







# BISHOP H. N. M'TYEIRE'S DECISION

ON THE APPEAL CASE OF

*Chouteau Av. M. E. Church, South,*

TO WHICH IS ADDED

A REVIEW OF THE DECISION

BY HON. J. P. STROTHER ;

“MY OWN DEFENSE,”

BY REV. F. A. OWEN ;

AND A

REPORT OF THE TRIAL OF LOGAN D. DAMERON, BY  
A COMMITTEE OF ST. JOHN'S CHURCH.

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# ADVERTISEMENT.

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The following matter—except the “Argument, or Reasons for the Appeal”—has all been published heretofore—some at one time and place, some at other times and places. The subject has excited a good deal of interest, and frequent calls are being made for some one or other of the pamphlets, and as the supply of some has been exhausted, or copies could not be had, the whole is republished here, so that those desiring it can read from the beginning to the end.

# A P P E A L

BY THE CHOUTEAU AVENUE QUARTERLY CONFERENCE, FROM THE DECISION OF THE PRESIDING ELDER TO THE BISHOP.

The name of L. D. Dameron being called by the Secretary as a member of this Quarterly Conference, the presiding elder made the following ruling, to-wit :

At the third Quarterly Conference of Chouteau avenue charge, St. Louis District, St. Louis Annual Conference of M. E. Church, South, held in the church, in the city of St. Louis, Mo., June 26th, 1876, the name of L. D. Dameron being called by the Secretary, as a member of said Conference, the undersigned presiding elder, being present and presiding, ruled that the said Dameron is not a member of the Quarterly Conference, and for said ruling assigns the following reasons, to be entered on the journal of said Quarterly Conference :

1st. The presiding officer of the Quarterly Conference is responsible for the integrity of the body in its constituency, and is bound by the terms of his office to see that all parts of the Discipline are executed in his district. Under the law of the Church he would be liable to censure for admitting any one to a seat in a Quarterly Conference not clearly entitled to such right under the law of the Discipline. Mr. Dameron claims membership in the Quarterly Conference as a Sunday School Superintendent ; but a Sunday School Superintendent, to be entitled to a seat in the Quarterly Conference, must also be a member of the Church. That Mr. Dameron is not a member of the Church, and that he has been officially declared ineligible to a seat in the district, and consequently in the Quarterly Conference, will appear from the following statement of facts :

a. L. D. Dameron, a member of St. John's Church, in the city of St. Louis, Mo., under charge and specification of immoral conduct, framed and presented by a committee of investigation, consisting of three members of said Church, was expelled from the communion of the M. E. Church, South, by a regularly constituted committee of trial, and according to the forms of law, on the 27th day of November, 1874. and gave notice of an appeal to the next ensuing session of the Quarterly Conference of said St. John's Church, to be held on the 19th of December, 1874, of which he had due and legal notice. The said Dameron did make application to Rev. F. A. Owen, pastor of Chouteau Avenue Church, in the same city of St. Louis, and was by said Owen, on the 13th day of December, 1874, received into the communion of said Chouteau

Avenue Church, with a full knowledge of his having been thus recently expelled from the St. John's Church, and said act was done in such manner as, in my view, to indicate contumacy and cast discredit on the authority of the Church from which he had been expelled, and without notice to the Church or its pastor thus expelling him, or in any way seeking to give satisfaction to said St. John's Church, and before the meeting of the Quarterly Conference of St. John's Church, to which said Dameron had appealed, and before which said appeal was still pending.

*b.* The reception of Logan D. Dameron into the communion of Chouteau Avenue Church at date December the 13th, 1874, did indicate contumacy and cast discredit upon the administration of discipline in the case by the St. John's Church, the time and manner of said reception being thus an interference by F. A. Owen with the administration of law in another society, and furthermore giving countenance to a direct and avowed purpose by said Logan D. Dameron to disregard the order and discipline of the Church on respect to the form of proceeding prescribed for the restoration of an expelled member, or other redress of alleged grievances. [See *Advocate* supplement, December 16th, 1874, 1st column, 1st page, and 2d page, 4th column, beginning at 16th line.]

*c.* The said Logan D. Dameron, in *Advocate* supplement, December the 16th, 1874, 2d page, 4th column, 4th paragraph, did claim the said act of reception by said F. A. Owen, as vindicating him against the act of expulsion by St. John's Church, and said F. A. Owen has allowed that claim to go unchallenged before the public, thus discrediting and defeating the administration of discipline in the St. John's Church.

*d.* Said Logan D. Dameron, though he professed in the presence of the committee of investigation, as also afterwards in his written statement, which was read to the congregation of Chouteau Avenue Church, to be sorry if he had done the wrong charged against him, and to be ready to make reparation, yet such qualified statement was in no just sense a satisfactory evidence of repentance for the wrong, and he never made at any time reparation, but repeated the offense persistently and obstinately in the most public way. [See second card of September 16th, 1874, and republished in the first supplement, December the 9th, 1874.]

*e.* Said publications were formally and specifically an appeal taken from the finding of a church court to the tribunal of public opinion, and whilst in the attitude of insubordination to the law and authorities of the church, he was received by F. A. Owen into the fellowship of Chouteau Avenue Church, and advanced to important official positions.

*f.* By the ruling of Bishop Keener, both at the St. Louis District Conference, held at Manchester, Mo., June the 10th, 1875, on a full statement of the facts in the case, and subsequently at the session of the St. Louis Annual Conference, held at Salem, Mo., Sep-

tember 22d, 1875, it was decided that said Dameron acquired no rights of membership in the M. E. Church, South, by the act of said Owen receiving him into the communion of Chouteau Avenue Church, because the said act itself was without authority of law, and therefore null and void.

g. At the St. Louis District Conference, held at First Church, in the city of St. Louis, May the 26, 1876, Bishop Marvin presiding, objection being made to the claim of L. D. Dameron to membership in the District Conference, on the ground that he had been declared ineligible to a seat in said Conference, by the ruling of Bishop Keener, as before stated, and no subsequent steps having been taken by said Dameron to acquire membership in the church, and it appearing that no application had been made to the St. John's Church, from which he had been expelled, though perfectly accessible to him, and no satisfaction rendered to said church, nor any steps taken to render such satisfaction by said Dameron, the presiding Bishop ruled that the said Dameron was ineligible to a seat in the District Conference.

h. The Presiding Elder has not been officially informed of any act of administration that has transpired subsequently to said rulings above stated, by which said Dameron has acquired any right of membership in the M. E. Church, South.

i. As a subordinate officer in the Church, the Presiding Elder being bound by the rulings of his superior officers *in the case*, and the claim of said Dameron to membership in the Quarterly Conference resting on the same basis as his claim to membership in the District Conference, the Presiding Elder therefore rules that L. D. Dameron is not eligible to a seat in this Quarterly Conference, and for the reasons before stated cannot be legally admitted to one.

Signed, A. T. SCRUGGS, P. E.

Of St. Louis District, St. Louis Annual Conference of the M. E. Church, South.

ST. LOUIS, Mo., June 26th, 1876.

On motion of Bro. John C. Bull, seconded by Bro. Francis O. Drake, the Quarterly Conference unanimously appealed from the above ruling, to the Presiding Bishop of the ensuing session of the St. Louis Annual Conference of the M. E. Church, South, to convene at Washington, Mo., September 6th, 1876.

I hereby certify that the foregoing is a true transcript from the journal of the Third Quarterly Conference for Chouteau Avenue Methodist Episcopal Church, South, held in the church, in the city of St. Louis, Mo., June 26th, 1876.

FRANCIS BARRERE, Sec'y.

On the presentation of this appeal, the following argument, or reasons for the appeal, was read in behalf of the Church :



*To* REV. H. N. MCTYEIRE, *Bishop of the M. E. Church, South, present and presiding at the present Session of the St. Louis Annual Conference :*

RESPECTED BISHOP: The undersigned, as members of the Chouteau Avenue Church Quarterly Conference of the St. Louis Annual Conference of the M. E. Church, South, beg leave most respectfully to present the following appeal of said Quarterly Conference, from a decision made by Rev. A. T. Scruggs, Presiding Elder of the St. Louis District of the St. Louis Annual Conference of the M. E. Church, South, on the 26th day of June, 1876, and recorded in the proceedings of said Quarterly Conference, to which you are referred, and which we beg leave here to read as the foundation of this appeal. (Record proceedings.)

