

THE CHARTER
LAWS AND RULES
OF THE CORPORATION
FOR THE RELIEF OF THE
WIDOWS and CHILDREN
OF THE
CLERGY
OF THE
Protestant Episcopal Church
IN MARYLAND

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CHARTER

AN ACT

To provide a fund for the relief of the Widows and Children of the Clergy of the Protestant Episcopal Church in this State (Maryland). Passed November Session, 1784 ch. 78.

Whereas, it hath been represented to this General Assembly by the Rev. William Smith, Doctor in Divinity, the Rev. William West, John Andrews and Thomas John Claggett, that they are a committee appointed by and in behalf of the Clergy of the Protestant Episcopal Church in this State, (formerly denominated the Church of England), to solicit an Act of Incorporation to enable the clergy of the said Church to raise and manage a fund for providing small annuities for the distressed widows of the said clergy, and for the education of their children; and this General Assembly is earnestly desirous to promote every pious and charitable design for the relief and assistance of the widows and fatherless, and especially those of the respectable and useful body of clergy of all denominations, who are often obliged through the uncertainty and scantiness of their support in many places, to leave their families in very necessitous circumstances: ---
Therefore,

Be it enacted by the General Assembly of Maryland, That the said Protestant Episcopal Clergy; namely, William Smith, John Gordon, John M'Pherson, William Thompson, Samuel Keene, William West, Walter Magowan, John Andrews, Thomas John Claggett, George Goldie, Edward Gantt, Francis Lauder, Jos. Messenger, John Bowie, Walter Harrison, Thos. Gates, James Wilmer, Hamilton Bell, Francis Walker, John Stewart, Samuel Tingley, Leonard Cutting, Ralph Higginbotham, Mason Weems and Edward Gantt, Jr., and such other Clergymen in the orders and communion of the said Church, as may hereafter become residents of this State, and shall be contributors to the said funds of the Corporation, herein erected, and as may be admitted into the said corporation, by a majority of the members thereof for the time being, shall be and they and their successors are hereby declared to be, one community, corporation and body politic, forever, by the name of "the Corporation for the relief of the Widows and Children of the Clergy of the Protestant Episcopal Church in Maryland," and by the same name they and their successors shall and may, at all times hereafter, be persons able and capable in law to purchase, take, have and enjoy, to them and their successors in fee, or for any less estate or estates, any lands, tenements, rents, annuities, pensions and other hereditaments, within this State, by the gift, bargain, sale, or devise, of any person or persons, bodies politic and corporate, capable to make the same; and such lands, tenements, rents, annuities, pensions and other hereditaments, or any less estates, rights, or interest; of or in the same at their pleasure to alien, sell, transfer or lease, in such manner as they may judge most conducive or furthering the pious design of this charitable incorporation, and according to the nature of such estate as they may have in the same; and also that they and their successors may take and receive any sum or sums of money, and any kind, manner or portion of goods and chattels, and 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 employ the same, either in their immediate payment of annuities to the widows aforesaid, and other declared purposes of this incorporation, or in providing a fund, or capital sufficient to produce a yearly interest, revenue or income, for answering the good purposes of the same; provided that the clear yearly value of the said capital, funds, stock and other hereditaments and real estate of the said Corporation, do not exceed fifteen thousand Spanish milled dollars of the present current weight; namely seventeen pennyweight and six grains each dollar, above all taxes and assessments.

3dly. *And be it enacted*, That the members of the said Corporation, and their successors, may meet together on the fourth Tuesday in May every year, and at such other time or times, and at such place or places, within this State; and upon such public notice given, as may be fixed and agreed upon, for the purposes of forming such rules and regulations, and as may be necessary for answering and carrying into effect the pious purposes of this Act; provided such rules and regulations be not repugnant to the constitution and laws of this State.

4thly. *And be it enacted*, That the said Corporation and their successors, by the name aforesaid, shall be forever thereafter 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 that it shall and may be lawful for them and their successors, forever thereafter, to have a common seal for their use, and in their affairs and business; 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; and shall in general have and exercise all such rights, franchises, privileges and immunities, as by law are incident and necessary to corporations of this kind, and which may be necessary to the Corporation herein and hereby constituted and erected, to enable them duly and fully in the law, to execute all things touching and concerning the design and intent of their said incorporation, for the benefit, succor and relief of the widows of such clergymen in the orders and communion of the Protestant Episcopal Church aforesaid, as may or shall become contributors to the funds of said Corporation, agreeable to such rules and by-laws as may be established for the management and payment of annuities to the said widows, and for the education of their children, and settling them in some useful business or profession.

