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1903

Gift of Dr. and Mrs. Dred Peacock

To the reader,

This volume is made up of several Pamphlets, which are bound together in the order of the times of their publication.

The first pamphlet was addressed to the members of the M. E. Church in Charleston for the purpose of correcting mistakes or misrepresentations, at a time when it was hoped any very serious evil might be averted without the expulsion of any of its members.

The second pamphlet is the exposition of the expelled members, for themselves & those who left the church with them, of the reasons of their conduct.

The third pamphlet is a reply to the second, & exhibits the the Church's vindication of her conduct towards the Schismatics.

over

In the evening,

This volume is made up
of several pamphlets, which are
bound together in the order of the
titles of their publications.

The first pamphlet was addressed
to the members of the M. S. Church
in America for the purpose of
encouraging visitation or missions
and others, at a time when it was
believed that our country was
in a state of anarchy without the
interposition of the government.

The second pamphlet is the
petition of the citizens of
New York, & those who left the
country with them, of the year
of their departure.

The third pamphlet is a
petition to the Senate, & exhibits the
petition of the citizens of New
York, & those who left the
country with them, of the year
of their departure.

~~The fourth pamphlet shows~~
the final decision of the South
Carolina Conference.

The fourth Pamphlet is
a Rejoinder of The Schismatics.

The fifth & last pamphlet
exhibits the final action of the
South Carolina Conference on
the case; and, in connexion with
the 1st & 3rd, shows on what
grounds the complete exculpa-
tion of the Ministry from all
blame in the case, rests.

At the time of the publication of the
3rd Pamphlet the first was reprinted,
& added in an appendix; and also
the fourth was reprinted & added
to the fifth; which accounts for
there not being here placed in
the order mentioned in the 3rd &
at the beginning of the 4th —

The first of these is
the general character of the work
as a whole.

The first of these is
the character of the work as a whole.

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EXPOSITION
OF THE
CAUSES AND CHARACTER OF THE DIFFICULTIES
IN
THE CHURCH IN CHARLESTON.
IN THE YEAR 1833:
UP TO NOVEMBER 28, OF THAT YEAR.

TO THE MEMBERS OF THE METHODIST EPISCOPAL
CHURCH IN CHARLESTON, S. C.

Dearly Beloved Brethren,

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We deem it expedient to make a plain and candid statement to you of all the facts, as they have transpired, which are necessary to be known in order to a full and fair understanding of the difficulties which so unhappily exist among us; and which threaten the Church with the painful alternative, either of disowning some of her cherished sons, or sacrificing the principles of her economy, and the authority of her discipline. In the fulfilment of this irksome task, we disclaim all personalities. We studiously avoid every thing calculated to inflict the least unnecessary wound. We write out of the fullness of our heart, grieved and troubled, but feeling no wrath—no personal resentment or ill-will, towards any brother. Our object is, not to give unnecessary offence, but by presenting the whole history of the case, to the best of our knowledge, without exaggeration or diminution of the facts, to prevent such offences as from a misapprehension of facts might probably arise. Should the case transpire to its worst possible extent, and the Church be driven to cut some off from her membership, as her only alternative, alas for us!—they are the children whom God hath given us, or brethren with whom we have taken sweet counsel, or, it may be, benefactors and chief friends.

We are obliged to present this document to you in print, because it is not practicable to write out so many copies as are necessary for you; but we have taken all possible care to keep it strictly within the Church, and for your use only.

STATEMENT OF FACTS.

The Quarterly Conference held on the 30th of August last, passed the following resolutions, to wit:

"*Resolved*, That the Gallery is the only proper place for the slaves in our Churches; and that the Trustees be requested to remove the boxes on the lower floor, and place benches there with a railing up the centre aisle, for the use of the free persons of color."

"*Resolved*, That it is expedient that there should be a small gate cut on each side of the large gate leading into Bethel yard, on a line with the gallery doors, for the use of colored persons entering the Church; and also that a paling fence be erected in all our yards, leading from each side-gate to the Church."

"*Resolved*, That a Committee be appointed to communicate the foregoing resolutions to the Board of Trustees, and request their immediate action upon them; and in case the Trustees are unable to do so for the want of funds, the Committee be instructed to raise a subscription for that purpose."

Agreeably to the import of the above resolutions, a meeting of the Board of Trustees was called. The Quarterly Conference meeting had been held on Friday; the Society meeting was to be held on the next Tuesday evening, and the Committee charged with communicating the resolutions of the Quarterly Conference to the Trustees, wished the Board to meet previously to the Society meeting. The Board of Trustees was accordingly called to meet on the afternoon of Tuesday, Sept. 3, but the shortness of the notice not giving time for some of the brethren to arrange their private business, or having business of pecuniary urgency which they could make no arrangement to leave at that time, there were but four members of the Board who met. This number was one less than a quorum, and of course no business was transacted. A free conversation however, took place as to the expediency of removing the boxes under the front galleries, as proposed in the resolution of the Quarterly Conference, and the impression on my mind from what passed, was, that the brethren generally, *not excepting the Committee*, were of opinion, as I myself was, that the resolution to remove the boxes and make sittings there for the free people of color, was unfortunate, and had better not be carried into effect. I considered it an evidence of this, that when we were about to part, the chairman of the Committee handed me the resolutions, saying, he supposed they would be of no farther use, (or words to that effect,) neither of his colleagues objecting any thing to it; and though I declined taking the paper from him, telling him it was his and he should keep it till there was a meeting of the Board, he persisted in urging it upon me, with similar words as before, until I did take it. I was never more satisfied of the truth of any fact, than at that time I was, that the Committee entirely concurred in the opinion against a removal of the boxes; and when they left me I felt perfectly assured that they meant to drop the matter. Farthest of all things was it from my thoughts, that the accidental failure of the Trustees at that time to form a quorum, or the conversation held, was likely to be construed by the Committee, or any one else, either as an intentional evasion, or a trial of strength against the Quarterly Conference. As reasonably might it have been sup-

posed that the Committee itself, by its seeming compliance, intended a snare for their brethren—a thought alike unjust, I doubt not, as it would be unkind.

In the Society meeting I adverted to the subject of the removal of the boxes, and the conversation above mentioned, and (it being a meeting of the whites alone) I took occasion to make some remarks intended to inculcate christian charity and kindness towards the people of color, especially those who give evidence of sincere piety, and are otherwise respectable in their station. These remarks gave great offence to some persons, and were sadly, and as I conceived, strangely misinterpreted. The next day brought proofs of this, and among others, the following letter from the committee enclosing a second copy of the same resolutions which they had left with me the day before.

CHARLESTON, SEPT. 4th, 1833.

REV. WILLIAM CAPERS, D. D.
Chairman Board of Trustees.

REV. SIR,—You are aware that we have been appointed to convey to the Board of Trustees, certain resolutions passed by the Quarterly Conference, at a late meeting of that body. At our request you called a meeting of the Board, but for want of a quorum no business was transacted.

Though we consider it extremely doubtful whether there *ever will be* a quorum to transact this particular business—the members of the Board being aware of the object, to which some of them are adverse—yet we think it imperatively our duty to make one more attempt to attain the object of our appointment, i. e. to ascertain whether the wishes of the Conference are to be complied with or not, which we humbly conceive, is the *only* question for their discussion, *they having nothing to do with the expediency* of the act to be performed. We therefore respectfully request, Rev Sir, that you will convene the Board at an early day, and lay before them the enclosed communication.

With due respect,

We are,

Your Obed't Servants,

F. D. POYAS.

JNO. H. HONOUR.

WILLIAM G. MOOD.

In the above letter, the failure of the Trustees to form a quorum is flatly charged to an intentional delinquency. And though the language of the letter does not express in direct terms, any severity or disrespect towards myself, yet the roughness and earnestness of its tone, so strongly in contrast to the easiness of its authors some twenty hours before, led to a persuasion in my mind that it owed its *character*, if not its *existence*, to some offence taken, to my remarks in the Society meeting. On the evening of the same day, I saw the Committee, and learned from their own lips that it was so. They had not heard my remarks, being absent from the meeting, but they had heard *of* them, and therefore had written the letter. I tried to convince them that their reporters misconceived me, but they seemed satisfied I had more likely misconceived myself. Of course, I could not argue against that position. It was plain to me, that apart from the merits of the question, I was to be urged to promote a measure contrary to my avowed convictions of right, because I was so unfortunate as to have displeased the members of the Committee, or their friends, by expressing to the Society my humble views of what I thought important to the Church. I was grieved. And as the Committee seemed to have transferred the of-

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fence of the Minister in charge to the Chairman of the Board of Trustees, and to be preparing to punish me in the latter capacity, for what they were pleased to consider as a trespass in the former, I thought it best, lest the Trustees also should be involved in my affliction, (for there seemed to be wrath) to resign the place of Chairman of the Board; which from courtesy only, and not from any requirement of the Discipline, I and my predecessors for several years, had been induced to hold. Another consideration moving me to this, was, lest it should be thought that my relation to the Board of Trustees influenced me unduly in their favor. In these circumstances and with these views, I avowed to the Committee the purity of my motives in my address at the Society meeting; my innocency of any intentional offence to any brother; and that if in the judgment of those who heard me without bias, I had said what might reasonably offend, I was ready to ask any brother's pardon before the Society, or even from the pulpit. My address in the Society meeting was delivered by me not as Chairman of the Board of Trustees, but as Minister in charge, in which relation I had the undoubted right, (and it was no less my duty,) there to give expression to what I thought important to the spiritual interest of the Church. I had done no more than this, in the present matter. I felt that I had delivered my own soul, and farther I would not act. I told them peremptorily, that they should no longer look to me for a meeting of the Board of Trustees. They seemed however, determined to force me to it; and just one week after this interview, I received from them the following letter.

CHARLESTON, SEPT. 11th, 1833.

REV. DR. CAPERS,

DEAR BROTHER,—In our last conversation you remarked that the Quarterly Conference was not the Church, and that the members of the Church were not favorable to the measure contemplated in the resolutions of the Conference relative to the occupancy, by colored persons, of certain seats in our Chapels. We thought otherwise, and determined to obtain an expression of the opinions of the members on that subject, as far as we could; we therefore drew up a paper, the purport of which was, that the members of the Church approved of the resolutions passed by the Conference, and recommending that they be carried into immediate effect. Our business would not allow us to devote much time to obtaining signatures, added to which, we are unacquainted with a large proportion of the members, and know not where to find them. We have however procured the signatures of a very respectable number, (nearly *all the male* members) whose names are sent herewith, a number which we think amply sufficient to answer the object we have in view. We send you a transcript of the names, the original signatures are in our possession, subject to your inspection at any time.

In asking for signatures to this expression of the views of the members, we have met with but few, very few refusals. But two declined signing because they were opposed to the measure, the others from various reasons—some because they thought the resolutions showed the free persons of color too much favor, by allowing them to occupy seats on the lower floor at all; others because they understood that you were opposed to the measure and were fearful of giving offence—and others again because they thought it unnecessary, as the Conference possessed ample power to act on the subject as they thought best.

From all that we can learn—and we have taken some pains to obtain correct information—we feel warranted in saying, that at least nine-tenths of the members approve of the plan, indeed are anxious that it should be carried into effect; it remains to be seen whether their wishes will be complied with or not.

Thus we have performed what we conceive to be our duty to the Conference and to the Church. Should this remonstrance (for such we think it may with propriety be called) be treated with neglect, we fear the consequences will be serious. We sincerely

hope however, that the propriety of submitting to the wishes of the Church will be so manifest, that there will be no further hesitation, and that there may yet prevail "peace among the brethren, and love with faith, from God the Father and the Lord Jesus Christ."

Very Respectfully,

F. D. POYAS.

JNO. H. HONOUR.

WILLIAM G. MOOD.