Your appellants can but regret that this decision is extra-judicial, and our appeal, in consequence thereof, cannot be presented in strict accordance with the Discipline, on page 72, Chapter III, Section 3, Paragraph 5. Here it is made the duty of the Presiding Elder to decide questions of law in the regular business of a Quarterly Conference when submitted to him in writing. Your appellants aver, in behalf of said Quarterly Conference, that no questions of law whatever were presented for decision; but we affirm that the Presiding Elder forced the calling of the roll of members, as you will see in the recorded proceedings of said Conference, refusing to entertain a motion to suspend the calling of the roll, which motion your appellants affirm to have been strictly in order, as there is no quorum fixed for a Quarterly Conference; and the first question of law we shall ask the Chair is this: Is this decision of that character contemplated by the Discipline, and does it come legitimately before you? Should you, after deliberation, decide that it is, then we ask that you will also consider the following statement of facts, as our reason for appealing from this decision. We now present you with the grounds of objection, and our reason for appealing:

We object, first, because we can find no authority in our most excellent book of Discipline that either allows or authorizes a Bishop or Presiding Elder to decide as to the validity or regularity of the membership of our members—or rather, we should say, to exclude, by the mere prerogative of decision by the Chair, a member regularly received. We can find no authority of law for any presiding officer going behind the record of a preacher in charge, who only

is authorized to receive members, according to Discipline, Chap. III., Sec. 4, p. 7, Ques. 1, Ans. 1. Here authority alone is vested in the Preacher in Charge to receive members, and all names of applicants for membership must be given to him, all received by him, and all certificates of dismissal written by him, all Church trials of members to be conducted by him, and he is the responsible one for the integrity of the membership. We know of no law that makes it so imperative, on either our Bishops or Presiding Elders, in protecting the integrity of the constituency of either Annual, District or Quarterly Conference, as should force them to decide who are members, or, by their decision, virtually to exclude a man from the Church, received according to Discipline, by a regular Preacher in Charge. In this, however, our Presiding Elder was following the example, and acting under the authority, and doubtless the advice, of one of our Bishops.

Again, we object to this decision of our Presiding Elder, because it undertakes to sustain a decision of a Bishop which was ignored by the College of Bishops. Your appellants are aware of the fact that another Bishop has made the same decision; but as the first, made in the same case and on the same grounds, was ignored by the College of Bishops sitting as the highest court of the Church in the interim of the General Conference, of course said decision is null and void, and our Presiding Elder cannot claim the protection of Episcopal authority.

Our Presiding Elder decides that L. D. Dameron, Sunday-school Superintendent of Chouteau Avenue Church, could not be recognized as a member of this Quarterly Conference, because a Sunday-school superintendent must be a member of our Church, and said Dameron was not a member. In the recorded proceedings of the Third Quarterly Conference of our Church for 1875, held on the 26th of April, L. D. Dameron was recognized as a member of our Church by Rev. A. T. Scruggs, acting as our Presiding Elder, when our Preacher in Charge, Rev. F. A. Owen, reported the said Dameron as our Church Conference Secretary, and his name now stands enrolled among the official members; and at the same Quarterly Conference L. D. Dameron was nominated and elected Sunday school superintendent—Rev. A. T. Scruggs still present and presiding, and his name is officially signed to these proceedings. The minutes contain no objection or protest. What has wrought this change in his mind? The famous Manchester decision? That

St. John's Church ; and said charge having been referred to a committee of investigation, and said committee reporting no trial necessary ; and the St. Louis Annual Conference having adopted that report, and passed the character of the said Rev. F. A. Owen, does this action leave Logan D. Dameron a member of the Methodist Episcopal Church, South, at Chouteau Avenue Church ?

F. A. OWEN, P. C.,

In behalf of the Quarterly Conference of Chouteau Avenue  
M. E. Church, South.

F. BARRERE, Secretary.

*Washington, Mo., September 6, 1876.*

After having the case under consideration, Bishop McTyiere rendered the following decision :

# BISHOP'S DECISION.

The appeal came up in due form, on the second day of the session of the Conference. It was followed by a written document, signed by the pastor in behalf of the appellants, setting forth at length their views of the case, and presenting their reasons against the decision of the Presiding Elder. This document is valuable in the light of an argument, but it forms no part of the official papers. It is dated September 6th, 1876; was read before the Conference and taken under consideration by the president, to whom officially the appeal is sent up.

The appeal involves two points:

1. Is it the right of the Presiding Elder to decide on the legal qualifications of a person who claims a seat in a Quarterly Conference over which he presides?
2. Allowing the right of the Presiding Elder to make a decision, was his decision, in this case, right?

The importance of these questions and the circumstantial interest with which they are invested in this Conference, make it proper that they should be considered at sufficient length to indicate the reasons that underlie the answers.

As to the responsibility attaching to the office of a Presiding Elder, in the composition of a Quarterly Conference, let it be borne in mind that the Quarterly Conference is an organic body. The functions it performs are vital to our church system; it could not be carried on without them.

The Quarterly Conference elects trustees and stewards and controls them; and so, directly or indirectly, controls church property and finances. As a court of last appeal for accused members, the rights of the laity are concerned in the preservation of its integrity. No other ecclesiastical body can license a man to preach, and none other can recommend a preacher for admission into the Annual Conference which supplies pastors to the Church. The Quarterly

Conference has oversight of that influential department of our ministry—local preachers. None of them can be brought to trial or ordained unless it initiates the proceedings. It has oversight of Sunday schools also.

The Quarterly Conference is an executive and not a legislative body. It never was elective or delegated, but its members are such *ex officio*.

As might be supposed, a judicatory charged with so many and so great interests, is carefully made up and clearly described.

The Discipline says (p. 52):

“Q. Who shall compose a Quarterly Conference ?

“A. All the traveling and local preachers, including superannuated preachers, residing within the circuit or station (whether without or within the limits of the Annual Conferences to which they belong), with the exhorters, stewards, trustees and class-leaders of the respective circuits, stations and missions, together with the superintendents of Sunday schools who are members of the Church, and secretaries of Church Conferences, and none others.”

For this judicatory constituted of the safest elements—men of experience who have been tried in various official stations—an *ex officio* president is provided. The Discipline defines the duties of the Presiding Elder, p. 713—: He is “to travel through his appointed district in order to preach, and to oversee the spiritual and temporal affairs of the Church.” \* \* \* “To be present, as far as practicable, at all the quarterly meetings and call together the members of the Quarterly Conference, over which he shall also preside.” \* \* \* “To decide all questions of law which may come up in the regular business of the Quarterly Conference.” \* \* \* And—“to take care that every part of the Discipline be enforced in his district.”

If, on calling together the members of the Quarterly Conference, as above described, the Presiding Elder should be met by some who do not answer that description of persons, what must he do? Admit them to take part in the proceedings and to cast ballots because they claim it as their right! Hardly. Or, must he submit their case to a vote? Perhaps there are enough questionable claimants to make a majority.

The appellants intimate that the Presiding Elder, in the case before us, should have ignored the irregularity. They complain that “no questions of law whatever were presented for a decision, but

we affirm that the Presiding Elder forced the calling of the roll," and refused "to entertain a motion to suspend the calling of the roll."

Even *one* illegal member is not to be overlooked in organizing a Quarterly Conference. The numerical size of that body is not in proportion to its functional importance. It has no *quorum*, and a few persons present and voting often determine very grave issues. A majority of *one* has settled an appeal or an application for license to preach, or other weighty questions. One vote may turn the scale. After all the pains taken to constitute the Quarterly Conference safely, this body, in many parts of the land, is largely made up of those who, however excellent their christian character, are not expert in law questions. They have not studied the Discipline beyond the requirements of their own duties. A majority vote as to who is or is not entitled to a seat, would bring about a diversity of administration incompatible with our connectional polity. Quarterly Conferences, even within the limits of the same district, would be differently constituted; and though the law prescribing their constitution might be ever so grossly violated, the *members* would not be held responsible to any tribunal for the vote by which this violation was brought about.

Not so uncertainly does the Church proceed in organizing this judicatory. The same law everywhere prevails, with provision to secure its uniform administration. The Presiding Elder is of the executive department. His acquaintance with ecclesiastical law and his administrative ability are considered when he is selected. He is held to responsibility for his acts, both personal and official. The decision of law questions devolves upon him; and though his decisions govern the pending question, it may be appealed from, as in this instance, and thus redress may be had against his error.

