

**B. PROVISIONS APPLICABLE TO PARISHES AND CONGREGATIONS
IN THE DISTRICT OF COLUMBIA**

An Act
Relating to the Parishes and Congregations
of The Protestant Episcopal Church
in the District of Columbia
Private Law 91-220, 84 Stat. 2164 (1970):

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of the General Assembly of the State of Maryland, passed in the year 1798, entitled "An act for the establishment of vestries for each parish in the State," ("The Vestry Act," chapter 24 of the Maryland Acts of 1798) as amended by the Legislative Assembly of the District of Columbia in 1872 and 1873, and by the Congress of the United States in 1874, 1919, and 1947 be repealed, except for paragraphs 9, 28 (without the proviso clause), 29, and 32 of chapter 24 which authorize the corporate structure of the church, its ownership of property and right to sue and be sued, which are hereby retained. Nothing in this Act shall be deemed in any way to impair or otherwise adversely affect the title to property as presently held or hereinafter acquired. Here after the government and operations of the Protestant Episcopal Church in the District of Columbia shall be in accordance with the constitution and canons of said church.

(Note: The sections not repealed are identical to the comparable sections in the version of the Vestry Act of Maryland set out in Part IA above, as follows: Sec. 9 = 312-H; Sec. 28 without *proviso* = 312-M; 29 = 312-N; and 32 = 312-O.)

312H. How property held and use thereof.

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 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.

312M. Powers of vestrymen in general.

The vestrymen of every parish in this state for the time being shall be, and they are hereby declared to be, one community, corporation and body politic, forever, by the name of The Vestry of the parish to which they severally belong, and by the same name they, and their successors, shall and may have perpetual succession, and shall and may, at all times hereafter, be persons able and capable in law to purchase, take and hold, to them and their successors, in fee, or for any less estate or estates, any lands, tenements, hereditaments, rents or annuities, within this state, by the gift, bargain, sale or devise, of any person or persons, body politic and corporate, capable of making the same, and such lands, tenements or hereditaments, to rent or lease, in such a manner as they may judge most conducive to the interests of their respective parishes, and also to take and receive any sum or sums of money, and any kind of goods and chattels, which may or shall be given, sold or bequeathed, unto them, by any person or persons, bodies politic or corporate, capable to make a gift, sale or bequest thereof, and to apply the same for the use of their respective parishes as herein before directed.

312N. Sale of property.

No vestry shall sell, alien or transfer, any of their estates or property belonging to their church or churches, without the consent of five at least of their body, (of which number the rector shall always be one), together with the consent of both, the churchwardens, and in case there be no rector in the parish, then it shall be necessary to obtain the consent of the Bishop of the Protestant Episcopal Church in this state for the time being, previous to any sale, alienation or transfer, of any of the estates or property aforesaid.

312O. Power of vestrymen to sue and be sued, etc.; seal.

The vestry of every parish, and their successors, (by the name aforesaid), shall be forever hereafter able and capable in law to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all or any courts of justice, and before all or any judges, officers or other persons whatsoever, in all and singular actions, matters and demands whatsoever; and it shall and may be lawful for them, and their successors, forever hereafter, to have a common seal for their use, and the same, at the will and pleasure of them, and their successors, to change, alter, break and make anew, from time to time, as they shall think best.