

acknowledged in this state, and protected in the free and full exercise of their religion by the constitution and laws of the same, there shall be and remain sufficient power and authority in all the male persons above twenty-one years of age belonging to any such church, society or congregation, to elect, at their discretion, certain sober and discreet persons, not less than five or more than thirteen, which persons, so elected, shall be and are hereby constituted a body politic or corporate, upon being registered as herein after directed, to act as trustees, in the name and behalf of the particular church, society or congregation, for which they are respectively chosen, and to manage the estate, property, interest and inheritance of the same, in the most upright and careful manner, and shall moreover have perpetual succession in law, fact and name, as herein after prescribed, and shall, by their name of incorporation, have full power and lawful authority to sue and to be sued, to implead and to be impleaded, to answer and to be answered unto, in any court or courts of law or equity within this state, before any judge or judges, justice or justices, in all manner of suits and pleas whatever, and of what nature or kind soever such suits, pleas or actions may be, in as full and effectual a manner as any other person or persons, bodies politic or corporate, may or can do.

III. AND BE IT ENACTED, That every such body politic shall be chosen, and the succession kept up, at such times and places as are ordinarily used for public meetings of the said church, society or congregation, and by such persons as are allowed to have a voice in the management and direction of congregational or temporal concerns, according to the known custom and usage of their respective denominations; or the said body politic or corporate shall be chosen, and the succession kept up, according to the rules, regulations and practice, that may have been heretofore adopted and used, or that shall be at the first of electing adopted and agreed upon, by any particular church, society or congregation, for ordering, directing or managing, their congregational or temporal concerns; provided always, that every trustee or member of any corporation aforesaid shall be of the same religious sect or denomination with the church, society or congregation, by which he is chosen to this trust; and provided also, that the minister for the time being, or senior minister where there are more than one settled in any church, society or congregation, shall always, in virtue of his ministry, be a member of the body politic or corporate belonging to the same, exclusive of the number heretofore prescribed.

When and where to be chosen, &c.

IV. AND BE IT ENACTED, That in case any debate shall arise in any church, society or congregation, about the right of voting, or whether the election aforesaid hath been fairly conducted, agreeably to the true intent and meaning of this act, the parties contending shall each of them choose one discreet and reputable person from amongst the members or trustees of some neighbouring church, society or congregation, of the same religious persuasion, if any such there be, and if none such, then of any other christian society, which two persons shall choose a third, qualified in like manner, and the said three persons shall meet at the place where the difference has arisen, and hear and determine upon the matter, and their judgment or award, or the judgment or award of a majority of them, certified under their hands and seals to the contending parties, shall be final.

In case of debate, the parties to choose persons, &c.

V. AND BE IT ENACTED, That at the first election or appointment of every body politic or corporate aforesaid, every church, society or congregation, assembled as already directed, shall determine and fix on their plan, agreement or regulation, mentioning and specifying distinctly the time and manner of electing trustees, and the manner in which the succession shall be perpetuated, and containing an exact description of the qualifications of the persons severally electing and elected, and to elect and to be elected thereafter, and also the name, style or title, of the corporation, by which it shall be thereafter called, distinguished and known, and the name of the church, society or congregation, choosing the same, which said plan, agreement or regulation, shall be entered in the book herein after directed to be kept by every the said body politic or corporate, and the same shall be acknowledged by the said trustees, or a majority of them, before, and certified by, any two justices of the peace for the county in which the said church, society or congregation, or the greatest number of them, shall reside, or the same shall be acknowledged before, and certified by, one of the judges of the general court, after being well assured by the said trustees, or a majority of them, that the proceedings have been legally and duly conducted; and the said plan or agreement, so acknowledged and certified, shall be filed by the said trustees with the clerk of the county court where the said church, society or congregation, or the greater part of them, shall reside, within six months after such acknowledgment shall be made, and the same shall be recorded in a book to be provided for these special purposes, at the expence of the several corporations in that county whose proceedings shall be so recorded, and a copy of the said proceedings from the records thereof, under the hand of the clerk, and the public seal of his office, shall be of the same force and effect, in every court of law and equity within this state, as the original proceedings would be if the same

At the first election to fix on their plan, &c.