The Presiding Elder is not the mere figure-head of a Quarterly Conference; he is not simply the moderator of a body to which he owes his election and whose will he is to do. He is a general pastor, and also an executive and judicial officer—with the gospel of the Lord Jesus Christ to preach, and the law of his church to administer. That law makes him the president of all the Quarterly Conferences in his district and describes who shall sit in them—"and none others." It is *exclusive* as well as inclusive. The order of business is also laid down minutely; and the Presiding Elder's duty requires him to hold the judicatory not only to the law of its

operation, but equally to the law of its composition. If in either respect the law be violated, not the members of the Quarterly Conference, individually or collectively, but the Presiding Elder, must answer for it. He cannot evade his responsibility, and may be punished for maladministration by the Annual Conference.

The Quarterly Conference is composed for certain purposes. Within the law, it is a law unto itself. Under constitutional limitations it does as it pleases, and need not consult the president's wishes or follow his advice. He may not object to this or that member on *moral* grounds. Possibly some may be seated there whom the president believes to be bad men; but the *legal* question for him is—is he a trustee? Is he a steward? Is he a Superintendent of the Sunday School who is also a member of the Church?

The General Conference—composed of an equal number of ministers and laymen, and the only law-making body of the Church—elects those who “are the repositories of executive power,” and holds them amenable to itself for carrying out its laws. One of these laws is that only those traveling preachers who are in full connection can be members of an Annual Conference. Should a traveling preacher, not answering to this description, claim a seat in the St. Louis Conference, the Bishop presiding would rule that he had no such right. The question is one of law; and the Discipline defining the duties of a Bishop, who is *ex officio* president of an Annual Conference, says: “To decide all questions of law coming before him in the regular business of an Annual Conference.” If a person who had no legal title were admitted here—by his influence and vote vitiating the proceedings of this body—then the Bishop under whose administration the evil occurred would answer for it to the General Conference, and might be censured and degraded for maladministration.

The law describing the lay element of an Annual Conference, says: “No one shall be a representative who has not been for six years, next preceding his election, a member of the Church.” In the Western Conference, which was held in Nebraska last week, a worthy layman's name was presented who had been elected by one of the districts, but it appeared he had been a member for only *four* years next preceding his election. The president could but rule that he was not entitled to a seat, and that it was in order for an alternate to come forward. This decision is subject to review

and reversal by a higher court, but it governed the question in organizing that Conference.

The law of its operation and the law of its composition are binding alike on an Annual Conference. These laws are made for it by the General Conference, which prescribes the organization and limitations and duties of all subordinate conferences. In the language of Bishop Soule: "Their rights and privileges are strictly chartered, and out of the record they have no jurisdiction." The same General Conference provides for the carrying out of the laws made by itself, and, directly or indirectly, appoints those who are to execute them, and directly or indirectly holds them accountable for the performance of their duty. Thus, as Bishop McKendree remarked: "Connection is maintained between making rules and enforcing them;" and the consequence is "a uniform and efficient administration of the government." To this feature of its polity Methodism is much indebted for its unity. Its judicatories every where—in the centers of civilization and on the remote frontiers—are organized and conducted on the same plan.

Among the component elements of a Quarterly Conference are "Trustees." The same man is sometimes trustee for church property in a city station and in the adjoining circuit. It happened that a trustee who sat in the Quarterly Conference of the station was present also at the Quarterly Conference of the circuit. The Presiding Elder decided that he had a right, by virtue of his office, to a seat in the Quarterly Conference of the society where he held his membership, and there only. This ended it.

On another occasion a Presiding Elder, calling together the members of the Quarterly Conference, was confronted by a modest brother who claimed a seat on the ground that he was a Sunday School Superintendent and also a "member of the Church;" but, as it appeared, not of *this* Church. He belonged to another denomination. He was ruled out by the decision of the president, and very properly, as most will agree. If a member of another sect had been admitted there, even by a unanimous vote of the Quarterly Conference, and any interest of this Church had suffered harm thereby, no Annual Conference would have said that the Presiding Elder was "blameless in his official administration," and no bishop would have reappointed him to the office. Here was a question involving not *moral* character, but *legal* qualification.

These are old principles, and have been regarded as well under-



of his guilt, he stands expelled. Nor can he be "restored to the communion of the Church without giving satisfactory evidence of repentance." Repentance for what? Evidently, for "the crime for which he was expelled." The necessary implication of language combines with the reason of things to exclude the idea that a profession of general repentance, like that of our baptismal vows, is meant.

What is satisfactory evidence of repentance? The old Discipline, from 1789 to 1866, held this language: "After such forms of trial and expulsion, such persons shall have no privileges of society or sacraments in our Church, without contrition, confession and proper trial." This would be every where accepted as "satisfactory evidence of repentance." The M. E. Church (North) retains the old form of words, with this exception, "satisfactory reformation has of late years been substituted for "proper trial." By abbreviating the phraseology, as our Church did ten years ago, it clearly was not intended, without notice, to change the meaning of the clause which lays down the condition of restoration.

Two thoughts are included in this condition, under any expression of it: Confession of the sin, with godly sorrow for it; and an element of time. A prudent pastor is careful in admitting to membership those who come forward to make their first vows; much more, when he is dealing with one who has broken those vows. The old rule of probation, by which every candidate was held on trial for six months, was prefaced by this question: "How shall we prevent improper persons from insinuating themselves into the Church?" Skillington remarks that "one principal cause of the great flourishing of religion in the primitive times was the strictness used in the admission of members."

Surely a little time might well have been required to test the genuineness of repentance and reformation in this case, if repentance had been professed. A year would have been modest; six months, moderate. But the expelled person is seen here to be received into full fellowship within sixteen days! We respect the faintings and longings of pious souls for the courts of the Lord. As the hart panteth after the water-brooks, so do they pant for the sacraments and privileges of his house. They pine for the communion of saints. Their tears are their meat day and night, while they cry continually, when shall I come and appear before him? But this undue haste to be reinstated in the Church is suggestive of,

contumacy rather than of devoutness. Whatever *legal* or *technical* rights may have been acquired in the transaction, its *moral* effect was to frustrate church discipline, and bring it into contempt.

Another thing to be considered is : To whom shall application for restoration be made ? The society that expelled him is properly the one to which the expelled person should apply, bringing "satisfactory evidence of repentance." His offense, with all extenuating or aggravating circumstances, is best known there. By that congregation of Christians the sentence was bound on him ; by the same, let it be unloosed. There are exceptions, as where a traveling preacher has been expelled, who held his membership in no particular congregation. Distant removals may have taken place, or death may have swept away a generation and the original society with it. But the society that begun a course of discipline, if in existence and accessible, ought to finish it ; and *comity*, to say the least, forbids the interference of another.

The *connectional* character of our Church enforces these proprieties. He who is expelled from one society has no rights in any other ; and a member of one society, by presenting the testimonial of that fact, has ready access to the privileges and sacraments of every other. A certificate of membership is everywhere a legal tender. Now, according to the practice before us, a person expelled for slander, libel, or other grievous sin against his brethren, may, without change of residence, go a few squares to another society, and easily satisfying them as to his "repentance," be admitted into full fellowship, obtain a certificate, and return with it defiantly to the society that had cast him out.

The congregational polity has many disadvantages as compared with the connectional. The individual society there is independent of every other ; and each society, or local church, judges of the qualifications of its own members. A candidate not good enough for one, may suit another. The scandal is now and then witnessed of a preacher or member, after long labor, being turned out of one church and straightway, on application, being admitted into a neighboring church, of same faith and order. To this infelicity the congregational system is exposed. It is contrary to the best usage, and may be counted discourteous ; but it is lawful. This, however, the system has by way of compensation : It quarantines each society against any member it has adjudged unworthy of its fellowship. Are we now invited to adopt the weakest and worst

feature of congregationalism, without the protection of its isolated communities?

Expelled from St. John's on November 27th and received into Chouteau Avenue on December 13th, L. D. Dameron might have called for a Church-Letter on December 14th. The pastor, of course, would give it according to the canonical text:

"The bearer hereof, L. D. Dameron, has been an acceptable member of the Methodist Episcopal Church, South, in Chouteau Avenue station, St. Louis Conference.

(Signed)

F. A. OWEN, Pastor."

"The bearer" might have taken this certificate to Rev. J. W. Lewis, Pastor of St. John's, and been snugly ensconced in membership there before the meeting of the Quarterly Conference, to which he had appealed! The St. John's pastor and people are offended; the world looks on derisively; the committees of investigation and of trial are virtually over-ridden; the Quarterly Conference has been flanked. He is back again; and that, too, without any "satisfactory evidence of repentance," except such as satisfied the pastor of Chouteau Avenue.