The paper mentioned in the above letter, and which was very numerously signed, by men and women, boys and girls, is as follows:

"The Quarterly Conference of the Methodist Episcopal Church in Charleston, having passed certain resolutions, which appropriate the galleries in our Chapels for the occupancy of slaves; and providing that benches supply the places of the boxes on the lower floor, for the use of free persons of color: and also recommending that line fences be erected to separate the entrance into the Churches between the whites and colored: We, the undersigned members of the Methodist Episcopal Church, highly approve of the plan adopted by the Conference, and should the Trustees fail to carry it into immediate effect, the Committee appointed by the Conference are hereby authorised and requested to do so.

"Charleston, Sept. 5, 1833."

The following letters exhibit the whole correspondence which ensued between myself and the Committee.

PARSONAGE, SEPT. 12. 1833.

DEAR BRETHREN—I have received your letter and the accompanying document. I feel mortified and grieved at the course you have taken. Can it be possible that all this has been done merely with a view to convince me that I was mistaken when I expressed a doubt whether the members of the Church collectively would recommend, under existing circumstances, the immediate execution of your plan of the seats? What a pity that so much pains could not have been employed for some more certain good—as for example, seeing each member of your classes once a week regularly and constantly, to advise, reprove, comfort, or exhort them. Is it possible that you who have so little time for such a service, can have seen two hundred and sixty members of the church, and got their names, men and women, boys and girls, in less than a week? I presume not. But if you did this by others, how do you assure yourselves or me of the views and reasons of the signers of your paper? How do you know that they were fully informed of all the material circumstances of the case, and so were prepared to act discreetly on the subject? It is not long since numerous signatures were procured, on a much less doubtful occasion than the present, most of which, I believe, would have been refused, had the persons been favored with a full understanding of the circumstances of the case.

I deplore this whole course of proceeding. It may be proper enough for political clubs for ought I know, but thoroughly mischievous, calculated to engender partyism, and subvert all order, in the Christian Church. Surely brethren, you did not consider. What church could abide in peace, if, whenever a difficult and distracting question should arise, deeply interesting to her spiritual interests, and which should be found grave enough to perplex her most experienced ministers, and the most sober and reflecting of her members, it should be submitted to the adjudication, *at first sight*, of boys and girls, minors, (as a large proportion of your signers are) by whoever might be adventurous enough to hawk about a paper from one to another privately, and get their signatures *ex parte*? And in the present case, I am grieved to learn, that such has been the rage to get subscribers, that even the Sunday School children, and Sunday School hours, have not been spared!

But your letter tells me it all has proceeded from my having expressed a doubt as to what the church might will in the case. Permit me then, now to express my great regret, that whereas so much was accorded in respect to a single unlucky doubt of mine, some other doubts, and even strong convictions of judgment which I then expressed, and to which you answered nothing, could not have had a share of your consideration. I told you, in effect, I was fully persuaded we were not in a situation to settle the matter

satisfactorily any way. I was satisfied, both from the notes I had received, and the misapprehension of my well-meant remarks in the Society meeting, as reported to me by yourselves, there was too much agitation, not to say *passion*, prevalent, to make it desirable to pursue the matter further for the present, and that I had determined to do no more in it. I believed the interests of religion among us, required this of me, and I believe so still.

It is not apparent what character you attribute to the document which you have sent me—whether it be *authoritative*, as the voice of the church which you would oblige me to obey; or *persuasive*, as evidence of the wish of the church. I cannot consider it, however, in either character. In the former respect I cannot consider it, because, to mention no more, it is expressive of no act of the church. In the second, I cannot consider it, because I have no reason to believe that the persons, whose names I see, were generally well apprised of what they were about, and all the important circumstances and bearings of the measure which they seem to recommend. So far from it, I am fully persuaded many of them were not; probably few, if any of them were. On the other hand, I feel myself bound to disregard, and even rebuke it, because it is wholly wrong and mischievous, first and last. It is a precedent of unexampled evil tendency, calculated to bring into the bosom of the church, the spirit of party, anarchy and strife, to the subversion of all unity, order and peace. For God's sake, brethren, pause, and take counsel. Though I be as a fool, and you are wise, yet have a care lest you fall into grievous error. Such as I am, I belong wholly to the church, and have lived and labored for nothing else. I feel my responsibility in the office which I occupy, and cannot suffer you to proceed in a course which must be mischievous, without warning you earnestly and affectionately to desist. You have done very wrong. I love you sincerely, and am grieved for your misconduct. I beseech you desist from agitating the church; and follow things which make for peace.

In the close of your letter you say, "should this remonstrance (for such we think it may with propriety be called) be treated with neglect, we fear the consequences will be serious." I know not what consequences you may anticipate, but be they what they may, as far as they result from a necessity of your own creation, to which I have not been a party, and which, in view of any imaginable anticipations of yours, would oblige me either to do evil that good may come, or to do evil that evil may be prevented, I must beg to be excused the consideration of them. If you had anticipated evil, the greater is the pity for the indiscretion of your course, in not having provided against it. If you set yourselves to contrive a dilemma for me, you cannot complain at finding yourselves involved in it. I cannot rush forward, and will not be pushed forward, against my own convictions of the right and my duty, and myself do an evil to prevent the apprehended consequences of an evil done by others—especially too, in a case where those others have so totally superseded, and set aside, both me, and my views of the case. I consider the whole course you have pursued, as proceeding from indiscretion; and hope, and pray, that nothing worse may apply to it, or come of it.

I am, brethren, very sincerely,

Your affectionate pastor,
W. CAPERS.

CHARLESTON, SEPT. 13, 1833.

Rev. Dr. CAPERS—

Dear Brother,—Your letter, under date of yesterday, is at hand. We may well adopt your own language, and say, we "feel mortified and grieved at the course *you* have taken." Grieved indeed, that our motives should be so greatly misconstrued, and mortified, that our pastor should deem it necessary to resort to language, which, in our humble conception, is totally unbecoming a Christian Minister. You have charged us most unjustly with possessing feelings, and performing acts, at which a heathen might blush; and were we so disposed, we might make such remarks upon your want of charity, as would not be very agreeable to your feelings. But we forbear. Our regard for you as a man, and the relation which you sustain towards us as our pastor, alike forbid that we should retort your very uncourteous language. We shall content ourselves with briefly remarking upon such parts of your letter as are not in accordance with the facts in the case.

You ask, "what church could abide in peace, if, whenever a difficult and distracting question should arise, deeply interesting to her spiritual interests, and which should be found grave enough to perplex her most experienced ministers, and the most sober and reflecting of her members, it should be submitted to the adjudication, *at first sight*, of boys and girls, minors," &c. Permit us to ask in return, what "experienced ministers," what "sober and reflecting members," have found this so very difficult, distracting, and perplexing a question? Not the Presiding Elder of the Charleston District! Not the preachers on the Charleston station! Not the men who occupy seats in the highest body known to the church in this place! Not any or all of these, for they with one consent, determined on the proper course to be pursued, after a calm and full investigation of the subject, and appointed us to pursue that course in their name; for doing which, all this obloquy and reproach has been heaped upon us.

And who, or where, are the "boys and girls, minors," to whose "adjudication *at first sight*," this "perplexing" question has been submitted? Of the "260" signers, can you point out twenty such? We trow not. Surely, dear brother, you did not examine the names when you ventured this broad assertion. Look and see if the names of some of the oldest, aye, the *very oldest* and most respectable members of the church are not there! *A large proportion of boys and girls, minors!!!* Certainly you have not examined the paper with that attention to which it is entitled.

You throw out a taunt respecting the non-performance of our duty as Class-leaders.— We are not conscious of deserving it. If we *were* negligent in this matter, your obligations as minister in charge, required that you should pursue a very different course.

With respect to the character of the "document." You will not regard it even as "*persuasive*, as evidence of the wish of the Church," because, forsooth, you have no reason to believe that the signers knew what they were about. Quite complimentary, truly! Did not the paper itself most plainly and explicitly state the object upon its very face? Or do you think so meanly of the members, as to suppose they would sign a paper without knowing what it was? Or do you suppose (and perhaps this is coming niggest to the mark) that the Charleston Methodists are such stupid ignoramuses, as not to know what is what? We say nothing of the ungenerous insinuation, that *we* used deceptive measures to obtain signatures. But you will not only not consider it as either *authoritative* or *persuasive*, but you will even *disregard* and *rebuke* the members of the church, for presuming to express their wishes on a subject in which they feel deeply interested. We know as little about political clubs as you do, but if this does not squint mightily towards despotism, we are much mistaken. Have a care, brother, that you do not suffer your *passion* to get the better of your judgment.

We notice your sneering remark respecting our wisdom, and thank you for your advice to us to take counsel. We pretend not to be wise: of the philosophy of the schools we know nothing; but we do claim to have some few grains of common sense; and we *have* taken counsel, (*not of mulattoes to be sure.*) We have *not* acted hastily or unadvisedly as you seem to suppose, but have carefully examined the subject ourselves, and taken the opinions of those whom we regard as having some pretensions to wisdom, and to whose opinions you yourself would show some deference: and the result is, that decency, propriety, decorum, custom, and every thing else, require that a distinct line should be drawn between the whites and mulattoes in our chapels, and that it be done speedily.

You charge us very unjustly with contriving a dilemma for you, and say we should not complain if we find ourselves involved in it. We have contrived no dilemma for you; if you are in one, it is of your own creation. When the subject of colored persons occupying the seats of whites, was spoken of again and again at the Leader's meetings, you expressed a firm determination to have nothing to do with it, as it was no part of the business of a minister, but belonged solely to the membership. Why did you not adhere to that resolution? Why, when the members took the subject in hand, and expressed a determination to go through with it, did you interfere, and obstruct them in their course? If you had permitted the members to act, and not have interfered with what you yourself declared was no part of your duty, the business would have been settled before this, quietly and peaceably.

Permit us to mention some of the consequences that may result from this business, unless it be satisfactorily adjusted; and we beg that you will calmly and dispassionately consider them.

If colored persons are allowed to sit among the white members, we have reason to be-

beve that not a few of the latter will leave the church. This you may consider a small matter; and so it is, when compared with what will probably ensue. You know that there are men enough in Charleston, who will gladly avail themselves of any thing that may tend to injure the Methodist Church, and bring it into disrepute. Now then, suppose a considerable number of the members resign, for the avowed reason that they are compelled, contrary to their views of propriety, to associate with a class of persons, between whom and the whites, the law has drawn a broad line of demarcation, and who are regarded by the public authorities with a suspicious eye. Think you it will not be seized on with avidity by the enemies of the church, as a pretext for affording them reason to believe that there is "something rotten in Denmark?" Will not all the changes possible be rung upon it, to make the public believe that the Methodist ministry are designing men, of whom they should beware? How would it read in a public print, that a number of the members of the Methodist Church had seceded from her communion, simply because their feelings as Carolinians would not permit them to sit side by side in their public assemblies, with mulattoes! And then what would become of your black classes? Aye, what would become of your black missions? Think not these are images conjured up from the "vast deep," to affright you. They are not the fancied creatures of a distempered brain, nor are they idle imaginings. Think of these things, dear brother; ponder them in your mind. We know that you are apt to act hastily, but we beseech you, as you care for the church, (and we know that her prosperity is her chief joy) calmly consider these things, and may God give you a right understanding in all things.

For ourselves, we love Methodism. We cherish it in our heart of hearts; and it is because we do so, that we have acted as we have. We believe the vital interests of the church are in jeopardy, and we cannot sit down surlily and indifferent, without raising an arm, and a voice in her defence; however impotent that arm may be, or however feeble may be the sound of that voice.

We are utterly unable to comprehend your allusion to the "numerous signatures procured on a much less doubtful occasion," &c.

We iterate most heartily your professions of love and regard. It is no pleasant thing to come in collision with you, and nothing but what we consider our bounden duty to the church, could induce us to act as we have. We beg, however, that you will distinctly understand, that we intend nothing personal in our remarks. We do not address William Capers, but the minister in charge of the Methodist Church.

In conclusion, we would remark, that we may be wrong; we think we are right.—We know that we have no sinister motive to serve, and that the prosperity of our Zion is the sole object we have in view.

