

SENATE....No. 34.

[Reported by the Committee on Parishes.]

Commonwealth of Massachusetts.

In the Year of our Lord One Thousand Eight Hundred
and Thirty-Four.

AN ACT

Declaring and Confirming to the Pew-holders the property in the Congregational Meeting House in the First Parish in Brookline, and authorizing them to raise Monies by Taxing Pews.

1 SEC. 1. **BE** it enacted by the Senate and House
2 of Representatives in General Court assembled, and by
3 the authority of the same, That all persons who now
4 are, or may hereafter become Proprietors in the
5 Pews in the Meeting House of the First Parish in
6 Brookline, are hereby declared to be a body politic
7 and corporate, by the name of the First Parish in

8 Brookline, with all the powers, privileges and immu-
9 nities usually granted to such societies. And said
10 Proprietors are, and are hereby deemed in law to be
11 seized of the same Meeting House, and the land un-
12 der and appurtenant to the same, reserving however
13 to the several pew Proprietors, their rights and in-
14 terest in said pews respectively. And said corpora-
15 tion may take, hold, and possess, by gift, devise,
16 purchase, or otherwise, real and personal estate, not
17 exceeding thirty thousand dollars, exclusive of their
18 Meeting House and its appurtenances.

1 SEC. 2. *Be it further enacted,* That all monies
2 necessary for the support of public worship and other
3 parochial purposes, which may be voted to be raised
4 by the Proprietors at any meeting duly notified, shall
5 be assessed on the Proprietors of the pews, or on the
6 occupants of pews who regularly worship with said
7 society, according to the relative value of the pews,
8 as appraised in the year eighteen hundred and six,
9 by a committee appointed for that purpose, as re-
10 corded in the Parish records. *Provided, however,*
11 That no person who is now a Proprietor as aforesaid,
12 but is a member of any other religious society, shall
13 be taxed or be liable to taxation, or abridged of any
14 of his rights secured to him by the constitution and
15 laws of this Commonwealth.

1 SEC. 3. *Be it further enacted,* That if any Pro-
2 prietor shall neglect to pay his or her assessment for
3 the space of six months after such assessment is laid
4 and notified, the Treasurer shall advertise the pew
5 of such delinquent for the space of six weeks, by
6 posting notices at said Meeting House and two other
7 public places in said town, stating the time, place,

8 and cause of sale, then, if all arrears are not paid, he
9 shall sell the same at auction to the highest bidder,
10 and, after deducting all sums due, with costs of sale
11 and charges of conveyance, shall pay over the bal-
12 ance, if any, to the owner.

1 SEC. 4. *Be it further enacted*, That the pews
2 shall hereafter be considered personal estate, and
3 upon any sale or transfer of the same, the old deeds
4 shall be surrendered, and new deeds issued, signed
5 by the Treasurer ; but no conveyance shall be valid,
6 until entered on the records of the corporation.

1 SEC. 5. *Be it further enacted*, That any person
2 wishing to dispose of his or her pew, shall offer the
3 same to the society at an appraised value, to be de-
4 termined by two persons, one of whom to be chosen
5 by each of the parties, and if these cannot agree, a
6 third shall be chosen by the other appraisers, and
7 the judgment of any two of them shall be final to
8 settle the price ; and if the society shall not make its
9 election to purchase within thirty days thereafter,
10 such pew may be sold to any other person ; *provided*,
11 all dues thereon be first paid.

1 SEC. 6. *Be it further enacted*, That said corpora-
2 tion may make and establish all necessary and con-
3 venient by-laws ; *provided*, the same be not repug-
4 nant to the constitution and laws of this Common-
5 wealth.

1 SEC. 7. *Be it further enacted*, That this Act being
2 accepted by a major vote of the said Parish, shall be
3 binding on all parties concerned therein.