Prudent pastors, liable to such interference from a neighboring society, might ask themselves: Is it not better, for the honor of religion and the peace of the Church, to let the worst offenders go without arrest, if such consequences may follow an attempt to exercise gospel discipline?

The answer is: Such consequences cannot follow the proper administration of our law.

To show that, in this, we are not singular, the recorded opinion of two canonists of high authority in the other branch of Episcopal Methodism may be quoted. Bishops Waugh and Jones join in this deliverance:

"If a member has been expelled according to due disciplinary forms, and, without changing his residence, should go to another Methodist society and join on trial, it would be maladministration for the preacher, at the expiration of six months, to receive such person into the Church, provided that no satisfaction had been given to the society which arraigned him, for the Discipline expressly declares: 'after such forms of trial and expulsion, such person shall have no privileges of society or of sacraments, in our Church, without contrition, confession and satisfactory reformation.'"—  
[Baker on Discipline, p. 26.]

The Baptist Church may be accepted as an exponent of the congregational polity.

Even *they* would condemn what was done in the case out of which this appeal grows. The best authority, on Baptist usage I can lay my hand on, says :

‘An excluded member may apply for admission to another Church. Every Church has, of course, a right to receive any one whom it judges qualified for membership. Yet each should render due respect to all others and sustain their proper authority. Each should presume that another has done right in excluding a member, and not take his story as evidence to the contrary. If he has been wronged, the wrong should be rectified where it was committed. If, however, a case should occur in which manifestly a member was improperly and unjustly excluded, and the Church should persist in refusing to restore him, he ought to have a remedy. Another church, being fully convinced that he is entitled to membership, should, after suitable delay and a careful investigation of the case—the other Church having been duly notified of their intention—receive him. Such a case, however, seldom occurs, and this course is justifiable only in extreme cases.’—Church Members’ Manual, p. 252.

This is the sense and best usage of a Christian body, which has no courts of error and appeal, to judge whether “a member was improperly and unjustly excluded,” and must provide a remedy for extreme cases.

It seems, from the document read in support of the Appeal, that the leading members of Chouteau Avenue concurred with their pastor in the propriety of his act. They deny that the trial and expulsion at St. John’s “was according to the forms of law as laid down in our book of Discipline.” Referring to a printed paper that purports to be a copy of the proceedings of the trial, they say: “It will be seen, first, that these proceedings were illegal and improper, because there is no consistency between the charges and specifications. Make the very worst that possibly could be made out of all charged or attempted to be proved, and you have only a case of improper words or actions; and no part of the Discipline was complied with, as is made and provided for in the Discipline in the government of such cases.”

How painfully evident is it that divisions and strife of the worst sort must result from such attempts of one society to review and

remedy the wrongs, real or imaginary, committed by another of equal authority and standing! Every case of discipline will be the signal for crimination and recrimination. Local troubles will spread, and involve the peace of the whole religious community. A personal difficulty will widen out until neighboring pastors and people are set at variance. We have no such custom. From such perils our system, rightly administered, saves us. But if, after the Baptist fashion, one of our societies undertakes to correct the disciplinary act of another, it is at least proper that the Baptist preliminaries be observed: Let there be reasonable delay—a presumption that another has done right—waiting the result of application for restoration where he was expelled—and giving notice to the society.

Having gone without, and cited for illustration and analogy, the law and usage of the leading Episcopal and Congregational Churches, let us also consult the Presbyterian. The Book of Church Order, recommended by the General Assembly of the United States (1869), defines excommunication:

“The design of this censure is to operate on the offender as a means of reclaiming him, to deliver the Church from the scandal of his offense, and to inspire all with fear by the example of his discipline.”

For securing these ends, witness the chapter on the Removal of Censures:

“When an excommunicated person shall be so affected with his state as to be brought to repentance, and to desire to be readmitted to the privileges of the Church, the Session, having obtained sufficient evidence of his sincere penitence, shall, with the advice and concurrence of the Presbytery, proceed to restore him, requiring him to make public confession. In order to which, the Moderating Minister shall inform the congregation of the measures which have been taken with the excommunicated person, and of the resolution of the session to receive him again to the communion of the Church.

On the day appointed for his restoration, when the other parts of divine service are ended, before pronouncing the blessing, the minister shall call upon the excommunicated person, and propose to him, in presence of the congregation, the following questions:

“Do you, from a deep sense of your great wickedness, freely confess your sin in thus rebelling against God and in refusing to hear his Church: and do you acknowledge that you have been in

justice and mercy cut off from the communion of the Church?

*Answer*—I do. Do you now voluntarily profess your sincere repentance and contrition for your sin and obstinacy; and do you humbly ask the forgiveness of God and of his Church? *Answer*.—I do. Do you sincerely promise, through divine grace, to live in all humbleness of mind and circumspection; and to endeavor to adorn the doctrine of God our Savior, by having our conversation as becometh the gospel? *Answer*.—I do.’

Here the minister shall give the penitent a suitable exhortation, addressing him in the bowels of brotherly love, encouraging and comforting him. Then he shall pronounce the sentence of restoration in the following words:

“Whereas, you, A. B., have been shut out from the communion of the Church, but have now manifested such repentance as satisfies the Church: in the name of the Lord Jesus Christ, and by his authority, we, the session of this congregation, do declare you absolved from the sentence of excommunication formerly denounced against you; and we do restore you to the communion of the Church, that you may be a partaker of all the benefits of the Lord Jesus to your eternal salvation.”

The whole shall be concluded with prayer and thanksgiving.

Lord King’s Inquiry into the constitution and discipline of the Primitive Church, collected out of the Fathers and extant writers of those ages, gives us the practice touching the laying on and removal of censure for the first three hundred years after Christ. I quote from the Methodist Book Room Edition of 1841. The seventh chapter of the book is devoted to this subject:

As the Church, so her arms, were spiritual; her thunderbolts consisted in suspensions and excommunications, in ejecting and throwing out of the Church her scandalous and rotten members, not permitting a reinduction of them till by visible signs of repentance they had satisfied for their crimes and villanies. Various are the appellations that are given to the sentence of excommunication in the writings of the ancients. By Dionysius Alexandrinus it is called “a driving away from the Church;” by Tertullian, “a casting out from the Church’s communion;” by Cyprian, “a separation from the Church.”

Confession was joined with repentance as an essential pre-requisite of reinduction; and time was given to prove its genuineness. “Confession, therefore, being so necessary the greatest (noblest)

ecution was frivolous, the witnesses perjured, the triers prejudiced, and the pastor who conducted proceedings was malicious; and when asked why he did not exhaust his remedy for redress by carrying his cause up to a higher court, he may charge corruption on that also.

And then he represents himself as not only an innocent but an injured man, and asks us to clear him. We may do so, but we do it at the cost of convicting a dozen other men, whose characters have not been impeached. Church courts must be held in honor. We had as well dissolve them, if their sentence is to be set aside by out-door opinion on the accusations of the accused. "A man that is called a brother" is to be accounted innocent until the contrary is proved; then, before the enlightened Christian conscience, he is to be accounted guilty; and the guilty ought to be held to repentance. This is the only safe rule for officers administering the affairs of Christ's Kingdom. For the Scriptures saith: "He that justifieth the wicked, and he that condemneth the just, even they both are abomination to the Lord.'

It is clear that the Church makes a distinction between the *reception* and the *restoration* of members. The latter is for those who have lapsed, and has reference, more or less specific, to the cause of their expulsion. It is, in its consummation, a grateful announcement that the ends of discipline have been accomplished. The former is their virgin espousal unto the Lord. They are now baptized—(if this sacrament had not been bestowed in infancy)—and having given satisfactory assurances of their desire to flee from the wrath to come, and to be saved from their sins, and also of the genuineness of their faith, and of their willingness to keep the rules of the Church, they are received after a prescribed form. Suitable exhortations are delivered, prayers of thanksgiving are offered, and *vows are assumed*, and the right hand of fellowship is given. To repeat this, once or twice (as in the history of some), would be a solemn farce enacted before a congregation.

No form is prescribed among us for restoration. The main point having been secured, the manner of it is left to the discretion of pastors, inasmuch as circumstances may vary.

The position has been intimated rather than avowed, by some whose opinions are entitled to great respect, that reception and restoration are two modes of re-entering the Church, equally open to an expelled person, between which he may choose; repentance for

his sin being required in the latter, but not in the former. If this be so, the door of restoration had as well be closed up; few, if any, will come that way. Reception admits equally to all rights and privileges, and by a shorter route, and it avoids the humiliation of confession, and of submission to Church censure.