We are, very sincerely,

Yours most affectionately,

F. D. POYAS.

JNO. H. HONOUR.

WILLIAM G. MOOD.

PARSONAGE, SEPT. 14, 1833.

DEAR BROTHEREN,—I should have spoken to you instead of writing my former letter, but I thought words put down on paper would be least liable to misconstruction, or if not, could be reconsidered with greater certainty. You will please accept only so much as this sentence in reply to all the epithets contained in your present letter to me.

There are some mistakes in your letter, the correction of which may change your views of a much more important matter, namely, the course of your own conduct; and in hope of this, and that convinced of your error, you will forthwith correct it, I will confine myself to pointing out those mistakes.

You quote from my letter as follows—"What church could abide in peace if whenever a difficult and distracting question should arise, deeply interesting to her spiritual interests, and which should be found grave enough to perplex her most experienced Ministers, and the most sober and reflecting of her members, it should be submitted to the adjudication, at first sight, of boys and girls, minors." To this quotation you reply by denying that there exists any such difficult or perplexing question, or, any such perplexity with respect to a question, of which you say that the Quarterly Conference

determined on the proper course to be pursued, and appointed you to pursue that course in its name. You have here made two mistakes, both of which are material to a right understanding of the matter in hand. The first is, respecting *the question* now involved, what it is; and the second, as to the object of your appointment by the Quarterly Conference, and the duties assigned you.

First. With respect to *the question*—My remark was not intended of that which had been submitted to the Quarterly Conference, simply as it then stood, whether the free people of color had not better be seated where the boxes are under the galleries, but as it afterwards became embarrassed. With respect to the question before the Quarterly Conference, disencumbered of other matter, I should be indifferent, if not even favorable to it; but circumstances alter cases, and so with the present question. This will appear more distinctly in the sequel.

The second mistake consists of two particulars, in both of which you are equally wrong. First, the object of your appointment by the Quarterly Conference, and secondly, the duties appropriated to you with respect to that object.

1st. The object of your appointment. You seem to consider this as having been that you, in the name of the Quarterly Conference, should effect the change of the sittings in the churches; but such was not the object of the Quarterly Conference. It was there stated, by myself, and no one contradicted it, that any change appertaining to the buildings was appropriate to the functions of the Board of Trustees. The members of the Board were not present (except one, who declined saying any thing, and I believe, withdrew during the debate) so that the Conference could not get information of their views. I also stated, from my knowledge of the fiscal affairs of the Church, that the Trustees, however ready they might be to favor the wish of the Quarterly Conference, probably, had no money which was not wanted to meet engagements then standing. Accordingly you were appointed for the purpose of formally communicating to the Trustees the request (not the *order*) of the Conference respecting the sittings for free colored people, and for the further purpose of obviating the difficulty which it had been suggested might arise from the Trustees not having money in hand to defray the expense of the contemplated change. So far then, as the effecting of a change of the sittings in the Churches can have been an object of your appointment, it can have been so only as you might give weight and form to the expression of the wish of the Conference in the case. As to the second particular, viz. the duties appropriate to your appointment, farther than representing the wish of the Conference to the Board of Trustees, as above stated, they were wholly contingent, and consisted in this, that in case the Trustees should be unable to furnish money for the work, you were to raise it for them by a subscription. The resolution under which you were appointed proves explicitly that no other duties were assigned to you, nor any other objects than as above, contemplated in your appointment.

The resolution is as follows—

“Resolved, That a Committee be appointed to communicate the foregoing resolutions to the Board of Trustees, and request their immediate action upon them; and in case the Trustees are unable to do so for the want of funds, the Committee be instructed to raise a subscription for that purpose.”

Be well assured therefore brethren, that I have not blamed you for pursuing the object, or fulfilling the duties of your appointment by the Quarterly Conference, but for making them the unauthorised occasion of a procedure in which you have alike superseded the resolution under which you profess to act, the Trustees, and all known regulations or usages of Church order.

Once more—with respect to *the question* (that is, the question as intended in my former letter, quoted above;) your mistake widens as you proceed in your letter. Predicting consequences, you say, “How would it read in a public print that a number of members of the Methodist Church had seceded from her communion, simply because their feelings as Carolinians would not permit them to sit side by side in their public assemblies with mulattoes.” You even suppose that a number of members may leave the church “for the avowed reason that they are compelled, contrary to their views of propriety, to associate with a class of persons between whom and the whites the law has drawn a broad line of demarcation.” Now of *this*, I can only say that so far from a question whether the whites should be *compelled* to associate with mulattoes in the churches, I have never heard a question agitated among us that would *permit* such a thing. So far from it, every body complains, and no one more loudly than in self, that there are a parcel of wenches, chiefly lewd women I believe, who, as *contra* to our

order as to propriety, obtrude themselves into the sittings appropriated for ladies; but none of the gentlemen will be kind enough to use their Carolina, or any other feelings, to rid our wives and daughters of the scandalous intrusion. Nor is there the least likelihood that any different arrangement of the seats from the present one, would effect a remedy of the evil. The decent and orderly people of color only, would observe it (as they have done our present order) while the rest would continue to do as they now do, seating themselves intentionally out of place. The unauthorised and scandalous intrusions of these wenchcs excepted, I am sure the line of demarcation between the sittings of the colored people and the whites is as broad in the Methodist Church as in any other in the city. We make no question (never did, and never can) whether the whites and colored ought to sit side by side in the churches.

Another mistake which ought to be corrected, respects my having said I had no reasons to believe that the persons who signed the paper you sent me were generally well apprised of what they were about, and all the important circumstances and bearings of the measure they seemed to recommend. This was said neither for "compliment" nor the reverse; but just for the naked truth's sake. Your mistakes led them unsuspectingly into error, as appeared on the face of the document. The wording of that paper imports that the Quarterly Conference had ordered the change of the sittings, and appointed you to execute their order; and the good people (not excepting the children) signed their names, doubtless, confiding in the accuracy of the representations there made, and meaning to confirm the will of the Conference as expressed in its resolutions. The paper, however, was so faultily framed as at the same time to approve of the resolutions, and provide for their direct subversion.

Another mistake, close following this, is, that I disregarded and rebuked the members of the Church for presuming to express their wishes on a subject in which they feel deeply interested. I disregarded the document you sent me, because it was all wrong, but I did not disregard the members of the Church; and I rebuked not them, but the faulty procedure by which their names had been gotten to a paper which seems to approve of the resolutions of the Quarterly Conference only to set them aside and act another way.

Another mistake, and the last I shall notice, leads you to accuse me of interfering to prevent the lay authorities of the church from acting; and that *after* I had made repeated declarations that I considered the matter as belonging rightfully to their adjudication. I have done nothing to prevent the regular action of the lay authorities of the church, nor will I, in any matter which is appropriate to them. What I have done, and mean to do, is only directed against your indiscretion, by which all the functionaries of the church, lay and clerical alike, should be superseded. I judge the present authorities can do what ought to be done, without getting up a new one over all the rest.

Suffer me once more to remind you that you were sent to the Trustees. Why should you mis your way? I am not a Trustee. Go then to the Trustees whither you were sent, and keep to the resolutions of the Quarterly Conference. If the Trustees cannot, or will not, sanction your wishes, or the wishes of the Conference, you are welcome to tell them of the wishes of the people; but don't take upon yourselves to supersede them, and do their work for them, whether they will or not.

To the numerous personalities of your letter, I can make no answer, except, perhaps, to refer you to 1st Cor. iv. 1-5.

I am brethren, faithfully yours,
W. CAPERS.

CHARLESTON, SEPT. 17, 1832.

REV. DR. CAPERS—

Dear Brother—Your last letter is principally taken up with endeavoring to prove that we have committed sundry errors, both as to the question at issue and the course of our own conduct. And 1st, with respect to the question. You say your remark was not intended of that which had been submitted to the Quarterly Conference, simply as it then stood, whether the free people of color had not better be seated where the boxes are under the galleries, *but as it afterwards became embarrassed*. We have yet to learn how, or in what way, the question has since become embarrassed. We confess we are at a loss to conceive of the existence of any other question, than whether the resolutions shall be carried into effect, or not. It is conceded, we believe, that the Con-

ference has the right to pass the resolutions, and we know of no power—save the church in its corporate capacity—that can set aside those resolutions, or delay the carrying of them into effect.

What you call our second mistake is, with regard to the object of our appointment, and the duties appropriated to us. We certainly have made no mistake in this matter, as we never for a moment imagined, as you suppose we did, that *we* should effect the change of the sittings. We are well aware, that any change appertaining to the buildings, is appropriate to the functions of the Board of Trustees; nor have you even attempted to prove that we supposed otherwise. We are equally well aware of the duties appropriate to our appointment; and have yet to learn that we have assumed the performance of any other; and by what mode of reasoning you have arrived at the conclusion, that we have “made the duties of our appointment the unauthorised occasion of a procedure, in which we have superseded the resolutions under which we profess to act, the Trustees, and all known regulations, or usages of church order,” we are utterly at a loss to conceive.

What are the facts of the case? Simply these. The day subsequent to the meeting of the Conference, we waited on you, as the Chairman of the Board of Trustees, and requested you to call a meeting of that body. You did so, but in consequence of a By Law of the Board, requiring five of its members to be present to transact business—(which By Law by the way was long since abrogated by the Quarterly Conference, by a resolution proposed by yourself)—nothing was done. The subject underwent some discussion by the individuals present, when it was most broadly intimated that some few of the colored members should be consulted, and if they approved of the plan, very well; if not, nothing ought to be done. This was superseding the resolutions of the Conference to some purpose. As those who were present however, professed to be unable to act for want of a quorum, they separated without doing any thing in the premises. But be it remembered, that although they could not appropriate a few dollars to carry into effect the resolutions of the Conference, *for want of a quorum*, they could find a way to attend to the re-pairing of Cumberland Church, “*quorum or no quorum.*”

As we were very desirous of performing the duties appertaining to our appointment, we addressed a letter to you the next day, requesting that another meeting of the Board might be called; and as our business would not permit us to throw away another afternoon, (which would be the case should there not be a *quorum*) we enclosed a letter addressed to the Board, containing the resolutions of the Conference, which letter we requested you to lay before them. To this communication you gave a verbal reply, as follows: “You would not put your right hand, or your little finger, to the business again, nor would you call a meeting of the Trustees.” And what induced this most strange determination? Why you did not believe that the Church approved of the resolution of the Conference!

Thus far, you will admit, that we were in the strict line of our duty. But now comes the sequel. In order to prove to you that the church *did* approve of the resolutions of the Conference, and thereby induce you to call a meeting of the Trustees, we procured the signatures of a large number of the members, to a paper in which their approval is expressed. At this you took offence. And this is the “head and front” of our offending. We are free to confess that this act was not required of us by the Conference, for it was not possible that they could foresee the necessity of it; but we do maintain that there was nothing to forbid it.

You again recur to the *question*, and quote from our letter a prediction as to what would be the result of compelling the members, contrary to their views of propriety, to sit beside colored persons in the church. On this you remark, that there are lewd wenches who obtrude themselves into the sittings appropriated to the ladies, and that the gentlemen will not interfere to rid our wives and daughters of this most scandalous intrusion. We think it would be a difficult matter to discriminate between the “lewd wenches,” and other colored persons: of this we are certain, that it is next to impossible to prevent them from sitting where they do, unless *all* colored persons indiscriminately are prevented. Whether there is “the least likelihood that any different arrangement of the seats from the present one would effect a remedy of the evil,” or not, is not now a matter for discussion. The Conference believed it would, and made provision to have it done, and nothing now remains but that it be done. Whether it is made a *question*, or not, whether the whites and mulattoes ought to sit side by side in the church, does not signify; the *fact* will be so unless the proposed alteration is effected.

