

C H A P.
XXIV.

charge from serving, or any other disqualification of any person chosen a vestryman, the rector (if any,) or if no rector, any two of the vestry, or of those persons who last possessed the power of vestrymen, shall, with all convenient speed, appoint a general meeting of the parishioners entitled to suffrage as aforesaid, at the parish church or elsewhere, as herein before mentioned, and at such meeting, such of them as shall assemble shall proceed, by a majority of votes, to fill up such vacancy or vacancies from among the persons qualified to vote, as herein before provided; and on every Easter Monday for ever, after the first election as herein before directed, the parishioners entitled to suffrage shall assemble, as herein before prescribed, and they, or such of them as may assemble, shall, by a majority of votes, put out four of the eight vestrymen whom they please, and shall immediately thereafter elect, by ballot, four vestrymen from among the persons qualified to vote, including those whom they have voted out, all or any of whom they may re-elect; and such persons so chosen, with the remaining vestrymen and the rector, shall be the vestry for the ensuing year.

Vestrymen to judge of elections, &c.

V. AND BE IT ENACTED, That the vestrymen of each parish, or a majority of those who shall attend, shall judge of the election of vestrymen, and of the qualification of voters, and of the qualification of the parishioners proposed to be elected as vestrymen.

Oaths to be taken.

VI. AND BE IT ENACTED, That every person chosen a vestryman shall, before he acts as such, take and subscribe the oath of support and fidelity required by the constitution and form of government, unless such person hath before taken such oath, and also make and subscribe a declaration of his belief in the christian religion, and he shall also take and subscribe the following oath of office, to wit: "I, A. B. do solemnly swear, that I will faithfully execute the office of a vestryman of — parish, in — county, without prejudice, favour or affection, according to the best of my skill and knowledge;" which oaths and declarations any justice of the peace, or any vestryman present, may administer and take.

Days on which vestries are to be held.

VII. AND BE IT ENACTED, That the first Monday in February, May, August and November, in each year, shall be the days on which a vestry shall be held in every parish, at eleven o'clock in the forenoon, at the place at which vestry elections are directed by this act to be held, without any notice given thereof, and every vestry may also hold adjourned or special meetings at such times and places as they may agree upon; at any which time or place, any four vestrymen, together with the rector, if he shall attend, if not, any four, without him, shall be a sufficient quorum for the transaction of any business whatever, which they are authorized to do by this act, and whatsoever shall be thus done by a majority of such quorum, or of the members attending, if more than above directed, shall be valid and obligatory as if done by the whole vestry; provided always, that due notice of all adjourned and special meetings shall be given to all the members of the vestry.

Rector to preside, &c.

VIII. AND BE IT ENACTED, That the rector of each parish for the time being shall preside in the vestry, collect the votes, and shall, upon an equal division of those present, have a vote, except in cases in which he is in any manner particularly interested, and he shall have, except he may otherwise contract with the vestry, the possession, occupation and free use of all the glebe-lands, houses, ground-rents, books and other property, belonging to his parish, and be entitled to the benefit thereof during the time he shall officiate therein as rector.

Vestry to have an estate in all churches, &c.

IX. AND BE IT ENACTED, That the vestry of each parish for the time being, as trustees of the parish, shall have an estate in fee-simple in all churches and chapels, and in all glebes, and other lands, and shall have a good title and estate in all other property heretofore belonging to the church of England, or which shall hereafter belong to the said church, now called the Protestant Episcopal Church, in Maryland; and it shall be lawful for such vestry so to manage and direct all such property as they may think most advantageous to the interests of the parishioners, and they shall also have the property in all books, plate and other ornaments belonging to said churches and chapels, or any of them.

Penalty on the rector for waste, &c.

X. AND BE IT ENACTED, That if any rector shall commit any waste on any glebe-land, or other land belonging to the vestry of his parish, or if he shall do any injury to his parsonage, or to his parish library, he shall be liable to pay treble damages, to be recovered of him by the vestry in their corporate name, in the same manner as if he was not one of the vestry.

Churchwardens to be chosen.

XI. AND BE IT ENACTED, That on every Easter Monday, immediately after the election of vestrymen, the vestry shall proceed to choose from among the persons qualified to vote, two sober, discreet and pious persons, to be churchwardens for the ensuing year, and before they act as such, they shall take and subscribe the oath of fidelity, and make and subscribe the declaration herein before prescribed to be taken by vestrymen, and also an oath, that they will faithfully discharge the duties of a churchwarden.

Who shall have power to keep the peace, &c.

XII. AND BE IT ENACTED, That every churchwarden shall have power to keep the peace, and also preserve order and decency in his respective church or chapels; and it shall be lawful for any churchwarden to apprehend any person guilty of any breach of the peace, or of any disorderly conduct, or of making a noise in any church or chapel, or in the church or chapel-yard, or other enclosure, so as to disturb the congregation, and to turn such person out of the church, chapel-yard, or other enclosure thereto belonging; and it shall be the duty of any person (who may be called upon) to assist the churchwarden in the before-mentioned duties.

Elections may be held at any time, &c.

XIII. AND BE IT ENACTED, That if, from any cause whatever, those persons qualified to vote in any parish should suffer Easter Monday to elapse without any election of vestrymen, then said election may be held on any other day appointed for the purpose, at any time after, although it may be in any subsequent year, of which day notice shall be given by the rector (if any) his