

CHARTER OF THE AMERICAN BAPTIST CHURCHES OF NEW YORK STATE

On August 29, 1807, there was organized at Pompey, N.Y., by a few Baptists, a Society called the Lake Baptist Missionary Society. The following statement as to its origin is of interest: "In view of the increased population of the country, their indigent circumstances and spiritual wants, and the multiplied calls for ministerial labor, a number of the friends of Zion met at Pompey, Onondaga County, at the home of Elder Nathan Baker, August 27, 1807, to consider the propriety of forming a Society for the prosecution of the Missionary enterprise in the destitute regions around."

To this meeting, held August 28, 1807, at Pompey, N.Y., the only Baptist Associations in Central New York, namely, the Otsego and Cayuga, sent representatives. Twenty persons became members of the newly organized Lake Missionary Society by the payment of one dollar each. They adopted a Constitution and adjourned to meet at Hamilton, N.Y., on October 28, 1807. On that date the Society met at Hamilton at the home of Elisha Payne and completed the organization by electing the following officers: President, Elder Ashbel Hosmer; Vice President, Elder Peter P. Roots; Secretary, Jonathan Olmsted.

The first annual meeting of the Society was held at Pitcher, N.Y., August 30, 1808, when the name of the Society was changed to "The Hamilton Baptist Missionary Society".

In 1817 the Hamilton Baptist Missionary Society was incorporated by an act of the Legislature, the act to remain in force twenty years.

In 1825 the name of the Society was changed to "Baptist Missionary Convention of the State of New York", and its corporate existence was extended by this and subsequent acts, until in 1887 it was made perpetual.

In 1916 the charter of the Convention was amended so as to make clear its power to take and hold property in trust for the purposes of its incorporation.

In 1957 the name of the Convention was changed to "The New York State Baptist Convention".

In 1974 the name became the American Baptist Churches of New York State.

The following are copies of the Acts of Incorporation.

LAWS OF NEW YORK, 1916, CHAPTER 138

An act to amend chapter one hundred and forty-three of the laws of eighteen hundred and ninety-eight, entitled "An act to consolidate and amend the several acts relating to the corporation called the 'Baptist Missionary Convention of the State of New York', being chapter one hundred and twenty-eight of the laws of eighteen hundred and seventeen, chapter one hundred and seventy of the laws of eighteen hundred and twenty-five, chapter one hundred and thirty-one of the laws of eighteen hundred and forty-one, chapter forty-one of the laws of eighteen hundred and sixty-two, and chapter eighty-one of the laws of eighteen hundred and eighty-seven."

Became a law April 6, 1916, with the approval of the Governor. Passed, three-fifths being present.

The people of the State of New York, represented in Senate and Assembly, do enact as follows:

Section I - Chapter one hundred and forty-three of the laws of eighteen hundred and ninety-eight, entitled "An Act to consolidate and amend the several acts relating to the corporation called the 'Baptist Missionary Convention of the State of New York,' being chapter one hundred and twenty-eight of the laws of eighteen hundred and seventeen, chapter one hundred and thirty-one of the laws of eighteen hundred and forty-one, chapter forty-one of the laws of eighteen hundred and sixty-two, and chapter eighty-one of the laws of eighteen hundred and eighty-seven," is hereby amended to read as follows:

1. All persons who are now or who hereafter may become members of the "Baptist Missionary Convention of the State of New York" are hereby constituted a body corporate with the name "Baptist Missionary Convention of the State of New York", to promote in the State of New York the preaching of the gospel, ministerial and general education, the establishment, maintenance and assistance of Baptist churches, missions and Bible schools, and the care of worthy pastors, their wives or widows and their dependent children; to give expression to the opinions of its constituency upon moral, religious and denominational matters; to promote denominational unity and efficiency in efforts for the evangelization of the world; to support earnestly the work of co-operating organizations of the American Baptist Convention, and by affiliation with that convention to promote its plan and work; to acquire in the State of New York sites in contemplation of the erection of houses of worship and other buildings; to erect any building or buildings it may regard advantageous to any of the objects herein specified and to accept either absolutely or in trust for any of the purposes hereinbefore expressed any gift, grant or devise of any real or personal property.

2. It shall be lawful for the members of said corporation at any time they may elect, to appoint such officers and to make and ordain such effective by-laws and regulations in regard to their organization and to the management, disposition, sale, conveyance, mortgage or lease of their real or personal property, the duties and powers of their officers, and the management of their corporate affairs, as they from time to time shall think proper, provided they are not inconsistent with the constitution and laws of this state and of the United States.

3. The said corporation shall have power to receive, take hold and enjoy any property, real or personal, by virtue of any devise, bequest, gift, grant or purchase for any of the objects specified in section one hereof; to dispose or make investments thereof, or of the proceeds thereof, of any of its funds, whenever and in such manner as it may deem advisable, to erect any building or buildings it may regard advantageous to any of the objects of the corporation specified in section one hereof; to sell, convey, mortgage or lease, any of its property, real or personal, at such times, in such manner and upon such terms as it may deem advisable without being required to obtain leave of any court therefore; to receive, take hold and enjoy, in trust, any property, real or personal, by virtue of any devise, bequest, gift, grant or purchase, and to act as trustees in respect to any devise, bequest, gift, grant or purchase pertaining to any of the objects of said corporation specified in section one hereof; subject only, however, in respect to the amount of property it may take and hold, to the restrictions and limitations of existing laws, and in respect to devises or bequests from residents of the State of New York, to the provisions of chapter eighteen of the laws of nineteen hundred and nine, entitled "An act relating to estates of deceased persons, constituting chapter thirteen of the consolidated laws."