Under the head of "another mistake," you say.—The wording of that paper (the one signed by the members) imports that the Quarterly Conference had ordered the change of the sittings, and appointed us to execute their order. Not so. The wording of the paper imports, that the Quarterly Conference had ordered the change, but not that we were appointed to execute the order. It imports, that if the Trustees fail to do it, they (the members) as the supreme power, give authority to have it done. Shall we tell you a secret? The paper was so worded, because we had good reason to apprehend that the Trustees would not execute the order, and *because you had said the Conference could not compel their obedience.*

The last mistake you notice, is our accusing you of interfering to prevent the lay authorities of the church from acting; and you say you have done nothing to prevent the regular action of the lay authorities. Suffer us to ask a question or two. Can the Trustees act without a meeting? Is it not the province of the Chairman to call a meeting before one can be held? Are you not Chairman of the Board? When these questions are answered, it will soon appear whether you have obstructed the regular action of the lay authorities or not.

You conclude, by reminding us that we were sent to the Trustees, and not to you. We are not very conversant with parliamentary usages, but we believe the only proper way to address a Board, is through their chairman. You are the Chairman of the Board of Trustees; we therefore addressed you in the first instance; you acknowledged the correctness of the procedure, by calling a meeting of the Board, and you have also kept in your possession a letter addressed to them by us; it is therefore too late to say that we have missed our way.

One more remark, and we are done. Under the head of "the object of our appointment," you say we were appointed for the purpose of formally communicating to the Trustees the request, not the order, of the Conference. It is doubtless distinctly in your recollection, that the original resolution before the Conference, made it *obligatory* on the Trustees to carry the resolutions into effect. You suggested to the mover, (not to the Conference, mark) the propriety of altering the phraseology, so as to make it a *request* in order to *prevent ill-feeling*; you were then told that the language was designed, but nevertheless, in deference to *you*, the alteration was made. We therefore think it is taking an undue advantage of the circumstances, to lay so much stress upon the word *order*. Bought wit, however, says the old adage, is best, if not paid too dear for; and the mover of the resolutions will be careful for the future, how he suffers his *politesse* to get the better of his judgment.

We are, reverend and dear sir,

Most truly yours,

F. D. POYAS.

JNO. H. HONOUR.

WILLIAM G. MOOD.

P. S. As we have now got back to the place from whence we started, (the Trustees) we hope *very shortly*, to have an answer to the letter addressed to them some two weeks ago; and then for the "contingent" duty.

It is perceived that I left the last word, and a long one, to the Committee. I did not answer their last letter, because I had learned they were not in a temper to profit by what I might say. Having now laid the whole correspondence before you, however, I will add to it several explanations which I hope will prove satisfactory.

1st. To their strong and repeated assertions that they had not mistaken or exceeded the duties assigned them by the Quarterly Conference; and that the paper to which they had so industriously procured subscribers was not a supercedure of the authorities of the Church; no other answer is necessary than the words of the paper itself, which unequivocally authorise the Committee to do what the Quarterly Conference bade them request

the Trustees to do; and that, independently of any other authority besides the paper itself.

2. My reasons for declining to act any longer as Chairman of the Board of Trustees, were as I have stated, and not as they say. I did indeed express a doubt whether the Church generally would approve of the removal of the boxes; but this was said in the course of remarks on the inexpediency of the measure, and not as a reason for declining to act as Chairman.* 3. But no matter for what cause I chose to decline an office which no one will pretend I was bound to sustain, how came it to pass that I should be accused by these brethren, of preventing the lay authorities of the Church from acting, merely because I would not act as Chairman twelve days after I had told them explicitly that I would not? The Board was as competent to act without me as with me. 4. The affirmation that I kept a letter which was directed to the Board of Trustees, is as gratuitous as the other about preventing the lay authorities of the Church from acting. The letter was left at my house, and remained there only until it was convenient for me to deliver it to one of the Trustees. 5. What they say respecting the Trustees finding a way, "quorum or no quorum," to attend to the repairs of Cumberland Church, is as easily set aright. The Trustees passed no act whatever at the time referred to; but it being mentioned that the floor of the Church under the front gallery had sunk a little, owing to the decay of the girder, they went thither, each of his own accord, merely to examine what was the matter. 6. The Committee professed not to know how the question about the removal of the boxes could be embarrassed after the Conference passed its resolution. Their meaning plainly is, that the Quarterly Conference having once passed the resolution, there was no room left to consider any thing that might happen, but right or wrong it must be carried into effect. Now (to say nothing of the province of the Presiding Elder, or the Minister in Charge, during the interval) if the resolution of the Quarterly Conference was thus absolute and illimitable, why did not the Committee who held it to be so, act strictly and exclusively by its authority, and not get up a paper to empower them to do what the Quarterly Conference had requested (not *ordered* as they say) to be done? And why did they not respect the mandate more than to seek for *another* authority, to get the work done in a different way from that required by the resolution of the Quarterly Conference? If the resolution of the Quarterly Conference was absolute in one of its parts, it must have been equally so in the other; and if the removal of the boxes must necessarily take place without respect to circumstances, because a resolution of the Quarterly Conference required it, then it was equally necessary that their removal be effected by the persons, and in the way, proposed by the same resolution, of that same Quarterly Conference. The circumstances of the case which influenced our conduct with respect to it, were briefly these. The resolution for removing the boxes under the front galleries and placing open seats in their stead, for the use of free people of color was considered in the Quarterly Conference, simply in view of the convenience of the whites, and a reasonable accommodation of the color-

*It will be seen that I foresaw the evil and resigned my place as Chairman *ex officio* of the Board, sometime before these letters; and that these men who here were so loth to let me do so, have since accused me of holding to the office from a love of power.

ed. Nothing was said of any effect likely to be produced on the blacks; and unfortunately, it seems not to have occurred to any brother, that they might be injured by it. Hitherto, the free colored people belonging to the Church have generally set in the galleries. The resolution of the Quarterly Conference proposed not to exclude them thence, or it would have amounted to their exclusion from the Church; for the place of the boxes could not hold them, and if they could, they would hardly choose to expose themselves to the scorn of the blacks, by sitting there. But if they remained in the galleries, crowded to excess as they now are every sabbath, what should become of those who now fill the boxes? Could it be right to deprive all these of seats in the Church, in order to make room for the very few colored people who might be willing to sit there in despite of the indignation of the blacks? But it was also found that the boxes had been erected, (we believe at the instance of Bishop Asbury) for the humane and charitable purpose of affording seats to the decrepit, and such as from any infirmity might not be able to get up with safety into the galleries. Of these, there are a number in the membership of the Church; and not a few who for many years have worshipped with exemplary piety and constancy. Ought we to turn away the most needy from the pastures of Christ? Still farther, an earnest remonstrance was brought to us by the free blacks, who complained that while some of their most worthy old friends would be excluded the Church, it would be adopting a policy in the Church equally unjust and oppressive to the blacks, and inconsistent with our civil institutions—the law of the land making no such distinction between black and brown people, as was proposed to be made. All these things, brethren, coming to our knowledge after the adjournment of the Conference, would it have become us, as put in trust with the Gospel, easily to acquiesce in the wishes of the Committee? Could we do less than remonstrate against their course in getting a paper handed about from member to member (when you were not yet informed of the difficulties of the case) with so manifest a design to pull for a power to do their own will at all hazards? Or could we decline to rebuke a procedure which seemed to abuse your confidence to get possession of a rod with which to smite and break asunder the bands of the Church?

The Committee, agreeably to the postscript of their last letter, applied to the Board of Trustees; and the following extracts of the minutes of the Board will sufficiently inform you of its transactions.

“AT A MEETING of the Board of Trustees of the Methodist Episcopal Church held at Trinity Church, Sept. 19, 1833. Present, H. Muckinuss, Sam'l Seyle, S. J. Wagner, Geo. Just, Geo. Critzberg, and Abel M'Kee.”

“Resolved, That we feel willing to carry the resolutions of the Quarterly Meeting Conference into effect as directed, but state, that from the present embarrassment in regard to the funds, they are unable to have the alterations made, being nearly 3000 dollars in debt for our new Parsonage, and they having put all the means they possessed, in requisition to raise funds, and have with great difficulty been able to pay up the instalments in the Bank as they became due. They therefore most earnestly request the Quarterly Meeting Conference to suspend the proposed alterations, until the Trustees shall be in funds to meet the expense.”

"AT A MEETING of the Board of Trustees of the Methodist Episcopal Church, held at Trinity Church, Oct. 10, 1833, present, Henry Muckin-fuss, Samuel Seyle, George Just, George Chritzburg, and Abel McKee.

"Brother Bass stated to the Board, that one of the Committee told him that they had made collections, in order to have the alterations executed, but that he could not state what amount had been collected. The Board of Trustees, after consultation, came to the following resolutions: to wit.

Resolved, That the Board believe, that the proposed alterations will tend rather to injure than promote the welfare of the church. They, in particular, believe that the fences across the yard, will invite those who may be disposed to disturb the colored people, to do so, as the fences will screen them from observation.—Also, as the boxes were partly, if not wholly intended, for the accommodation of the infirm and lame old colored people, who were not able to get up stairs; by taking the boxes from them, they will be driven from the church, or compelled to stay out of doors. Therefore, it would be very desirable to the Trustees to have the subject reviewed by the Quarterly Meeting Conference, in order to arrange some plan, that might, as far as possible, meet the views and approbation of all concerned.

Resolved, That as the Board of Trustees have no certain information of the amount collected by the committee, whether it is sufficient or not to meet the expense of the alterations, they think it most prudent not to commit the church or themselves, by engaging to have the work done, and make the church liable for the deficiency, should there be any. They think it best, therefore, not to interfere with the committee's arrangements.

Resolved, That the Trustees, in order to promote the peace of the church, and prevent any collision or misunderstanding with the committee of the Quarterly Conference, will not put any obstacle in their way, should they think proper to have the alterations made; and that they may be notified where the keys of the different churches may be had, in order to give them ready access."

Agreeably to the last resolution above, the committee was informed that the keys of Cumberland church were to be had at brother Abel McKee's, those of Trinity at the old house in the church yard, and those of Bethel at the Parsonage.

After this, the resolutions of the Quarterly Conference was suffered to sleep. But how is it to be accounted for, that the brethren who had raised so much disturbance about those resolutions—who could recognize no power in the functionaries of the church, no matter how embarrassed, either "to set them aside, or delay the carrying of them into effect,"—that these same brethren, the moment they were told that no further opposition would be made, dropped the matter, choosing not to act? We wonder they were not afraid of incurring a share of the sins which they had so unsparingly charged upon others. Would they not themselves obey the Quarterly Conference? And above all, would they dare to set aside the extra authority which they had so laboriously gathered here and there, bit by bit, from "THE SUPREME POWER?" What were reasons worth

to them, which they had refused to others? Had they not been shaking heaven and earth to compel their brethren to relinquish their reasons, conscience, every thing, to the authority of an ill-advised request of the Quarterly Conference? The truth seems to be, that the reasons against the measure had become generally known, and commended themselves to every one's conscience. Every body saw that the resolution had been passed prematurely, and ought to be relinquished for some other arrangement. We would be glad to believe that, by some means or other, the brethren of the committee happened not to learn, till just at the time of the last meeting of the Trustees, what our reasons were. If such was the case, it is fair to believe, that they acted from a sense of right; but if not, the conclusion seems to us unavoidable, that they watched the tide. At any rate, "the poor, and the maimed, and the halt, and the blind," the most miserable and the most needy, have not been driven from the house of God; and there may they still be suffered to wait on Jesus, and enjoy his grace.