Perhaps it may be said that the necessity and obligation of repentance are taught in the word of God and written by His Spirit on all truly awakened hearts, so that a true and thorough penitent will prefer the conditions of restoration, though the Church should not make them a pre-requisite of readmission to her communion. The answer is: First, the Church will hardly maintain her purity or authority by lowering or waiving the requirements of God's Word. Secondly, while a few may re-enter by this way, the multitude of offenders and the *worst of them* will accept the tacit invitation to regain membership without "contrition, confession and proper trial," as the law formerly read, or "satisfactory evidence of repentance," as the law now reads.

To readmit, under the form of reception, one who had been judicially cut off from the communion of the Church—thus evading the conditions of restoration—is more than a misuse of the Ritual; it is an abuse of pastoral prerogative. The receiving of an expelled person, even into the same society, is an irregularity subversive of wholesome discipline; but the *receiving* of him into a neighboring society is a still greater breach of rule, for it also invades Church unity.

What is the legal bearing of all this upon L. D. Dameron's claim to membership? Has he acquired such a right in this Church?

I have thus far, in treating the second point of the appeal, been in agreement with the spirit, if not the letter, of the official deliverance made, on another aspect of this case, from this chair a year ago—the substance of that opinion having been concurred in by the College of Bishops. But this single issue of *personal membership* has not yet traveled up to that court and been finally adjudicated.

It may seem that I have laid the foundation for the same conclusion as that which has been reached by some for whose judicial wisdom and purity the greatest deference is justly entertained; but I have felt obliged to come to another conclusion.

Irregularity of administration, though it may deserve correction and even rebuke in the administrator, does not necessarily work in-



validity in his acts. The Episcopal College has adopted and published the following general principle:

“When it is decided that a pastor has been guilty of maladministration in receiving or expelling a member contrary to rule, this decision has the effect of restoring the member so expelled, but not of excluding the member so received.”

And the reason of this is sound and broad. Ministers, who are charged with the responsibilities of pastors, are supposed to understand the law. In the name of the Church and her divine Head they are sent forth to invite men to join, and they are clothed with authority to admit them. Those who accept, in good faith, the ministers sent to them, and are governed by their directions, ought not to suffer for it. Ecclesiastical rights, acquired by the official acts of accredited agents, cannot be repudiated to the injury of any, while the Church must extend redress to those who may have been injured by them. The pastor is to open the door to the worthy, and to guard it against the impenitent. If he is careless, or incompetent, or unfaithful, let the Church call him to account; let him be instructed, or reprovèd, or removed; but it would be impolitic, embarrassing, impracticable, and lacking in high equity to correct him by denying their legal *status* to persons who had been admitted by his official act to the privileges and sacraments of the Church. We must take care in condemning one pastor's work not to discredit all other pastors. The people are confiding; they do not generally study these questions, but leave them to those who watch over their souls. Better let one person be allowed his claim to membership, though we condemn the way it was acquired, than raise in the breasts of thousands this painful doubt: “Am I a member of the Church or not? One duly authorized professed to admit me. I supposed the induction to be regular, and that I had acquired the rights of a member. I have had access to class-meetings, to love-feasts, and to the Lord's table. My name is on the Church register, and I am recognized in the Church Conference. By every token the pastor set over me by the Church has assured me that I am a member. Has there been any blunder committed by him? Was it done according to rule? If my particular case ever comes to be investigated, may not a fatal flaw be found?”

This would produce wide unrest and grievous uncertainty. The

foundations would be disturbed. By thus settling one case we should unsettle every other that had not been specifically adjudicated.

That construction of law is to be preferred which gives security to our members, great and small, learned and unlearned, and is also consistent with the maintenance of order and purity. The abuses of pastoral prerogative can be restrained; but the confidence of the people if lost may not be easily recovered. The honor and authority of God's ambassadors, sent into all the world to preach the Gospel to every creature, must be upheld. Their commission requires confidence. In order to this, their official administration not less than their personal character, should often and closely be inquired into; and if the peace of the Church, its unity, its protest against sin, its faithful dealing with offenders, its discipline or doctrine be compromised by any pastor, let him be dealt with so faithfully that the scandals of mal-administration shall cease. A large discretion in admitting persons to the communion of the Church is necessary in carrying out the Gospel commission; let those who abuse it answer for it; but leave the rest free to do their work, without the suspicion of having it repudiated upon critical inquiry afterwards.

But, will Annual Conferences, to whom pastors are amenable, deal faithfully? Will a body of traveling preachers visit the penalty of violated rules upon one of their own number as readily as upon a layman? Will they find mal-administration and censure it when blameworthy, so that the power of receiving members may be safely left where it is?

Here again I profess confidence in the uprightness and reliability of Church Courts. They can be trusted, and must be. An Annual Conference is composed of men who love the truth, and many of them have suffered for it. They are under special vows. When their spirit, their experience, their intelligence, their common interest in a holy cause, are considered, and the law has been authoritatively expounded to them by a president appointed by the General Conference, we look for a verdict in accordance with law. Local or personal influences may occasionally sway them out of line, but in the long run such a body will do right.

To the Annual Conference the Church commits, not the making of the law, nor the expounding of it, but the applying of it. If, therefore, a pastor has received a member contrary to rule, and the Annual Conference refuses to find or to censure the mal-admin-

the same city, and was, by the Pastor of that Church, received into the fellowship thereof, "and subsequently advanced to important official positions," one of which was the superintendency of the Sabbath-school. He had not applied for restoration to membership in the Church that had expelled him, nor had the Quarterly Conference taken any action in his case. The Church that expelled him, or its representatives, claimed that he had not repented of the offense for which he had been expelled, whilst he claimed not to have been guilty of any offense—and, if he had, that he was sorry, and willing to make reparation. Afterward, the Pastor of the Church Mr. D. had joined, claiming him to be a member of that Church, and admitted to be superintendent of a Sabbath-school in the Church, appeared at a District Conference held at Manchester, and reported him (Mr. D.) as a member of that Conference. His membership was challenged, on the *sole* ground that he was *not* a member of the Church. Bishop Keener was presiding, and asserted the right of the presiding officer to pass on the qualifications of members of the District Conference, and, as incidental thereto, to determine the question of membership in the Church, and decided that D. was not a member of the Church, and so he was denied his seat. The same Bishop substantially repeated the same decision afterward at the Annual Conference. Nearly twelve months afterward, at another District Conference, held in St. Louis, over which Bishop Marvin presided, Mr. D. was again presented by the same Pastor as a claimant to a seat, when again he was challenged on the same ground, and the presiding officer again asserted the same power or prerogative of deciding, and did decide the same way, and Mr. D. was again denied a seat, on the ground that he was not a member of the Church. Afterward, at a Quarterly Conference, held by Presiding Elder Scruggs, in which the Church in which Mr. D. claimed membership was entitled to representation, Mr. D. appeared as one of the members of said Quarterly Conference, being recognized by the Pastor as a member of the Church and superintendent of a Sabbath-school. Thereupon the said Elder, as President of the Quarterly Conference, assumed the prerogative of deciding upon D.'s rights of membership in the Quarterly Conference, and did decide that he was ineligible to such membership, *because*, and *only* because, he claimed that D. was not a member of the Church, and that two Bishops had so decided; and Mr. D. was again denied his seat. The record shows that

from that decision the *Quarterly Conference unanimously appealed* to the Presiding Bishop of the next session of the St. Louis Annual Conference. At that Conference Bishop McTyeire presided, and his decision has been published in pamphlet form, a copy of which is now before me. In that decision the Bishop states that “the appeal involves two points: 1. Is it the right of the Presiding Elder to decide on the legal qualifications of a person who claims a seat in a Quarterly Conference over which he presides? 2. Allowing the right of the Presiding Elder to make a decision, was his decision in this case right?”

The first question, after lengthy argument, the Bishop decides in the affirmative; and the second, after lengthy argument, as it appears to us, in *opposition* to the conclusion he reaches, he decides in the negative. I will say now that I think his *conclusion*, or decision of the last question, is correct *as a matter of fact*, but that both his argument and his conclusion, on the *first* question, were incorrect and unsound.

The Bishop states his decision on the last question as follows: “It appears, *as matter of fact*, that D. was received into the communion of the Church, and readmitted to its privileges and sacraments, by the Pastor of Chouteau Avenue Society. For any irregularities or breach of rule that occurred, the pastor is accountable to the Annual Conference which has jurisdiction over his life and official administration. But, by the transaction, D. did acquire membership. Therefore, the decision of the Presiding Elder, ruling him out of the Quarterly Conference, is not sustained.” The italics are ours.