As used in this Charter, the terms “widow” and “surviving spouse” shall mean the spouse or domestic partner of a deceased member, regardless of the spouse or partner’s gender.

AN ACT

To amend and enlarge the powers granted by the Act entitled “An Act to provide a fund for the relief of the Widows and Children of the Clergy of the Protestant Episcopal Church in the State of Maryland” passed November Session, 1784, Chapter 78.

WHEREAS, in the period of one hundred years since the passage of the Act herein referred to, the number of persons to be benefited by the Corporation thereby created has largely increased and their needs and necessities have multiplied in various forms; and although the ability of the Corporation to meet those wants has also increased, it yet requires further enlargement and more liberty in the use of its income, in order thoroughly to accomplish the various charitable purposes that may be sub-served thereby; therefore,

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the proviso in the Act entitled “An Act to provide a fund for the relief of the Widows and Children of the Clergy of the Protestant Episcopal Church in the State of Maryland,” passed November Session, 1784, Chapter 78, which limits the clear yearly value of the capital fund, stock and other hereditaments and real estate of the Corporation thereby created to a sum not exceeding fifteen thousand Spanish milled dollars or the then current weight of seventeen pennyweight and six grains, each dollar above all taxes and assessments, be and the same is hereby repealed; and the said corporation is hereby authorized to hold such funds, stocks and other hereditaments and real estate as authorized by the Act aforesaid. ~~provided that the net income arising from the same shall not exceed the sum of fifty thousand dollars per annum.~~ 11/18/68

Sec. 2. *And be it enacted,* That it shall be competent for the said Corporation to admit new members by the votes of two-thirds of those members who may be present at any annual meeting of said Corporation.

Sec. 3. *And be it enacted,* That the said corporation be and it is hereby authorized, *at any annual meeting, by a vote of a majority of the members present at the meeting,* to distribute any surplus of the preceding year remaining after the settlement in full of all expenses and claims upon the said Corporation for that year to the following objects **below**, ~~in the order named, and in such proportion as to it may seem best,~~ unless as herein otherwise specified, viz:

Firstly. The Corporation shall be and it is hereby authorized to distribute any surplus of the previous year 11/18/68

~~Secondly.~~ to the payment of the Widows and Children of deceased members, as now authorized under the by-laws of the Corporation to receive annuities, of such sums, in addition to their annuities as their respective needs and the amount to be distributed may warrant.

The Corporation shall be authorized to pay a fixed sum, to be known as a “death benefit,” to a member upon the death of the member’s spouse or other designated beneficiary, and to a deceased member’s surviving spouse or other designated beneficiary upon the death of the member.

The Corporation shall be further authorized to perform other activities permitted corporations under the General Laws of the State of Maryland, to the extent such activities are permitted of organizations which are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provisions of any future United States Internal Revenue Law) and contributions to which are deductible under sections 170(c)(2), 2055(a)(2) and 2522(a)(2) of the Internal Revenue Code of 1986 (or the corresponding provisions of any future United States Internal Revenue Law), including the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law) and also including the making of distributions to states, territories, or possessions of the United States, any political subdivision of any of the foregoing, or to the United States or the District of Columbia, but only for charitable purposes. As used in the previous sentence, “charitable purposes” shall be limited to and shall include only religious, charitable, scientific, literary, or educational purposes within the meaning of those terms as used in Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law). **5/3/2023, Approved by IRS Oct. 2023**

In the event of liquidation or dissolution of the Corporation, the assets then existing will be distributed among the Dioceses of Maryland, Easton and Washington of the Protestant Episcopal Church in the United States of America, in such proportions as the members shall determine at a duly called meeting for that purpose. **11/18/68**

in him as agent by the law aforesaid, and his appointment and commission from the governor and council as aforesaid,) in the court of chancery of Great-Britain, to compel Sylvanus Grove and James Russell to execute their trust, and to transfer to him the bank stock held by them in trust for this state, and against Messieurs Ewers and the trustees of John Buchanan, respecting their pretended claims to the said bank stock, is hereby approved, ratified and confirmed, and the said Samuel Chase, Esquire, is hereby fully authorized to represent and act on behalf of this state, in all matters and things concerning the said bank stock, and in his name to prosecute the said suit in the court of chancery of Great-Britain to final decree; and he is hereby fully invested with every right, power and authority, necessary for that purpose; and the general assembly of this state hereby engage to confirm and abide by such decree as shall be made in the said cause by the lord chancellor of Great-Britain, or such determination of the house of lords of that kingdom as shall be made on appeal of either party; and this right and power in the said Samuel Chase, Esquire, to commence and prosecute the said suit to final decree, shall (if necessary) take place from and relate to the date of his commission.