But although the committee chose not to remove the boxes, the church was not suffered to repose in peace. After having goaded (intentionally or not) the minister in charge, into a withdrawal of himself from the relation of Chairman to the Board, which long custom, approved by the Board and the Quarterly Conference, had appropriated to him; and after having driven the Board of Trustees to leave the ground clear for them, to do as they pleased respecting the boxes, we still were stunned with the noise of increasing agitation. It soon became apparent that the committee had not been alone. The uproar waxed louder and louder against the Trustees. They were said to have assumed a mastery of the church—to have refused obedience to a positive order of the Quarterly Conference—to have disregarded the authority of the Discipline;—that the church property was in danger—that the Trustees refusing to obey the Quarterly Conference, must have laws made for them by the members of the church, which they should be made to obey;—and finally, that the property of the church in the city, was vested in the corporation of the church as a unit, without respect to our connexion with others under the authority of the General Conference—that the General Conference has nothing to do with the temporal affairs of the churches—that the Trustees ought not to be, and must not be, elected as the Discipline directs, and held responsible to the Quarterly Conference; but they must be elected by the membership, and held responsible to them. It became but too evident, that something like an organized opposition to the economy of the church, as now prescribed in the Discipline, was on foot; and the act of the State Legislature of 1787, was to be the wedge for riving asunder the institution of Methodism. Still our esteem for brethren led us to hope the evil might be averted. We appealed to the *Discipline*, but they planted themselves on *the act of Incorporation*—We told them it was very doubtful whether the church could now claim to be a corporation by authority of that act; but they replied, we knew nothing about it—were not conversant with such things. We urged, that if the act of Incorporation was valid, which we believed not, it did not oblige them to infringe the Discipline,—that the act could not have been intended to put the economy of the church under legislative control, as if it prescribed a constitution for the church in giving it a charter;—that what the Legislature had granted were *civil* and not *ecclesiastical*

privileges, and for civil and not ecclesiastical uses. But whether our brethren could answer us, or not, we could prevail nothing with them. They held that it was their right—the people were the supreme power; (meaning that the members of a particular society were supreme over the General Conference, and all the established rules of our discipline.) And for all this, the Trustees were made chargeable. They were accused, over and over again, of holding themselves irresponsible to the Quarterly Conference; and of carrying themselves like masters, rather than servants, of the church. No explanations could avail any thing. They were indeed, good as *men*, but as *Trustees*, their condemnation was utter, and irreversible.

A few days after this date, the following paper was handed me by the committee mentioned in it:

At a meeting of male members of the Methodist Episcopal Church, held in Trinity School Room, on Tuesday evening, October 29th, 1833, John Kingman was called to the chair, and F. A. Beckman appointed Secretary.

The following resolution was adopted:

“WHEREAS the temporal affairs of the Church in this city, are in such a state as to require the immediate action of the membership—therefore *Resolved*, That a Committee be appointed with instructions to procure a meeting of the Church in its Corporate capacity; and that they take such measures as will be effectual in attaining this object, in order that the Church may consider the propriety of adopting such measures with regard to temporalities, as may to them appear most expedient.”

Whereupon, the Chairman appointed the following persons as the Committee—viz: Wm. Laval, Wm. Kirkwood, and Oliver B. Hillard.

The meeting then adjourned. Extract from the Minutes,

F. A. BECKMAN, *Secretary*.

On conferring with brother Bass, our Presiding Elder, and the brethren associated with me as pastors of the church, we thought it best to call a meeting of the male members of the church. Our reasons for this were, that although our efforts had been unavailing with the *leading* members concerned, yet a free conversation in presence of the whole membership, might prove beneficial to many, if not to all the complainers. And because the allegations against the Board of Trustees, which were easily answered, and which, as far as we had been permitted to hear, formed the ground of their complaints, ought to be answered in justice to the Board. Accordingly, at the close of the society meeting on the 5th inst. we called a meeting of the male members of the church, stating at the time, that it was in consequence of an application from a number of brethren, who professed to consider it necessary to the temporal interests of the church. I slightly alluded in general terms to the disturbances among us; and concluded with requesting all to attend, in hope, that after conversing together as brethren of the same house, we might better understand each other, and come to some satisfactory adjustment of differences among us. The meeting was fixed for Tuesday evening, the 12th inst. in Trinity church. At the time, brother Bass, as Presiding Elder, took the chair, and opened the meeting with singing and prayer. It was suggested to appoint a Secretary, and a nomination was made of a brother to take the place; when one of the members rose, and earnestly insisted the Presiding Elder had no right to the chair, and should not act as the presiding officer, unless appointed by the meeting. This member urged that it was a meeting of the

church in its corporate capacity; and as such, whatever might be the usages of the church, the meeting would acknowledge no chairman not of its own appointing. It was replied, that the meeting had not been called as a corporation meeting, or in the name of the corporation, but simply as a meeting of the male members of age, of the church. The Presiding Elder had an undoubted right to the chair in any such meeting in his district; or if any other person could be considered under the Discipline as entitled to it, it must be the minister in charge, who disclaimed it. While such remarks as these were being uttered, he who had first objected, rose hastily, and said the meeting was not organized, and any member had a right to act so far as to take the vote for a chairman, he accordingly put it to vote whether brother Bass should act as chairman, or not. It was urged, on the other hand, that brethren, by such a course of procedure, offended our consciences. We had not called a meeting of the corporation, for we doubted whether there was any corporation. But the question of corporation aside, we could not, consistently with our vows to maintain the order and discipline of the church, make ourselves members of a meeting, which, of its own assumption, should deny to the Presiding Elder the right of his office. If they might do this with respect to the chair, might they not also do the same thing with respect to the pulpit? Did he hold either the one, or the other, from them? The Presiding Elder disclaimed holding the chair by their appointment, and brethren were urged not to force us to the necessity of either dismissing the meeting, or continuing in it against our consciences. They held it as a question of *form*, whereas it was one of *conscience* with us. It would be an act of "disobedience to the order and discipline of the church," which we had most solemnly promised to obey, were we to identify ourselves with such proceedings. It was proposed to take the sense of the members present, whether they would persist in affirming, that brother Bass was the chairman of the meeting by the vote that had been so strangely put, or would acknowledge him such by virtue of his office. A majority insisted he should be considered chairman only by the vote. He then, at my request that he would dismiss the meeting, prayed, and pronounced the benediction, and the meeting being thus dismissed, we retired. As we were leaving the house, I requested all who were willing to abide by the Discipline, to accompany us, and added a few admonitory words. This was answered by one of the brethren, (the same who had been so prominent in the opposition) who called on all those who were not disposed to be governed by the dictum of an individual, to remain.

We have been furnished with a copy of the proceedings of the very extraordinary meeting, which was held by those members who thought proper to remain for such a purpose. Our copy is authentically signed by the individuals who acted as chairman and secretary of the meeting. It is as follows:

At a special meeting of the members of the Methodist Episcopal Church of Charleston, So. Ca. in their Corporate capacity, held in Trinity Church in Charleston, on Tuesday evening, the 12th Nov. 1833:

Brother John H. Honour was nominated, and took the chair, and brother W. W. Godfrey chosen as Secretary.

The meeting was then called to order, and on motion of brother John Kingman, it was resolved, that the Chairman read, for the information of the meeting, the act of incorporation of divers religious societies therein named, passed 27th March, 1787, and the act to which that refers, passed 26th March, 1784; which was accordingly done.

On motion of brother John Kingman, it was then resolved, that the Chairman read, for the information of the meeting, and for their adoption, the following preamble and rules; which was accordingly done.

PREAMBLE.—Whereas, by the 3d clause of the act of the Legislature, passed 27th March, 1787, incorporating the Methodist Episcopal Church in the city of Charleston, it is declared, that it shall have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make anew the same, as often as they the said corporation shall judge expedient. And whereas in the same act a reference is made to an act passed 26th March, 1784, entitled “An Act incorporating divers religious societies therein named,” vesting in the Methodist Episcopal Church, &c. all the powers, privileges and advantages which are specified and expressed in the same: and, among other things, it is declared (as by reference to said act will more fully appear,) that the societies severally shall “be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain to them severally, and to their successors in perpetuity, or for any term of years, any estate or estates, lands, tenements or hereditaments of what kind or nature soever; and to sell, alien, exchange, demise or lease the same, or any part thereof, as they shall think proper, &c.—and to *make such rules* and by-laws, (not repugnant or contrary to the laws of the land,) for the benefit and advantage of the said corporation, and for the order, rule, good government and management of the corporation; and to appoint and choose, displace, remove and supply such officers, &c. to be employed in the affairs of the corporation, as they shall from time to time approve of and think fit. And whereas the corporation, for divers good reasons, deem it expedient and proper at this time to alter and amend the mode and manner of electing their officers, and to define more particularly the duties and responsibilities of the said officers, declare the following **RULES AND BY-LAWS** shall be the rule of government for the Methodist Episcopal Church in the city of Charleston, in the matters particularly set forth in them; and that they be considered as repealing all former rules, usages, and modes of management in the said Church, which may be repugnant to those now adopted, viz:

ARTICLE I.—There shall be an annual meeting of the Church in its Corporate capacity, on the third Tuesday in November; at which time, a Board of Trustees, nine in number, shall be elected by a majority of the members present, to serve until the next annual meeting; the same persons being re-eligible to office.

ART. II.—*Section 1.* On the first Monday subsequent to the annual meeting of the Corporation, the Board of Trustees shall meet and elect from among themselves a Chairman, Secretary and Treasurer.

Sec. 2. The duty of the Chairman shall be, to preside at all meetings of the Board, and preserve order and decorum. To call extra meetings of the Board whenever he deems it necessary, or whenever required so to do by any twenty members of the Church, expressed in writing.

Sec. 3. The duty of the Secretary shall be, to summon the Trustees by billet to the several meetings of the Board called by the Chairman. To attend all such meetings in person, and keep a journal of its proceedings. To enter in a book the act of the Legislature incorporating the Church, and a prior act to which reference is made, defining the powers of the Church. To submit, when required, the books and journals of the church to the inspection of the Board of Trustees, or any committee appointed to inspect them by the Church. He shall transmit and communicate any proceedings, order or resolve of the Church or Board of Trustees, that may be required of him by the Presiding Officer.

Sec. 4. The Treasurer shall be responsible to the Church for all the funds, papers, books and effects of the Church entrusted to his care, unless he can satisfactorily account to the Board of Trustees, that the injury or loss of the above property was unavoidable. He shall not expend or appropriate the funds to any purpose whatever, unless on the authority of a written order, signed by the Chairman, and countersigned by the Secretary, specifying the purpose of appropriation. He shall keep a regular account of monies received and expended. He shall, at every meeting of the Church, exhibit a correct statement of the funds. His books, papers and vouchers shall be subject to the inspection of the Board of Trustees, or a Committee appointed by the Church to inspect them. He

shall, on entering upon the duties of his office, give a receipt to the Chairman for all books, papers, monies and property belonging to the Church and entrusted to his care; and in the event of its becoming necessary at any time to borrow money for the use of the Church, he shall sign the necessary papers in the name of the Treasurer of the Methodist Episcopal Church of Charleston, after being duly authorized so to do.

ART. III.—The Board of Trustees shall meet at least once a month, to examine and transact the business of the Church. Five Trustees shall form a quorum to do business. Should any vacancy occur by death, resignation or otherwise, it shall be the duty of the Board to appoint a member of the Church to fill the same until the vacancy be supplied at the ensuing annual election. They shall appoint committees for the purpose of examining the Treasurer's accounts, Secretary's books, and state of the Churches, Parsonages, &c. and receive their reports. They shall keep the Churches, Parsonages and Houses belonging to the Church in repair, and receive all rents, fees of interments, &c. They shall elect two Sextons, one for Trinity and one for Bethel, who shall account to the Board for all monies that may come into their hands for interments. They shall fix the amount necessary to be paid by strangers for interment in our burial-grounds, together with the Sexton's fees, provided the members of the Church be not compelled to pay more than five dollars for each interment, including every expense. They shall have power to make by-laws for their own government, provided such by-laws are in accordance with, or do not infringe on these rules. No person shall be eligible to the office of a Trustee, unless he has been, at least, one year a regular member of the Church, and of the age of twenty-one years. At each annual meeting of the Church, they shall exhibit a correct statement of all their acts during the preceding year.

