

politic or corporate, capable of making the same, and to use or lease, mortgage or sell and convey the same in such manner as they may judge most conducive to the interest of their respective churches, societies or congregations; provided, that nothing herein shall authorize any sale, mortgage or other disposition of any property held by such corporation under any instrument prohibiting such sale; and provided, the clear yearly income from the estate of any church, society or congregation, exclusive of the rents of pews, collections in churches, funeral charges and the like shall not exceed the sum of twenty thousand dollars.

The word "church" as used in this section, means "a body of christians worshipping in a particular church edifice or constituting one congregation." In the law of Maryland the word "church" is synonymous with the corporate entity holding the title to its property. *Doan v. Ascension Parish*, 103 Md. 668.

In view of this section, where a religious corporation owns property in fee simple, any restrictions upon its right to sell and convey such property can only be because of some clear and positive provision in its charter; no such provision found in a charter. *Starr v. Starr M. P. Church*, 112 Md. 184. See notes to sec. 339.

1904, art. 23, sec. 303. 1888, art. 23, sec. 207. 1868, ch. 471, sec. 158.

341. 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 agreed upon, or that shall be, at the first time of electing, agreed upon and adopted by any particular church, society or congregation for directing or managing their congregational or temporal affairs.

See notes to sec. 339.

Ibid. sec. 304. 1888, art. 23, sec. 208. 1868, ch. 471, sec. 160.

342. 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 in section 339.

See notes to sec. 339.

Ibid. sec. 305. 1888, art. 23, sec. 209. 1868, ch. 471, sec. 161.

343. If any contest shall arise in any church, society or congregation about the right of voting, or whether the election has been fairly conducted, agreeably to the true intent and meaning of this article, the parties contending shall each of them choose one discreet and reputable person from amongst the members or trustees of some neighboring congregation or society of the same religious persuasion, if any such there be, and if none such, then of any other religious society,