We call attention here and now to one characteristic feature of all these decisions: the assumption of the *power and authority*, in each case, for the presiding officer—first of the District Conferences, and then of the Quarterly Conferences—to decide absolutely, and without the concurrence of the District or Quarterly Conference, upon the qualifications of persons claiming membership therein; and the further authority and power, as incidental to the other, of *determining whether such persons are members of the Church or not*: for, in each of the cases referred to, not only was that *power* asserted, but *that* question *was decided*, and, as a matter of history, *so* decided as effectually to exclude the party from a seat and a voice in those official bodies of the Church. Nor does it break the force of the argument to follow to say that those decisions did not affect

regular business of the Quarterly Conference;’ and ‘to take care that every part of the Discipline be enforced in his district.’”

The Bishop then proceeds: “If, on calling together the members of the Quarterly Conference, as above described, the Presiding Elder should be met by some who do not answer that description of persons, what must he do? Admit them to take part in the proceedings, and to cast ballots, because they claim it as their right? Hardly. Or, must he submit their cases to a vote? Perhaps there are enough questionable claimants to make a majority.’”

Hold, good Bishop! Not quite so fast. What right have you to *assume* a supposed case of the Elder being “met by some who do not answer that description?” Would it not be better to say, “There is a question whether all present answer that description?” For the question in argument is, “Who is to determine whether they answer that description or not?” Not only so; but we submit that such a case as that last supposed by the Bishop is next to impossible—that “perhaps there are enough questionable claimants to make a majority.” This is indeed a poor compliment to pay to those “safest elements.” It is not to be supposed that persons with no shadow of right would answer the call of the Elder in such numbers as to “make a majority.” If such should be the case, their proceedings would be illegal and would not be recognized or binding upon the Church. The Elder calls together the members of the Quarterly Conference. This “organic body” meets its Presiding Elder in response to the call. Here two parties are met for important business, each drawing its authority from the same organic law. The *prima facie* presumptions all are that no one is there who is not entitled to be there. The law countenances no presumption of guilt or wrong-doing, but presumes the contrary until proof is offered. Then, the only proper way in which the question could arise would be for some one entitled to official standing or membership there to challenge the right of some other claimant. When this is done, the question arises, “Who is to decide upon the qualifications of the questionable claimant?” The Bishop would say it is not only the right, but the *duty* of the Presiding Elder, to decide. Let us see. There is nothing in the fact that it is his duty to “oversee the spiritual and temporal affairs of the Church” that authorizes him to use such a power; for, if this power could be inferred from that duty, we could as easily infer almost any other that we might imagine therefrom. Nor does such authority inhere in

the position of presiding officer, as we shall see presently. The mere fact that one is constitutionally a presiding officer has never been held to confer upon him the power of deciding upon the qualifications of the members of the body over which he is to preside. A theory that would sanction such a power would not find countenance in any civil government without express warrant of law; and in any free government would not be tolerated, because at war with the inherent rights of deliberative bodies.

But the Bishop does not rely solely on the power to be inferred from that relation, but quotes further from the Discipline, to show the delegated power of the Presiding Elder, as follows: "To decide all questions of law which may come up in the regular business of the Quarterly Conference." This is all of sub-section V, page 72, that the Bishop quotes. Why did he not quote it all? We will supply the omission, and quote it as follows: "To decide all questions of law which may come up in the regular business of the Quarterly Conference, *when submitted to him in writing*, subject to an appeal to the President of the next Annual Conference; *but in all cases the application of law shall be with the Quarterly Conference*, which shall record in its journal all such questions and decisions."

It will be seen from this that the sole question that the Elder presiding can decide is one of *law*—and not this, except when submitted to him *in writing*; and *then* the *application* of the law [to the facts] is with *the Quarterly Conference*. Happily we are not left in doubt here. At the very point where we find the Elder presiding, we find his powers defined and restricted. "The *application* of law shall be *with the Quarterly Conference*." So says the Discipline. The Quarterly Conference determines for itself whether and how the law, as declared by the Elder presiding, is applicable to the facts in hand. It becomes important, then, carefully to distinguish between questions of *law* and those of *fact*. Let us apply the investigation to the case in hand. The qualifications of some one present claiming a seat being challenged, a case is presented calling for a declaration of what the *law* is, provided the members are in doubt and call for the law. Properly called on for the law, the Presiding Elder reads Question 1, and the answer thereto, on page 52 of the Discipline, showing what *classes* of persons are entitled to seats in a Quarterly Conference: "Traveling and local preachers, \* \* \* exhorters, stewards, trustees and class-leaders, su-

line be enforced in his district," cannot do more than call attention to these matters—and he is *not* responsible for their failures or misdoings.

But, the Bishop argues for this power from the dangerous consequences which he seems to think would follow a different rule. We shall see in what direction danger is to be looked for. He says—p. 7: "A majority of *one* has settled an appeal, or an application for license to preach, or other weighty question. One vote may turn the scale."

Very well; this is right, or else the Discipline is wrong. But it is right *because* this body is made up of men whom the Bishop himself calls "tried men," "safest elements," etc. It is far safer than the Elder would be alone. But he further says: "A majority vote as to who is or is not entitled to a seat would bring about a diversity of administration incompatible with our connectional polity." We desire the reader's attention while we enter a *caveat* right here. Let it be noted that the greatest "diversity of administration" that we know of, as matter of history, occurs in this very case, where, if Bishop McTyeire *rightly* decided that Mr. D. was a member of the Church, Elder Scruggs *wrongly* decided that he was *not*, and that he was *not* entitled to a seat in a Quarterly Conference, wherein it now appears, from the Bishop's *own* decision, that he *was* entitled to a seat! Now, if the decision of that question had been left to the Quarterly Conference, where it rightly belonged, it is clear that D. would not have been wrongly denied his seat—is clear from the fact that that body *unanimously* appealed. If the law had been observed, and the Quarterly Conference allowed to make the "application of law" to the facts of the case, a *right* decision would have been reached, whereas a wrong one was reached through a clear usurpation of power!

So, by a similar usurpation of power, a wrong decision was reached by Bishop Keener on one or two occasions, and by Bishop Marvin on another occasion! Not *safe* to leave these questions to the Conference, indeed! Could there be any power more *unsafe* to which to leave it than the one-man power by which it was in fact decided *three times* wrongly? Such is generally the result of overstepping constitutional limitations—wrong decisions are apt to be rendered by those who have no right to render them. But let us look further at "consequences."

The history of this case shows that a man was, on three occa-

sions, denied the official exercise of the rights of membership in the visible Church, by an exercise of this very power by these presiding officers, which the Bishop thinks would be dangerous to leave to the bodies over which they preside. And what are these rights of membership? As we said before, it does not break the force of our argument to say that these decisions do not affect the local *status* of the party in the particular society in which he claims membership. One great purpose of the visible Church is the propagation of the gospel, and individual benefits to the members, enlarged by the maintenance of the ministry and the establishment and perpetuation of suitable places of worship, as means to the end of both individual benefit and the propagation of the gospel. How are these things to be done, except through the means of the very officary that constitute the Quarterly Conference? To show its importance, we have but to recall attention to the strong picture drawn by the Bishop himself. The highest rights of Church membership are involved in these official relations. A Church officer's usefulness is largely paralyzed when his official rights are denied, as in this case. He is not only hedged off from fields of usefulness, but degraded and humiliated. And this was actually done in the case under review, by the assumption of powers not warranted by law.

But *why* is it unsafe to leave this question to the Quarterly Conference? If it can be trusted to license men to preach, and to bring to trial members and local preachers, can it not be trusted with this *lesser* matter? Again: *Why* is the matter of recommending a person for license to preach left to this body? For two reasons, it appears to us: 1. Because it *is* a safe body, composed of "men of experience who have been tried in various official stations," as the Bishop well says; and, 2. Because, from their familiarity with local affairs in the Church, they are *better acquainted with the character and daily walk* of those to be recommended, and with the *fact* of their *Church membership*. Why should they have the *sole* power to recommend persons for license to preach, if they are not supposed to know who are members of the Church?—for, of course, they have no right to recommend any other. It seems to us a serious reflection upon the members of the Quarterly Conference to intimate that they are not to be trusted in this matter of determining, as an official body, their own qualifications. To say that they may be safely trusted in these great matters, and yet not



in this other matter, which they have better means than any other of knowing, seems to us like "tithing mint," etc., and neglecting "the weightier matters of the law"—or, to use a homely proverb, like "straining at a gnat and swallowing a camel."