C H A P.
LXXVI.

III. And be it enacted, That the said agent, in the prosecution of the said suit in the court of chancery, be directed (if necessary) to make or admit the attorney-general of Great-Britain a party of the said suit.

Agent to admit attorney-general a party, &c.

IV. And be it enacted, That the governor and council be authorized to instruct the said agent as to his conduct respecting his agency, and to direct him to prosecute the said suit against James Russell, and the other defendants, with all vigour and expedition, and not to make any kind of compromise with Russell, or any other of the defendants, and the said agent is hereby directed to obey such instructions.

To be instructed by governor, &c.

C H A P. LXXVII.

A Supplement to the act to authorize the United States in congress assembled to impose and levy a duty of five per cent. on imported foreign goods, and all prizes and prize goods, for the payment of the debt contracted by congress during the war.

BE it enacted, by the general assembly of Maryland, That the said act shall be in force, and the powers thereby vested in the United States in congress assembled shall take place, and may be exercised, as soon as twelve states, including this state, shall vest the United States in congress assembled with power and authority to levy and collect the duty in the said act mentioned, for such time and upon such terms as the United States in congress assembled shall accept as a substantial compliance with their resolve of the third of February, seventeen hundred and eighty-one; and the delegates of this state in congress are hereby authorized and instructed to consent to the most proper and effectual measures, consistent with the confederation, for obtaining complete power to be vested in the United States for the purpose aforesaid.

When act is to be in force; &c.

C H A P. LXXVIII.

An ACT to provide a fund for the relief of the widows and children of the clergy of the protestant episcopal church in this state.

WHEREAS it hath been represented to this general assembly by the reverend William Smith, doctor in divinity, the reverend William West, John Andrews, and Thomas John Clagett, that they are a committee appointed by and in behalf of the clergy of the protestant episcopal church in this state, (formerly denominated the church of England,) to solicit an act of incorporation to enable the clergy of the said church to raise and manage a fund for providing small annuities for the distressed widows of the said clergy, and for the education of their children; and this general assembly are earnestly desirous to promote every pious and charitable design for the relief and assistance

Preamble.

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assistance of the widows and fatherless, and especially those of the respectable and useful body of clergy of all denominations, who are often obliged, through the uncertainty and scantiness of their support in many places, to leave their families in very necessitous circumstances: Therefore,

Clergy incor-
porated, &c.

II. *Be it enacted, by the general assembly of Maryland, That the said protestant episcopal clergy, namely, William Smith, John Gordon, John M'Pherson, William Thomson, Samuel Keene, William West, Walter Magowan, John Andrews, Thomas John Clagett, George Goldie, Edward Gantt, Francis Lauder, Joseph Messenger, John Bowie, Walter Harrison, Thomas Gates, James Wilmer, Hamilton Bell, Francis Walker, John Stewart, Samuel Fingly, Leonard Cutting, Ralph Higinbotham, Mason Weems, and Edward Gantt, junior, and such other clergymen in the orders and communion of the said church as may hereafter become residents of this state, and shall be contributors to the said funds of the corporation herein erected, and as may be admitted into the said corporation by a majority of the members thereof for the time being, shall be, and they and their successors are hereby declared to be, one community, corporation, and body politic, for ever, by the name of The Corporation for the relief of the widows and children of the clergy of the protestant episcopal church in Maryland; 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, have and enjoy, to them and their successors in fee, or for any less estate or estates, any lands, tenements, rents, annuities, pensions, and other hereditaments, within this state, by the gift, bargain, sale or devise, of any person or persons, bodies politic and corporate, capable to make the same; and such lands, tenements, rents, annuities, pensions, and other hereditaments, or any less estates, rights or interests, of or in the same, at their pleasure to alien, sell, transfer or lease, in such manner as they may judge most conducive for furthering the pious designs of this charitable incorporation, and according to the nature of such estate as they may have in the same; and also that they, and their successors, may take and receive any sum or sums of money, and any kind, manner or portion, of goods and chattels, that 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 employ the same, either in the immediate payment of annuities to the widows aforesaid, and other declared purposes of this incorporation, or in providing a fund of capital sufficient to produce an yearly interest, revenue or income, for answering the good purposes of the same; provided, that the clear yearly value of the said capital, fund, stock, and other hereditaments and real estate of the said corporation, do not exceed fifteen thousand Spanish milled dollars of the present current weight, namely, seventeen pennyweight and six grains each dollar, above all taxes and assessments.*

May meet
annually, &c.

