

[No. 842, A.]

[Published April 12, 1889.]

CHAPTER 313.

AN ACT to amend chapter 37, of the laws of 1883, entitled, "An act supplementary and amendatory of chapter 91, of the revised statutes, entitled, 'Of religious societies.'"

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending ch.
37, laws 1883.

SECTION 1. Section 2, of chapter 37, of the laws of 1883, is hereby amended by inserting after the words, "two laymen," in the third line of said section the words, "practical communicants," so that when amended said section 2, shall read as follows: Section 2. The bishop and vicar-general of each diocese, the pastor of the congregation to be incorporated, together with two laymen, practical communicants of such congregation (the latter to be chosen from and by the congregation), shall be the trustees of the same.

Trustees.

Members of
corporation.

SECTION 2. Section 4, of said chapter is hereby amended by adding at the end of said section the following: "The said bishop and vicar-general or either of them may be represented at any meeting of said congregation or at any meeting of the directors by proxy with like effect as if personally present," so that when amended said section shall read as follows: Section 4. The said bishop and vicar-general shall be and remain members of such corporation, as long as they shall be and remain respectively bishop and vicar-general of said diocese; and said pastor shall be and remain a member thereof so long as he shall be and remain pastor of said congregation; and whenever either or all of them shall cease to be bishop, vicar-general or pastor as aforesaid, by reason of death, resignation, removal or otherwise, then and in that case their respective successors as such bishop, vicar-general or pastor, shall be and become their respective successors as members of such corporation, and in like manner they shall have perpetual succession. The said bishop and vicar-general or either of them may be represented at any meeting of said congregation or at

any meeting of the directors by proxy with like effect as if personally present.

SECTION 3. Section 6, of said chapter 37, of the laws of 1883, is hereby amended by adding at the end of said section the following: "Whenever the secretary or treasurer shall, after due notice, neglect or fail to attend the meetings of the directors or attend to the business of such corporation, his office shall be declared vacant by the remaining directors and such vacancy be filled by them," so that when so amended said section shall read as follows: Section 6. The officers of such corporation shall be a president, vice president, treasurer and secretary, and the said bishop, his successor or administrator thereof, or such other person as may be appointed according to the rules of the Roman Catholic church, or administrator for the time being, shall be president, and the said pastor shall be vice president ex-officio, and the treasurer and secretary shall be selected or chosen from among the laymen who are members of such corporation as provided by the by-laws. In all cases the treasurer shall be required to give bonds to such corporation, conditioned that he will faithfully account for and pay over all moneys that may come into his hands as such treasurer and otherwise faithfully discharge the duties of his office, which bond shall before he enters upon the duties of his office, be approved by the president, vice-president, and secretary, by endorsement to that effect made thereon. Whenever the secretary or treasurer shall, after due notice, neglect or fail to attend the meetings of the directors or attend to the business of such corporation, his office shall be declared vacant by the remaining directors and such vacancy be filled by them.

Officers, how
chosen.

SECTION 4. Section 7, of said chapter 37, of the laws of 1883, is hereby amended by inserting after the word, "directors" in line eight of said section the following: "Such debt may be evidenced by a note or other evidence of debt and may be secured by a mortgage on the property of such corporation, but such note, evidence of debt or mortgage shall not be construed as implying any covenant for the payment of the sum thereby intended to be secured on the part of any of said directors but the remedies of the payee or mort-

gagee named therein shall be confined to the lands and property of such corporation;" so that when amended said section shall read as follows: Section 7. The said bishop or administrator and said vicar general, pastor and the said treasurer and secretary shall be ex officio directors of such corporation. Said directors may by a majority vote, contract debts not exceeding in amount the sum of three hundred dollars; but debts in excess of that sum may be contracted for by the consent and vote of all the directors; such debt may be evidenced by a note or other evidence of debt and may be secured by a mortgage on the property of such corporation, but such note, evidence of debt or mortgage shall not be construed as implying any covenant for the payment of the sum thereby intended to be secured on the part of any of said directors, but the remedies of the payee or mortgagee named therein shall be confined to the lands and property of such corporation. The real estate of the corporation shall not be sold, mortgaged, encumbered or disposed of in any manner without the vote and consent of all the directors.

May contract debts, execute note and mortgages, etc.

When corporation defunct or dissolved property to vest in bishop.

SECTION 5. Chapter 37, of the laws of 1883, is hereby amended by adding thereto the following section: Section 9a. Whenever a corporation incorporated under this act shall become defunct or be dissolved, the property thereof shall vest in the bishop of the diocese in which such corporation is located and if within three years from the date of such dissolution said congregation be re-incorporated in the manner prescribed by this act, the said property so belonging to such defunct or dissolved corporation at the time of its dissolution shall vest in such new corporation.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved April 8, 1889.