But the Bishop puts it on still another ground. But, first, he says: "Quarterly Conferences, even within the limits of the same district, would be differently constituted." How does he know this? It is simply a gratuitous assertion of that which the good Bishop certainly cannot know. But then he says: "And though the law prescribing their constitution might be never so grossly violated, the *members* would not be held responsible to any tribunal for the vote by which this violation was brought about." Well, suppose we admit this to be true—it proves nothing for the power contended for. Let us suppose that this body elects stewards, superintendents of Sunday-schools, etc., in violation of law—is there any tribunal to which they can be held responsible for the vote by which this violation is brought about? We thus see that we might as well argue from that that the Quarterly Conference ought not to have power to do anything, because they are not responsible for their votes.

But the Bishop, while showing that the Quarterly Conference is *not* responsible, assumes that the Presiding Elder *is*. He says: "He cannot evade his responsibility, and may be punished for maladministration." We answer, that whether this is true or not, depends upon circumstances. To say he is responsible for a Quarterly Conference containing some one not entitled to a seat, is *assuming* that it is *his right and duty* to decide upon the qualifications of *individuals* to membership therein. This is *assuming* the very point in dispute, and is a *petitio principii*—a mere begging of the question. No one will assert that the Presiding Elder can be held responsible for not doing a thing which he has *no right* to do. If, therefore, it is not the duty of the Presiding Elder to decide whether a particular individual is or is not a member of the Quarterly Conference, then he is *not* responsible, and *cannot* be punished for maladministration if he does not so decide. On the contrary, we think he might be punished for maladministration if he *assumed* to decide such question without authority. This *abuse of power* is what he should answer for. No such argument as that of the good Bishop can legitimately be used to prove the *existence* of such a power as that contended for.

As before stated, the Bishop admits that the Elder "may not object to this or that member on *moral* grounds. Possibly some may be seated there whom the President believes to be bad men; but the *legal* question for him is. Is he a trustee? Is he a steward? Is he a superintendent of a Sunday-school who is also a member of the Church?" Such is the language of the Bishop, and there is his fatal mistake. He says: "The *legal* question for him is, Is he a trustee?" etc. The truth is, this is *not* a *legal* question, as we have shown, but a question of fact; and, being such, the "law officer" had no right to determine it. His province was to say what the law is; and his duty would have been discharged by reading to the Quarterly Conference the question and answer on page 52, Sec. IV. of the Discipline, and saying, "Brethren, this is the law; you are to determine its *application* among yourselves; I can only say what *classes* of persons are entitled to membership here; *you* must apply it to *individuals*, it is not for *me* to say whether Mr. D. is entitled to a seat here, or Mr. A., or Mr. B.; these are *facts* for you to determine; I have no power to go back and inquire whether A., B., C., or D., is a member of the Church or not." Such, substantially, would have been the proper course for the presiding officer to have pursued.

But the Bishop seems to have an idea that there is something exceptional and anomalous in a Church judicatory that, in some vague way, makes things different from what they are elsewhere. Let us inquire by what ecclesiastical legerdemain those questions which, by the wisdom of ages, by all civil courts, and from their very nature, are deemed questions of fact—by what transforming power do they become questions of *law* in Church tribunals? It requires too great a stretch of the imagination to conceive of such a metamorphosis, and we therefore reject it.

We have now answered everything deemed of any force as argument in the Bishop's decision of the first question. It may have occurred to the thoughtful reader, that the law authorizing the Presiding Elder to decide all questions of law "in the *regular business*" of the Quarterly Conference does not apply, because that body must be organized, and its constituent elements determined, before the "regular business" of that body is begun. If such is the case, it is so much the worse for the Bishop's position; for he has that much less apparent authority for the power contended for, and he should not have quoted that part of the Discipline in sup-

port of his position. As to the Bishop's reference to the position of a presiding officer of an Annual Conference, we have this to say: that where there is a real analogy between the two cases, the arguments herein used are equally applicable, and an answer to any argument drawn from that quarter; and where there is no analogy, his argument is worthless. We cannot concur with the good Bishop in his opinion that the power for which he contends is "conservative," or that "it is for edification and unity." But we agree with him when he says, "Like all power, it may be abused." Not only *may* be abused, but the history of this case shows that it *was* abused; and so long as it is conceded in this matter, there is danger that it will be abused again.

But the Bishop further says: "It is held to strict accountability and provision is made for correcting its errors by appeal."—P. 11. Elsewhere he says of the Elder, that "although his decisions govern the pending question, it may be appealed from, as in this instance, and thus redress may be had against his error." A poor "redress," indeed! "Redress" means to set right, to compensate. What sort of "redress" is it, after a man has been illegally kept out of and prevented from exercising his rights as a church member in three successive official bodies of the Church, to be then told, after the mischief is irreparable, and long after the adjournment of those bodies, that "it was all wrong; you were entitled to a seat and a voice there; and if I had been the presiding officer, you should have been allowed your seat?" This is "redress," with a vengeance!

The Bishop alludes to what the General Conference of 1840 did; but it will not serve his purpose. It did not authorize Presidents of "subordinate judicatories" to decide questions of *fact*, but only of *law*.

There is another view of this matter to which I wish to direct attention. The Bishop aptly says, in deciding the last question, that "for any irregularities or breach of rule that occurred" [in receiving the member into the Church] "the pastor is accountable to the Annual Conference, which has jurisdiction over his life and official administration." There is more in this than the Bishop seemed to recognize. Not only has the Annual Conference such jurisdiction, but *it alone* has it. But, if we concede to the Presiding Elder the power contended for by the Bishop, we virtually confer that jurisdiction on the Presiding Elder at a Quarterly Con-

ference! For it happened, in the very case under review, that the Elder did review the official act of the Pastor, in a collateral proceeding, and passed condemnatory sentence upon the Pastor's act of receiving a member, and practically annulled it, for the occasion. It is a maxim in jurisprudence that the official acts of a court, or officer having jurisdiction of the subject matter, cannot be impeached for irregularity in a collateral proceeding. But here, a member of the Church and Sabbath-school superintendent goes to his Quarterly Conference, to attend to the business of his Church, and meets a Presiding Elder whom, perhaps, he has never met before, who all at once, and without warning or notice, puts on trial the question of his Church membership! And, not only so, but this same Elder assumes the role of *judge*, jury and executioner!! Surrounded, too, by those that know him best—by the Pastor who received him into the Church, by the Recording Steward who has seen his name on the Church-book; but these have no voice in this strange trial! And that same Presiding Elder, conducting this strange trial, claims and exercises the prerogative of going behind the word of his Pastor who received him into the Church, behind the Church register in which his name is recorded as a member, and to inquire into the right of that Pastor to receive him *at all!* Thus a new court is established, a new inquisition, and the helpless and astonished member looks on in amazement to find that, instead of electing stewards, Sunday-school superintendents, and licensing men to preach, he is confronted by a Jesuitical Inquisition, and instantly excommunicated from the Church, so far as any participation in its official councils is concerned! Such are the results of despotic power—such the sad commentary upon the grasping after power characteristic of those “clothed with a little brief authority,” even in the Church.

The reception of a person into the Church is an act of official administration of the pastor. So is the expulsion of a person from the Church. True, a committee passes on the question of guilt, but *sentence* of expulsion is passed by the pastor. If the President of a Quarterly or District Conference, in passing on the legal qualifications of claimants to membership, can go behind the work of the pastor in the one case, the same logic would enable him to go behind it in the other; if he can review and annul the official act of reception, he can also review the act of expulsion; and if he has power to exclude the one, he has power to admit the other, whom

the preacher has declared expelled after trial, and in both cases he practically reviews, sets aside and annuls the official act of the pastor, thus prejudging and condemning his official administration. The truth is, he can do neither the one nor the other.

It has been said, in defense of the Bishop's and Elder's decisions, that the "*facts* were admitted"—that is, the facts regarding D.'s expulsion by one Church and his reception by the pastor of another—thus leaving only a question of law to be determined. This is a mere subterfuge. In the first place, such facts have no business before a Quarterly or District Conference, either in its business or in determining qualifications. No body has any right to admit or consider them there. The very consideration of them, for the purpose of testing qualifications, would involve the trial of a matter in a collateral proceeding that was *res judicata*, as we have shown. Another Presiding Elder might, in the no more absurd claim to power, say that the "*facts*" regarding a trial and sentence of expulsion being admitted, he would decide, as matter of law, that Mr. A. was illegally tried and expelled, and he would admit him to a seat in the Quarterly Conference by virtue of his having all power to decide.