III. *And be it enacted, That the members of the said corporation, and their successors, may meet together on the fourth Tuesday in May every year, and at such other time or times, and at such place or places within this state, and upon such public notice given, as may be fixed, and agreed upon, for the purposes of forming such rules and regulations, as may be necessary for answering and carrying into effect the pious purposes of this act, provided such rules and regulations be not repugnant to the constitution and laws of this state.*

May sue, &c.

IV. *And be it enacted, That the said corporation, and their successors, by the name aforesaid, shall be for ever 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 that it shall and may be lawful for them, and their successors, for ever hereafter, to have a common seal for their use, and in their affairs and business, 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, and shall in general have and exercise all such rights, franchises, privileges and immunities,*

immunities, as by law are incident and necessary to corporations of this kind, and which may be necessary to the corporation herein and hereby constituted and erected, to enable them duly and fully, in the law, to execute all things touching and concerning the design and intent of their said incorporation; for the benefit, succour and relief, of the widows of such clergymen in the orders and communion of the protestant episcopal church aforesaid, as may or shall become contributors to the funds of the said corporation, agreeable to such rules and bye-laws as may be established for the management and payment of annuities to the said widows, and for the education of their children, and settling them in some useful business or profession.

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C H A P. LXXIX.

An ACT respecting the commerce of this state, to prevent frauds in the customs, and to direct the duty of naval officers, and to regulate the conduct of masters and mariners of merchant vessels.

WHEREAS the laws respecting commerce, the duty of naval officers, the registering of ships and other vessels, and the exportation and importation of goods, wares and merchandise, into this state, do not in many instances apply to the circumstances thereof; since the establishment of its independence, and different and suitable provisions and regulations are requisite,

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II. Be it enacted, by the general assembly of Maryland, That no ship or other vessel shall be deemed belonging to this state, and entitled to any privileges as such, unless one half thereof, at least, is actually and *bonâ fide* the property of one or more citizen or citizens of this state, and registered agreeably to this act, such property to be proved by oath or affirmation of one or more credible witness or witnesses before a naval officer of this state, and a certificate thereof granted by such naval officer on the back of the register.

What vessels are deemed to belong to this state, &c.

III. And be it enacted, That every ship or vessel above forty feet keel, one sixth part whereof belongs to any citizen of this state, shall be registered in manner and form herein after directed.

Vessels above 40 feet keel to be registered.

IV. And be it enacted, That if any owner of any vessel of or under forty feet keel shall desire to have a register for such vessel, the same may be granted in like manner and form.

Registers may be granted for smaller vessels.

V. And be it enacted, That any naval officer of this state may and shall, upon application of any owner of any ship or vessel, one sixth part whereof is the property of a citizen of this state, grant a register for such ship or vessel in the following form, viz. "State of Maryland, to wit: I ——— naval officer of the ——— district, hereby certify all whom it may concern, that in pursuance of an act of the general assembly of this state, A. B. made oath (or affirmation) before me, that the ship or vessel called ——— whereof ——— is at present master, being a ——— sterned vessel, of ——— feet keel, and of the burthen of ——— tuns, was built at ——— in the year ——— and that the said ——— and ——— are at present actually and *bonâ fide* owners thereof, and that no subject of any state at war or enmity with this state, or the United States, or any of them, hath, directly or indirectly, any part, share, or interest therein, to the best of his knowledge and belief. Given under my hand and seal, this ——— day of ——— in the ——— year of the independence of this state, and in the year of our Lord one thousand seven hundred and ———." Which said register shall be signed and sealed by the governor of this state, and countersigned by the clerk of the council for the time being.

Form of a register, &c.

VI. And be it enacted, That the several naval officers shall make due entries of every register granted by them, and transmit true lists thereof to the governor and council for the time being, in the months of June and December annually.

Naval officers to make entries, &c.