ART. IV.—An Executive Committee of twenty-five, taken from among the members not Trustees, shall be annually elected, with authority, conjointly with the Board of Trustees, to act for the Church during the recess. They shall have authority, (or a majority of them) to authorise the purchase or sale of any property, (the chapels excepted,) as they shall judge most expedient. The Executive Committee shall be empowered to call extra meetings of the Corporation, whenever in their judgment, it shall be necessary to do so. At each annual meeting they shall report their doings.

ART. V.—The Book of Discipline, as altered and amended from time to time, by the General Conference of the Methodist Episcopal Church, shall be the rule and governing principle in all cases not particularly defined in these rules.

ART. VI.—No alteration or amendment shall be made to these rules without the concurrence of a majority of the members assembled at an annual meeting; and not then, unless three months' public notice of such alteration has been previously given.

On motion of brother Wm. Laval, it was then resolved, that the above preamble and rules be put separately and distinctly to the vote of the meeting; which was accordingly done, and the said preamble and rules unanimously adopted.

On motion of brother John Kingman, it was further resolved, that the meeting go into an election for nine Trustees; which was accordingly done, and the following persons duly elected, viz. Eliab Kingman, Henry Muckinfuss, Charles Prince, Samuel Seyle, Abel M'Kee, Samuel J. Wagner, George Just, George Chritzburg, and John M. Hoff.

On motion of Brother Wm. Laval, the following resolution was then adopted:

Resolved, That in case the Trustees (*elect*) fail to meet and organize according to the foregoing rules, within fifteen days from the time of their election, such failure shall be considered a refusal to serve.

On motion, further resolved, that the Secretary of this meeting be instructed, and he is hereby authorised to serve the above named Trustees with a notice of their election, and notify them to meet at a particular time and place, and lay before them a copy of the above rules, and ascertain whether or not they will serve, and report at an adjourned meeting.

On motion, resolved, that the Secretary furnish the Presiding Elder, and the Minister in Charge on the station, with a copy of the proceedings of this meeting.

On motion, resolved, that this meeting be adjourned to the first Monday in December next, at half-past six o'clock, P. M. at Trinity Church.

The meeting was then closed with prayer by Rev. F. D. Poyas.

J. H. HONOUR, *Chairman.*

W. W. GODFREY, *Secretary.*

The character of the above proceedings is too clearly marked to require definition. When in conversation with brethren, leading members of the meeting, we had objected to the rights they claimed, (supposing the pretext of incorporation as now set up were valid) we mainly urged the incompatibility of such claims with the Discipline of the Church. To this, we received for answer, that they had no design or desire to infringe on the discipline, but were covered fully by its provisions. The words included in a parenthesis, on page 167 of the edition of 1832, sixteen lines from the top, were alledged to be ample authority for all they intended to do.—That is to say: the parenthetical exception found in the sentence which points out the way to create a *new* Board of Trustees, was maintained to authorise, without limit, the controlling of an *old* Board, changing its responsibility, and vacating it at pleasure. But how? Why, the exception provided, that a new Board of Trustees might be created in some other way, than by the appointment of the Preacher in Charge, or the Presiding Elder,—in those states and territories where the statutes required it. But what of that? Was there any statute in this State providing the manner in which churches must appoint Trustees? There confessedly was not; but brethren maintained that the act of incorporation, by authorising the body corporate to appoint its officers, had the same force as a statute which should provide some specific mode for creating a Board of Trustees.—Admitting this to be so in the case of the first formation of a Board of Trustees, (and we have no evidence that the persons first appointed Trustees in this city, were not appointed by the then acknowledged corporation, or that the mode of perpetuating the Trusteeship, as fixed in the Discipline published in 1792, and afterwards to the present time, was not approved by the corporation) still, there appears no shadow of reason for applying the exception which the Discipline appropriates to the particular case of *forming a new Board of Trustees*, to the cases for which it is now claimed. Does the Discipline make any such exception in fixing the *responsibility* of a Board of Trustees? Or in providing for the *perpetuity* of a Board? None whatever; and for this good reason, that none was wanted. But brethren seemed immovable in the position, that the exception above mentioned, would authorise whatever they might choose concerning Trustees. If we held them to the grammatical construction of the sentence, why to be sure, they understood grammar, but not as it is shaped in the present case. They were bent on their right of carrying the little parenthesis, a few lines, or a few pages out of its place at all events. The Discipline was no better at page 163, ten lines from the bottom, than at page 167, fifteen lines from the top, nor better at the 7th line of page 167, than at the fifteenth line of the same page. Certainly no better, we admitted, but the wide difference between the cases, was this, that the authority which framed the Discipline, framed its pages, and parts of pages, good or bad, *as they now are*, and not as brethren choose to alter them. If the General Conference had said any where in the book, that the words on page 167 “except in those States and Territories where the statutes provide differently”—should apply to *other* cases, (as to a succession of Trustees, or the fixing of their responsibility) then the authority would have been as good for those other cases, as for the one specified case. This however, the General Conference had not thought proper to do, and therefore the brethren who seemed so bent on the measure, could not do it. Suppose

they could transfer the parenthesis in question, from the case to which exclusively the discipline affixes it, might they not, for the same reason, apply it to page 168, and so take to themselves the appointment of Stewards? Or to page 25, and take upon them the appointment of the Preachers! If their right of appointing the Trustees, and controlling their responsibility, and succession, contrary to the Discipline, be admitted, it amounts to an admission of a right in them to appoint all other officers of the church, and control them at pleasure. This consequence they never pretended to deny, but when driven to it, they only said they would never exercise the right of interfering with the appointment of those officers of the church who are appointed for spiritual purposes. Thus, then, they had assumed a right, which, both gave them the appointment and control of all the officers of the church, whether members or ministers, and virtually merged in their will all the authority of all the bodies belonging to the church, from the General Conference down to a Leader's meeting. And all this they required us to yield to them upon the sole pledge of our confidence, that they would do nothing, which as Methodists, they ought not to do. They claimed to love the Discipline no less than we, and to be every whit as hearty Methodists as any others. But what have they now actually done? Let us examine the 5th article of their Rules and By-laws, as a specimen. It reads thus:—"The Book of Discipline, as altered and amended from time to time by the General Conference of the Methodist Episcopal Church, shall be the rule and governing principle in all cases not particularly defined in these Rules." Now if these brethren held no independence of the Book of Discipline, or claimed no power superior to it? Why needed they to adopt it? If they held a right to ordain that the Book of Discipline shall be the rule and governing principle of the Methodist Episcopal Church in Charleston, they must have held an equal right to ordain that it should *not* be. In either case, *the authority of the Book of Discipline is made to depend on the will of the meeting.* But why are "*all cases not particularly defined by these Rules,*" alone subjected to the authority of the Book of Discipline? Why not *all cases whatsoever*, which are cognizable by the Discipline, whether defined or not defined in the Rules? This question can be answered in one of two ways only, and either one equally goes against the authority of the Discipline. Either, 1st, the cases particularly defined in these rules, are so defined in known contradiction to the Discipline, and the two, being opposite, cannot govern together, and so the less, which is the Book of Discipline, must be subjected to the greater, which is the Rule;— Or 2nd, though they agree, as to the *purport* of the thing to be done, yet, as the *authority*, or "*governing principle*" for doing it, must derive from one or the other, the Book or the Rule, and not from both, each distinctively claiming the authority to govern, the Book of Discipline must still succumb to the Rule, as to the greater of the two. Now the Book of Discipline is our system of church laws. Its whole importance to the church is identified with its authority to govern; "*the governing principle,*" being that which constitutes the identity of law, without which nothing can be law. This being so, it follows, that whatever divests the Discipline of its "*governing principle,*" destroys it as Discipline to that same extent, and necessarily is against it. We conclude therefore, that the Rule which should supersede "*the governing principle*" of the Discipline, though it could agree with it in every other respect, is a rule against the Discipline. It makes that a dead

letter, a nullity, which before was an authoritative word. It ousts the Discipline, and gets into its place. The Discipline cannot be at home, if such a rule keeps the house. And which of these authorities ought we to acknowledge?

Our reasoning in the above, is borne out by the whole scope of the proceedings of this ever to be regretted meeting. They vacated the offices of the Board of Trustees, to which its members had been regularly appointed, as the Discipline, in the following words, directs: "And in further trust and confidence, that as often as any one or more of the Trustees herein before mentioned shall die, or cease to be a member or members of the said church, according to the rules and discipline as aforesaid, then and in such case, it shall be the duty of the stationed minister or preacher, (authorised as aforesaid) who shall have the pastoral charge of the members of the said church, to call a meeting of the remaining Trustees, as soon as conveniently may be; and when so met, the said minister or preacher, shall proceed to nominate one or more persons to fill the place or places of him or them whose office or offices has or have been vacated as aforesaid: *Provided* the person or persons so nominated, shall have been one year a member or members of the said church, immediately preceding such nomination, and be at least twenty one years of age; and the said Trustees so assembled shall proceed to elect, and by a majority of votes appoint the person or persons so nominated to fill such vacancy or vacancies, in order to keep up the number of nine Trustees forever; and in case of an equal number of votes for and against the said nomination, the stationed minister or preacher shall have the casting vote."—*Discipline, pages 163,4, ed. 1832.*

The above has formed a part of our Book of Discipline from the beginning; as you will perceive by referring to older editions of the Discipline. It is exactly the same in an edition now before me, printed in the year 1797, (the same which contains the annotations of Dr. Coke and Bishop Asbury.)

In like flat contradiction to the Book of Discipline, as it has been of force from the first organization of the church to the present time, they elected a Board to take the place of the Church's Board of Trustees; and ordained an annual election of Trustees. It matters not that they elected the same individuals—or perhaps it would be more accurate to say, that their election of the same, was a greater disrespect to the Discipline, than if they had elected others; as it seems to imply, not only an intention to set up a new "governing principle" against the old, but to invalidate the acts which had been performed under the old. And when it is remembered what loud complaints had been made against the Board of Trustees, to whose official faults and neglects all our disturbances were attributed, some special reason *must* be supposed for this very special act. We hope it was done from a conviction that the Trustees had been wrongfully blamed, and (notwithstanding the hue and cry against them) were the fittest persons for their office. So at least, I believe they have been, and are.

Farther, we need not remark on these proceedings. They are throughout, of a character just consistent with the exercise of a hasty assumption of a power to make "*the rule of Government for the Methodist Episcopal Church in the city of Charleston;*" and to repeal "*all former rules, usages, and modes of management in the said Church, which may be repugnant to those now adopted.*"

Manifestly the two systems cannot work together. Either we must repudiate the authority of the General Conference, or that which has been so preposterously set up against it—the Book of Discipline, or the proceedings of these brethren. The preamble to their Rules and By-laws covers the whole ground of church government; and may at any time introduce Rules and By-laws, “repealing all former rules, usages, and modes of management,” respecting the appointment and removal of the stewards, leaders, and preachers, as easily, and with about the same show of right, as now they have acted concerning Trustees. They have as much right to do the one as the other—to abrogate the *whole* of the Discipline, as a *part* of it.

