the requisites mentioned in the first section, set forth that it is executed for the purpose of reorganizing such parish according to the provisions of this act. Such agreement shall be deemed sufficient when so executed and acknowledged by a majority of such wardens and vestrymen, and recorded in said registry of deeds.

Tenure of office.

SECT. 13. Upon such execution, acknowledgment and recording of such agreement, such parish shall, without further action, be deemed to all intents and purposes reorganized, and all rights of property and of contract shall remain unimpaired, and the corporate identity of such parish shall continue unchanged. The wardens and vestrymen in office shall continue therein until the annual election in Easter week next following such reorganization, and until a new board shall be chosen, and no other meeting or notice shall be necessary to complete such reorganization; *provided*, that when a new board shall be chosen, it shall consist of the number of vestrymen required by such articles of reorganization.

Proviso.

Members.

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

SECT. 15. This act shall take effect when approved.

Approved February 26, 1869.