4. All property, real and personal, heretofore in any manner acquired by the said "Baptist Mission Convention of the State of New York," shall be deemed vested in the said corporation.

5. This act is hereby declared to be a public act and the same shall be construed in all courts and places favorably for every purpose herein expressed or intended.

Section II - This act shall take effect immediately.

LAWS OF NEW YORK, 1957, CHAPTER 15

An act in relation to the incorporation called the Baptist Missionary Convention of the State of New York and the property of extinct Baptist churches and Baptist religious societies.

Became a law May 10, 1894, with the approval of the Governor. Passed, three fifths being present.

The people of the State of New York, represented in Senate and Assembly, do enact as follows:

Section I. All the property, both real and personal, belonging to or held in trust for any Baptist church or Baptist religious society organized under the laws of the State of New York, that has become, or shall become extinct, shall

vest in and become the property of the Baptist Missionary Convention of the State of New York, and its successors or assigns, provided that this act shall not affect the reversionary interests of any person or persons in such property, nor the interest of any incorporated association and any Baptist church or Baptist religious society becoming extinct or about to disband or disorganize may, vote of two-thirds of its members present and voting therefore at a meeting regularly called for that purpose, assign, transfer, grant and convey all its temporalities to and place the same in the possession of the Baptist Missionary Convention of the State of New York.

Section II. Any Baptist church or Baptist religious society which has failed for two consecutive years next prior thereto to maintain religious services according to the custom and usages of Baptist churches, or has less than thirteen resident attending members, paying annual pew-rentals or making annual contributions toward its support, may be declared extinct in the following manner, viz: upon such notice as the courts may prescribe, and upon application made by petition, stating fully the facts of the case, and of evidence being furnished that the said Baptist church or Baptist religious society has ceased to hold services in and use said property for religious worship or service for a term of two years previous to such application, the Supreme Court, at a term thereof held in the judicial district where such property is situated, may grant an order declaring such church or society extinct, and thereon direct that all its temporalities shall be transferred to, and thereupon shall be taken possession of, by the Baptist Missionary Convention of the State of New York, or directing that the same be sold in the manner directed by said order, and that the proceeds thereof, after payment of the debts of said church or society, be paid over to the Baptist Missionary Convention of the State of New York. All property and proceeds from the sale of property so transferred to said Convention shall be used and applied for the purpose for which said Baptist Missionary Convention of the State of New York was organized, and shall not be diverted to any other purpose.

Section III. All acts and parts of acts inconsistent with this act are hereby repealed.

Section IV. This act shall take effect immediately.

LAWS OF NEW YORK, 1974, CHAPTER 237

An act to amend chapter one hundred twenty-eight of the laws of eighteen hundred seventeen, entitled, "An act to incorporate the Hamilton Baptist Missionary Society", in relation to a change in the name of The New York State Baptist Convention and other conforming changes with respect to the American Baptist Convention.

The people of the State of New York, represented in Senate and Assembly, do enact as follows:

Section II. Section one of chapter one hundred twenty-eight of the laws of eighteen hundred seventeen, entitled "An act to incorporate the Hamilton Baptist Missionary Society" as amended by chapter fifteen of the laws of nineteen hundred fifty seven, is hereby amended to read as follows:

All persons who now are or who hereafter may become members of the "Baptist Missionary Convention of the State of New York" are hereby constituted a body corporate with the name "American Baptist Churches of New York State" to promote in the state of New York the preaching of the gospel, ministerial and general education, the establishment, maintenance, and assistance of Baptist churches, missions and Bible schools, and the care of worthy pastors, their wives or widows and their dependent children; to give expression to the opinions of its constituency upon moral, religious and denominational matters; to promote denominational unity and efficiency in efforts for evangelization of the world; to support earnestly the work of cooperating organizations of the American Baptist Churches of U.S.A., and by affiliation with that convention to promote its plan and work; to acquire in the State of New York sites in contemplation of the erection of houses of worship and other buildings; to erect any building or buildings it may regard advantageous to any of the objects herein specified and to accept either absolutely or in trust for any purposes hereinbefore expressed any gift, grant, or devise or any real or personal property.

The change of name provided for by this act shall not in any respect change the identity or effect, abate, defeat, alter or annul any of the rights, privileges, property rights, obligations, liabilities or duties of the New York State Baptist Convention which shall remain in full force and effect as though its name had not been so changed.

All members of the "Baptist Missionary Convention of the State of New York" using the changed name as provided in this act shall continue to have and be possessed of all of the interest, property, and rights to which they are or may become entitled.

This act shall take effect immediately.