In the course of the remarks which were made against the Presiding Elder’s taking the chair in the meeting of the church on the 12th inst. something was said respecting *the right of property*, which should be noticed in this paper. It was held that the property of the church belonged to the members of the particular society, separately from any right of participation in the ministry of that society, or the members of other societies. The reason for noticing it here is, particularly, to correct the error concerning the community which the whole church has in the property of a particular society. And let me premise, that, there is no room here for the introduction of such questions and opinions, as have divided our people in civil affairs, between the nationality of the government on one hand, and States Rights on the other. No one will pretend that the Methodist Church as a whole, was formed by a compact between a number of separate and distinct churches, which churches should be on their guard to maintain their reserved rights, against encroachments of the government formed under the compact. No: things sacred are not to be admeasured by things profane; and if they were, there is no imaginable resemblance, connection or dependence, between the origin of the Methodist Episcopal Church, and that of our civil government. From the time that Philip Embury formed the first Methodist Society in New York, in 1766, down to the present time, Methodism has been one and the same thing, only increasing and extending itself on every side. (And, without respect to the case before us, it is worthy of remembrance, that as the first Methodist Society was formed by Philip Embury, as the fruit of God’s blessing on his ministry, and did not first constitute itself a Methodist Society, and then employ him to preach, so until now when we are not one preacher only, or one society only, but thousands of preachers and thousands of societies, there never has been a single Methodist society formed in any other way. In no one place did ever the people meet and form themselves into a Methodist Society; but the preachers have gone forth in the name of the Lord, and preaching Jesus with the power of the spirit, have gathered them together, by ones, or twos, or tens, as God blessed them, into the church.—The Methodist Church then, as plainly derives from the Methodist ministry, as faith cometh by hearing, or Paul planted the churches of Galatia.)—At first, all the Methodists formed one class, or society; and afterwards, as they who preached the word went every where, more and more societies were formed. And so at first there was but one circuit, one conference, and subsequently, *more* from the nature of the case. There never was any other reason why all the Methodists on the continent might not form one single society, and meet in one class, and all the ministers in

one conference, but this one reason only, that there were too many, and too far apart. And for this same reason that our thousands of ministers, and hundreds of thousands of members cannot preach in one pulpit, and worship in one house, we have many pulpits and many houses of worship. The property of any particular house of worship vests in the particular society who build it, *for the use for which it is built.* The right goes inseparably with the use, and this use recognizes the unity of Methodism, and the community of the members of its whole family. But it is objected that all the members of this family are not minors; that some have made themselves of age by getting an act of incorporation from the State Legislature. Be it so, but still, if such grown up members of the family make a use of their majority against the natural and inalienable affinity of the rest of the family, then do they estrange and separate themselves from the family, and can no longer be identified as members of it.

The society at A. (whether incorporated or not, for we are speaking of what obtains under the economy of Methodism) has the right of property to the meeting house at A, agreeably to the uses proper to a Methodist meeting house. But if a member of a society at Z should remove to A, on what account could he become a partaker in the right of property to the meeting house there? If the right of property belonged to the society at A, without any community between it and other societies, it should be necessary for that society to pass some act of its own, to give to the member coming from Z, a right among them. But is this the case? We know it is not, under any circumstances whatsoever. The member from Z needs only produce to the minister in charge of the society at A, the certificate of his membership at Z, and by virtue of that certificate he takes an equal place, and equal privileges, with other members of the society at A. They are bound to receive him, whether they wish it or not, and can no more refuse him his right of membership among them, than they could expel one of themselves without a trial. But is it objected that this respects things *spiritual* and not *temporal*? The objection cannot stand. The Methodist Discipline is of two parts, spiritual and temporal, which both have the same source and agree perfectly together. We will illustrate it by an example taken from the practice of the church in this city. Attached to the Trinity and Bethel churches, are the burial grounds of the society in Charleston, and certain charges are fixed for the interment of strangers in those grounds. If a man die, and his friends wish his body interred in Trinity or Bethel grave yard, he not having been a member of the church, the charges must be paid. He may have been a near neighbor, have had wife or children in the church, but still the charges must be paid, unless for some special reason (such as poverty) the Quarterly Conference and the Board of Trustees, remit the debt. But some one may arrive in a packet from New-Orleans or Boston, bearing a certificate of his membership as a Methodist there, according to the Discipline,—he may die immediately on his arrival, without having seen a member of the church in Charleston, but on the production of his certificate of membership, the right of interment is at once admitted, just as if he had been a member of the church here for any length of time. But it has been objected that this community of interests might make the Methodists of one place liable for debts contracted at another, as for example, the Methodists of Charleston liable for the debts of the Methodists in New-York. Not at all. The rule is a good one, and it works *both ways*.

As the *right of the property* goes with its use, so does *the liability for debt*. Suppose the debt is contracted by the Methodists of New-York, to build in New-York a church for the Methodists. The debt belongs to the society at New-York, and not at all to that of Charleston, because the society at ~~New-York is not in any way connected with Charleston, because the society at~~ Charleston cannot use a house at New-York; but if the society, or any part of the society, of Charleston, removed to New-York, they will then come in for a share of the debt, along with a share in the use of the property.

Recurring again to the Quarterly Conference, and questions and complaints concerning the Trustees, we wish to make some further explanations. At the moment of proposing that the resolution concerning the removal of the boxes should be adopted in the shape of a request, and not unqualified direction to the Board of Trustees, I was asked by the mover of the resolution a question to this effect—whether the Quarterly Conference had the right to put the Trustees out of office for disobeying an order of the Conference. I do not remember the very words of the question, but to the best of my recollection, the above was its import. Nor do I remember in what words I made the answer, but it was to this effect, that it might be doubted whether the Quarterly Conference had a right to put them out of office. Some misapprehension, I believe, exists, as to the precise meaning I intended to convey. The occasion of the question's being asked, ought in reason, as I think, to be allowed some weight in fixing the application of the answer. For an offence which should consist barely and alone in neglecting to do what the Conference had directed, or even for peremptorily refusing to do it, without any thing proved or apparent against the motives or trustworthiness of the Trustees, in thus refusing to fulfil the order of the Conference, I should still think it unwarrantable in the Quarterly Conference to attempt such a stretch of power. It would be unwarrantable, because it would be inflicting the greatest possible punishment, for what certainly ought not to be considered by the Quarterly Conference the greatest of offences. The Discipline makes the Trustees responsible to the Quarterly Conference; not because it is jealous for the dignity of that body, but because it judges it to be suitably qualified to guard and care for the interests of the church. An offence therefore, for which Trustees should deserve to be put out of office, should be one against the interests of the church, for which they are in trust—against the trust they hold, and not against the dignity of the Quarterly Conference. The right of the Quarterly Conference to put the Trustees, or any one of them, out of office, rests alone upon inference as to what properly belongs to the meaning of the word "*responsible*," in the following sentence, viz. "*The Board of Trustees of every Circuit or Station, shall be RESPONSIBLE to the Quarterly Meeting Conference of said Circuit or Station; and shall be required to present a report of its acts during the preceding year.*" There is not another word in the book of Discipline touching the case. Perhaps there ought to be. I am myself inclined to think it would be better to have the rule more explicit. Taking it, however, as we have it, I will briefly give my views, on close reflection, of the case. The responsibility of one person or body, to another person or body, necessarily implies a duty in the former to answer to the latter, and a right in the latter to require the former to answer, in those things for which the one is responsible to

the other. This is responsibility, and nothing more nor less than this belongs to the word. For all the rest, we are left to inference. We infer that a neglect of duty, or refusal to do it, deserves punishment, and that when punishment is deserved, it ought to be inflicted, and if inflicted at all, it ought to be by the person or body having cognizance of the case. So also we infer, that the person or body holding such cognizance, has the right to do what shall be found necessary to be done, in order to secure the fulfilment of the duty of the person or body made responsible. All this is reasonable and necessary. But applying these principles to the case in hand, (and we know of no others that could apply) how far do they carry us towards the conclusion, that the Quarterly Conference has the right to put the Trustees out of office? The farthest they can go, as we conceive, is to this extent—viz: The Trustees being made responsible to the Quarterly Conference, and to no body else, for the faithful discharge of their trusts, that body ought to have power to do whatever is necessary to be done to prevent any breach of the trust. And if it appears, on evidence soberly considered, that nothing short of putting the Trustees out of office will reach the case, and prevent a breach of trust,—the Quarterly Conference ought to have power to do it. If there be a doubt as to the rendering of the rule in the case, whether it conveys the power or not, the Bishops are the authority for resolving that doubt.

The rule which fixes the responsibility of the Trustees to the Quarterly Conference, was put into the Book of Discipline by the General Conference of 1828. Previously to that time, there was no provision on the subject; and we were left to infer from the general order of our economy, to whom their responsibility ought to be held. In 1825 and 1826, much and often was the subject agitated; (as I believe it was before and has been since;) but except from the Trustees* themselves, I never heard of its being hinted, much less urged, that they ought to be held responsible to the Corporation. I myself insisted, with all the rest of the official members, that the inference from the analogy of our institutions was clear and strong to require them to account to the Quarterly Conference. Bishop Andrew, then our Presiding Elder, did the same, and Bishop M'Kendree the same; and brethren know, that when the Trustees spake of being responsible to the Corporation, they got little more credit for it than if they had been guilty of a wilful evasion. But all that time, it was taken for granted by all of us, (without investigating the case) that the Act of Incorporation of 1787 was of force; and that it comprehended all the male members of the church. Why then were not the Trustees allowed their claim of responsibility to the Corporation, and not to the Quarterly Conference? For these two good reasons. 1st. We were not then dissatisfied with the government of the church, and were willing to shape our views of Discipline by the Book of Discipline. And 2dly. The thing was manifestly too inconvenient. Unless on some special excitement, a meeting could hardly be formed barely to receive a report about bricks, and wood, and paint. Look to the thin attendance at other meetings, and it will appear reasonable to conclude that the responsibility is best where it is.

But it has been urged that the Trustees REFUSE TO BE RESPONSIBLE TO THE QUARTERLY CONFERENCE. We might briefly reply, that a reference

* Perhaps it is due to the Trustees to say they have expressed a persuasion that there is a mistake here. They say they did not hold as I understood they did.

to their minutes concerning the *request* of the Conference about the boxes, refutes the charge. The Trustees did refuse to be responsible to the Quarterly Conference, *before it was made a rule of the Discipline*, BUT NEVER SINCE. Still, it is complained that they neglect to make their annual reports to the Quarterly Conference. Once, or perhaps twice, since the Discipline required it to be done, they failed to make a report; but a *failure*, or *neglect* to report, does not amount to a *refusal* to report. We are also free to admit, that the reports which have been made, were not as formal and minute as might have been desired. But what does that signify? The fact of their reporting at all, evidences their desire to give satisfaction; and that their reports have not been drawn up just to our liking, may possibly prove as much as this—that we are not easily pleased with what they do. The only instance that has occurred, in my knowledge, of their not reporting, was last year; and then it was their *misfortune*, and not their fault.—The Board, early in the year, had been reduced to six members; and though repeated attempts were made to form a meeting, they could not do so, on account of the infirmities, or absence from the city, of two of their body.—The Treasurer of the Board, however, exhibited to the Conference a statement of the funds, and the expenditures of the year. Let us have a care that we do our brethren no wrong.

To those of you, brethren, who were concerned in the measures of the meeting, so unhappy for us all, we desire to draw near, and remonstrate, and commune with you, out of our hearts. You have not wronged us at all—or we forgive the wrong. We have no sense of dignity, of character, of interest—no feeling for ourselves so dear to us as you are. We carry our appeal into your own bosoms for our love of you. We will be judged by the record of your own love towards us. You have loved us because we loved the church. You have honored us because you judged us faithful. Let us then still be faithful, that we may still be honored by you. Let us know no compromise with the flesh—no shrinking from our duty, EVEN FOR YOUR SAKES. The thing that is right, let us do it, though our hearts bleed within us at the rebukes we inflict. Why would you not hear us when we told you our conscience was offended? There was no appealing from conscience, and you forced us away from among you. Alas for the conceit of the Act of Incorporation. You seemed to think you could vote it to yourselves, whether being, or not being. You were sadly misled.—The deeds and records were with us, and we were advised of their importance to the case. We wanted the church to take measures for the settlement of the question of incorporation, first; and when it should be found that the members were a body corporate, then would be soon enough for a meeting of the Corporation. And why, if you *could*, should you enact the subversion of the Discipline? But we have done.

Dear brethren, let these conflicts come to a perpetual end. Make haste to reject them, and retrieve the church's peace. Let your ministers pass their nights in sleep, and take their daily food as other men. Henceforth let there be no provocation among us, but to love one another; and no striving among us, except for the faith of the Gospel. And may God, even our own God bless you.

We subjoin the answer of the Board of Trustees to the notification they received of their appointment by the meeting, which claimed to act as the

corporation of the church; and also the opinion of the Attorney General.—With respect to the last mentioned document, we will say to you, that, if time and convenience had permitted, we would have submitted both it and the deeds and records of the church, to some other distinguished gentlemen of the bar, for their concurrence—such as Major Axson, Mr. Peigru, and Mr. Dunkin—but there was not time. We are authorised to say, however, that, in the opinion of the Attorney General, if our brethren had the advice of any legal man for their course, *that* advice must have been given without access to the evidence furnished in the Records of the Church; and that with the deeds and records before him, no lawyer could conclude that the members of the Methodist Church in this city, are a body corporate.

I am, beloved brethren, your most sincerely affectionate, and undeservingly faithful pastor,

WILLIAM CAPERS.

November 28th, 1833.

We believe that the facts contained in the foregoing papers, are faithfully and truly set forth as they transpired;—and we approve of the reasonings, and concur in the sentiments of brother Capers respecting those facts.

HENRY BASS.

REDDICK PIERCE.

JOSEPH HOLMES.

H. A. C. WALKER.

CHARLESTON, Nov. 22, 1833.

To W. W. GODFREY,

Secretary, and others concerned.

We acknowledge the receipt of your notice, of our appointment as Trustees, by a meeting of certain members of the Church, calling themselves the Corporation of the Church, held on the 12th inst.

We do consider this meeting and all its proceedings, illegal, and of no force, and we cannot in any form or way acknowledge it, as having any legal authority, to appoint, or elect, or control us; nor can we, or will we, acknowledge their authority.

We hold our office, and are in Trust for the Methodist Episcopal Church, and we intend to hold and maintain said office and said trust, for the aforesaid purpose, agreeable to the Discipline; and we hold ourselves responsible to the Quarterly Meeting Conference, to whom we feel it a duty, as well as our wish, to give all possible satisfaction.

We cannot, as honest men, betray the trust reposed in us. With this notice, we have transmitted to you a copy of the Opinion of the Attorney General, *R. Barnwell Smith, Esq.* and also the concurring opinion of *Thomas S. Grimke, Esq.*

Signed,

ABEL McKEE,
SAMUEL J. WAGNER,
GEORGE CHRITZBURG,
CHARLES PRINCE,
GEORGE JUST,
SAMUEL SEYLE,
HENRY MUCKINFUSS,

} Trustees of the
Meth. Epis.
Church.

NOVEMBER 18, 1833.

OPINION.

On the 12th day of November, 1833, certain members of the Methodist Episcopal Church in Charleston, assembled together; and under the assumption that they were the Incorporated Members of the Methodist Church, according to the act of Incorporation; passed 27th March, A. D. 1787, they proceeded to pass by-laws, and elect officers. By the 3d Article of these by-laws, a certain number of Trustees are appointed; and it is

provided, that "they shall keep the Churches, Parsonages, and Houses, belonging to the Church in repair, and receive all rents, fees of interment, &c."—and that "they shall elect two Sextons, one for Trinity Church, and one for Bethel, who shall account to the Board for all money that shall come into their hands for interments." In the 4th Article of these by-laws, an Executive Committee is organised, who "shall have authority to authorise the purchase or sale of any property (the Chapels excepted) as they shall judge most expedient." By these clauses it is plain, that the control and ownership of all the property appertaining to the Methodist Denomination in Charleston is claimed.

By another Article of these by-laws, the Discipline and forms of the Methodist Church are formally adopted. The right to adopt, implies the right to reject; consequently the whole Discipline of the Methodist Church, as well as its property, depends upon the question, whether the proceedings of the meeting on the 12th inst. are legal, and those present properly exercise the rights they claim. In investigating the question, I will consider—

1st. Whether the individuals who composed this meeting, are legally the corporators under the act of 1787.

2nd. Whether the Corporation under the act of 1787, is legally in existence.

3rd. To whom do the Churches in Charleston, and the property appertaining to them, belong.

First. By the Act of 1787, "the Methodist Episcopal Church in Charleston," is declared to be incorporated, with several other churches, "and by their said respective names shall severally have *perpetual succession of officers and members*, and a common seal, &c." but no individuals are mentioned in the act, as incorporated. It is clear that a Corporation cannot exist without members; and usually, the names of the individuals incorporated together, are expressed in the charter; but where this is omitted or neglected in the Act of Incorporation, those who petitioned for the charter, by the petition being granted, must be considered as the original members of the Corporation. It is an incident to a Corporation to choose new members, though no power be given by the charter—Com. iv. 489. Dub. 12. Co. 121. The original petitioners, therefore, under this act, formed the Corporation, with the right of perpetuating themselves by ordaining a criterion of membership, and providing for a succession of members by election or otherwise. Let us now apply these principles to the facts of the case before us. If I am correctly informed, there is no evidence to show who the original petitioners for the Act of Incorporation were. Their names are unrecorded and unknown—and to affirm that the male communicants of the Church in 1787 were these petitioners, is an assumption without a particle of evidence, written or oral, to support it. Admitting, however, these facts to be so—as there is no evidence of their having a "*perpetual succession of officers and members*," the charter must undoubtedly be dead with the original members. It is laid down, "if all the members of an aggregate corporation die, the body corporate is dissolved."—31 Bae. Role Abr. 514. A corporation created by charter, as well as by act of the Legislative power, may forfeit its franchises by non-feasance or mal-feasance. Com. 4, 500. The Commonwealth vs. the Union Fire and Marine Insurance Company. 5 Mass. 230. So if a corporation be constituted of Brethren and Sisters, *and all the Brethren die and all the Sisters*, the corporation is dissolved.—1 Role 514, 64. So if a corporation refuses to continue the election of officers *till all die who could make an election*, the corporation is dissolved.—Rol. 514. C. 40. So if a leet be disused and has no officers or punishment.—Jon. 283. Nor is it necessary that any legal proceedings should take place in these cases to produce the dissolution; for as Chief Justice Ashurst says, "a scire-facias is proper where there is a legal existing body capable of acting, and who have been guilty of an abuse of the power entrusted to them; but that does not apply to the case of a non-existing body."—Bacon 2. v. 31. in Notes. From these authorities I conclude, that, if it could be shown that the communicants of the Methodist Church in 1787, were the original members of the Corporation, they having all died without perpetuating the Corporation by "a succession of officers and members," the Corporation is dissolved.

Second. But although the members generally of the Church now existing cannot revive the Corporation if it be dissolved, it may be that the powers of the Corporation never vested under the Act of 1787, in the members generally of the Church. The system of government in the Methodist Church is essentially *Ecclesiastical*, and the probability therefore is, that the petition for incorporation was made by the *official members* of the Church, alone; and, consequently, that *they alone* were incorporated under the

name of "the Methodist Episcopal Church in Charleston." The records of the Church and Corporation, seem clearly to establish this position. From the year 1794, to the present day, there is not a single meeting of the members generally of the Methodist Church recorded, much less is there any evidence of their ever having exercised the least control over the property or government of the Church. The first meeting recorded is in 1794; and there were present the Rev. Francis Asbury, Rev. Joshua Kenon, John McDowal, Thomas Jackson, and Wm. Adams. These individuals proceeded to make Edgar Wells, (who was not present) John McDowal, Thos. Jackson, and Wm. Adams, "Stewards for the present year." All the subsequent proceedings of the Church and the Corporation appear to have been conducted by this Ecclesiastical body, which perpetuated itself by electing members to supply any vacancy which occurred by death or otherwise. In the year 1803, Trustees of the Corporation appear to have been first elected. The Trustees then, for several years, are called Trustees or Stewards, until the year 1817, when the appellation of Stewards to the Trustees appears to have been dropped; and from that time the property of the Church, and its temporal concerns, have been governed by the Trustees, who have supplied by election among their body the vacancies as they have occurred *in conformity to the Discipline of the Church*. From these Records of the Corporation and Church, therefore, I infer, that the present Trustees are in fact the Corporation, and that they rightfully control the temporal interest of the Methodist Church. But if the Trustees were not originally the Corporation, and had no right of perpetuating themselves by electing new members to supply vacancies; yet, from the long exercise of this right, the law will sanction it. "By usage, a select number called the common council, shall choose, for there shall be intended an antient ordinance for it.—R. 4. Co. 77. Kid. 1 vol. 320—29. So, "if the charter says the Burgesses shall choose a Mayor *de-seipsis*, by ancient constitutions and usage, the election of one out of two whom the common council shall propose, shall be good."—R. 1. Sol. 190. From these authorities I infer, that *the long usage* existing since the year 1794, by which the present Trustees of the Church exercise their powers and claim their offices, will alone legalize them.

Third. But suppose all these positions to be erroneous, and that the individuals who assembled together on the 12th inst. really constitute the Corporation of the Methodist Episcopal Church, which has been revived by their proceedings, does the property of the Church belong to them—or to whom does it belong?

Let us first consider Trinity Church. On the 7th day of April, 1792, John Gordon, by deed of bargain and sale, conveyed to George Sinclair Capers, William Capers, Abraham Seaver, John Combe, Benjamin Dorrill, Charles Deazel, Wm. Hutchins, Joseph Baker, William and James Mylne, the land on which this Church is built—under certain trusts, with the following proviso: "And upon the farther trust and confidence that as often as any of the said Trustees, for the time being, shall die or cease to be members of the society called Primitive Methodists, the rest of the said Trustees, or of the Trustees for the time being, or the majority of them, as soon as convenient may be, shall and may choose another Trustee or other Trustees, in order to keep the number of five, seven, nine, or eleven Trustees forever." On the 8th day of December, 1815, the Trustees legally existing under the deed, conveyed Trinity Church, with its Parsonage, &c. to Bishops Asbury and McKendree, Bishops of the Methodist Episcopal Church in America, and their successors forever." It is by this title that this Church is now held. It is too plain for argument that it cannot be touched by these gentlemen.

Let us next consider the titles to Bethel Church. The lot is conveyed by Indenture on the 5th Sept. 1795, by Thomas Bennett and Ann his wife, to Edgar Wells, John McDowal, Francis Sutherland, Thomas Jackson, and William Smith, in trust to build a Church, &c. "provided, nevertheless, and it is hereby intended that as often as any of the Trustees aforesaid, or the Trustees for the time being, shall die or cease to be a member or members of the said Methodist Episcopal Church, then the remaining part of the Trustees for the time being shall, as soon as may be convenient, choose another Trustee or Trustees, in order to keep up the Trustees forever, who shall stand and act in behalf of the said Methodist Church as Trustees aforesaid." Now, whether the above named individuals were officers of the Church at the time this deed was executed, is immaterial. The legal estate is vested in them, and those they have in succession elected, and their offices as Trustees cannot be vacated or resumed, until it is shewn that they have violated the trust committed to them. If that lot had belonged to the Corporation, and they had conveyed it in the above form to Trustees, the deed would have been good against them. This Church, therefore, is beyond their control.

The deed conveying Cumberland Church, is not at hand; but as it was conveyed before the Act of Incorporation in 1787, it is obvious that no title could have been made to the Corporation, which would vest in them any ownership to the property.

All the later deeds for property are to the Trustees of the Church existing at the time, and will be held of course by their successors, in fee simple. As these Trustees at the time (upon the supposition that these gentlemen compose the Corporation,) were not, are not now, and never have been *their* officers; of course, they could not have taken or held the property for them.

From the views above stated, my opinion is, that the proceedings on the 12th inst. are without legal authority, and therefore without legal obligation. The property of the Church, and its management and control, is vested in law in the Trustees who now hold it, free from the intervention or control of the members generally of the Methodist Church. Yet they hold it *in trust*; and in conscience and law, are bound to exercise the trust functions in such a manner as will best promote the interests, and fulfil the desires of those for whose benefit their trust was created—and the spirit of Christianity does not require less.

I concur in the above opinion.

20th November, 1833.

R. BARNWELL SMITH.

THOMAS S. GRIMKE.

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