No, no, no; these officers have *no* such power, and when they exercise it, it is sheer usurpation. And this matter must be settled. Thoughtful laymen are profoundly stirred on this subject. A power asserted and acquiesced in will grow into a precedent, and each encroachment of power the more endangers the rights and liberties remaining. We will not have our membership in the Church of God at the mercy of one man. We deny their right or power to cut us off at a blow from the highest exercise of those rights. Let it be conceded that the presiding officer of any official Church body whatever can read a member out of it, and it will shake the Church from centre to circumference, as with an earthquake. Once allow his *power* and *right* to decide upon the qualifications of individuals claiming membership in these bodies, and the door is open to the exclusion of a member on *any* pretext whatever that may suit the caprice of that officer. I hold my rights in the Church by no such precarious tenure. If I am an unworthy member, the law makes ample provision for disposing of my case by *direct* proceeding. I deny the right of even the Quarterly Conference itself, in passing on my qualifications as a member, to go back of the *fact* of membership, and inquire by what door, or in what way, I got

into the Church. I am not called on to vindicate those things at the threshold of a Quarterly Conference. You had as well inquire into the sincerity of my repentance, or the genuineness of my faith, at the Quarterly Conference door. Those things are not open to examination there. It is enough to know that I have been received into the Church by one who had jurisdiction to receive members. It is not necessary to go further back than that to determine the *fact* of membership; and to go *that* far is the prerogative of the Quarterly Conference, and not the Presiding Elder.

Our Church has been accused of fostering, if not a prelacy, at least a despotism. Such assertions of power as that I am combating are well calculated to deserve the charge. I have desired to vindicate our Church against this damaging assault. This cannot be done so long as the decision under review stands unchallenged. I firmly believe that when this matter shall be thoroughly understood by our people, they will not be long in righting themselves. If this paper shall contribute to that result, by awakening the Church to a just sense of the danger of the situation, and a better understanding of their rights and privileges as members of the Church, I shall be content.

As to the style of the Bishop's argument on the second point, I have only to say that that was a question of taste and propriety. Whether his rebuke of the Pastor mentioned, and the Annual Conference that did *not* find him guilty of maladministration, was in good taste or not, is a question too personal for discussion here.

We think we have sufficiently shown that the power contended for is neither expressly granted by any law of the Church, nor fairly to be inferred therefrom. That such power does not inhere in the office of the presiding officer, nor does our Church polity render any such power necessary; but, on the contrary, it is dangerous alike to the peace of the Church and the rights of Church membership to concede such power. We have shown that a body constituted of such *safe* elements as a Quarterly Conference may well be trusted in the exercise of this power, which properly belongs to them. That the application of law is with them, and a decision of a mere law question is with the presiding officer; but that the question of legal qualifications of particular individuals for seats in official bodies is *not* a question of law, but of *fact*, that collateral questions, such as how a man got into the Church, or whether he could have properly been received, cannot be tried in determining

the qualifications referred to. We have seen further, that the Presiding Elder is not responsible to the Annual Conference for not exercising this power, because he has no right to exercise it. And, in lieu of any responsibility to any Church court by the Quarterly Conference itself, we have their sense of responsibility to God, and the great and immediate interest—*self-interest*—they have in the legality and propriety of their proceedings, wherein their Church property and finances, as well as those other weighty matters, are all involved.

## MY OWN DEFENSE.

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For some time past the decision of Bishop McTyeire, on the appeal from Chouteau Avenue Church, of the M. E. Church, South, of St. Louis, has been before the public. So far as I have learned, it is generally received and accepted as just and according to the law of the Church as to Dameron's membership in the Church. But the writer of this, as one of the chief actors in the drama, has somewhat to say for himself.

If the Bishop had confined himself to the questions of law as they were presented to him by the appellants of Chouteau avenue Church, without becoming the accuser of the pastor and his flock, not one word would have been heard from me. Other pens might have reviewed his decision, but mine would have remained still. I do fully acquiesce in the Bishop's final decision that Dameron did regain membership, but not, as the Bishop would endeavor to make it appear, by an illegal act of mine. I confess to no illegality of action or maladministration in office; and the Bishop in arraigning me arraiged the entire St. Louis Conference, for they had said by formal action that I was not guilty of maladministration, and had passed my character, as it had been done for half a century or more, without a blot. It seems rather strange that one of our chief executive officers should have taken so much pains to travel so far beyond all required duty as to impugn the motives of both Dameron and myself, and to endeavor to cast discredit on us. What is our offense? and wherein have we sinned? Logan D. Dameron was a member of St. John's Church, in the city of St. Louis, and for quoting (as he believed correctly) from a letter written by Rev. W. M. Leftwich to Rev. C. D. N. Campbell, he was, as the members of Chouteau Avenue Church believed, severely and unkindly dealt with, and expelled; contrary to the provisions of law. As pastor of Chouteau Avenue Church I was applied to, to receive him upon proper confession of faith and "satisfactory evidence of repentance," into the Church over which I presided as pastor; and with the fear of God before my eyes, and with his love and the love of the Church in my heart, I received him, by and with the consent and hearty approval of my



membership; and I am glad to know that in the face of the presiding Bishop's decision, my Conference, that has the application of law, sustained my action.

My position then was, and now is, that Dameron was improperly arraigned. There was no consistency between the charges and specifications. It could be nothing more than improper words. No one had admonished Dameron, or sought in any way to influence him to a different course. His Presiding Elder had demanded no explanation or satisfaction, nor had he ever intimated that any injury or wrong had been done. His pastor made no attempt to reconcile the two, or to remonstrate with this offending member, but, on the contrary, proceeded at once with an arbitrary trial, terminating in expulsion. The trial was neither in accordance with the Discipline nor with the Manual of the Discipline.

The pastor commenced to try the case by the Manual, and, acting on that, he ruled out the counsel of Dameron, who was the late Gov. Trusten Polk; but then he violated the Manual in placing several members of the Quarterly Conference on the committee to try the case in the Court below. See Manual of Discipline, p. 113, chap. v., sec. 1, par. 5.

The whole published trial shows a fixed determination to expel Dameron. [See Note A.] His explanation, coupled with his willingness to make any proper reparation, was rejected. Much of the evidence offered was to all intents and purposes *ex parte*. While he was refused the privilege of introducing the testimony of Bishop Wightman to prove his construction of the letter to be correct, the prosecution was allowed to introduce evidence touching the same point, but on the other side. His demand for a copy of the proceedings in the Court below, after his withdrawal from the sittings of the Court, was refused him, and the pastor would not even permit them to be read to him in the presence of a stenographer, thus virtually rejecting or denying his appeal. What recourse was now left Dameron? Absolutely none. Hence, being a Methodist, and being unwilling to be driven from the Church of his choice, he, of his own free will and accord, accepted his expulsion and applied to be received into Chouteau Avenue Church, as any other person who believed our doctrines and was willing to conform to our discipline, and I received him, and would do so a thousand times over.

The Bishop complains of the action of the Chouteau Avenue

Church as contravening the authority of the Church, and enters into a long and labored argument against one society undertaking to correct the supposed errors of another in the administration of law. Chouteau Avenue Church as well as its pastor regarded this whole trial as in direct opposition to our Discipline, as already cited. We did not undertake to correct the irregularities of St. John's Church, but showed our belief in Dameron's innocence by being willing to take him, an expelled member from St. John's Church, into our society, according to due form of law. How could we refuse? Upon what grounds could we reject him? Tell him to go back and make confession to St. John's Society? He had offered to do that. Tell him to wait till his appeal is tried? For good and sufficient cause he had abandoned his appeal. Tell him: "You are too anxious to be in the Church; wait a while longer; give evidence of true repentance for the sin for which you are expelled, or wait till the Quarterly Conference of St. John's Church shall become satisfied of your innocence and restore you."

We did not seek to restore, but to receive. We believed him an innocent and injured man. We did not, and do not ask that the Conference or any other party shall be convicted in order to clear Dameron. We only received him as we would any one else asking admission into our Church. We have yet to learn that either six or twelve months are necessary for a man to repent. If we had undertaken to restore Dameron as a man expelled from the Church, of whose innocence we had become convinced, our action would have been irregular, but we only received him. We do not find it anywhere in our Discipline that an expelled person is to confess the very crime for which he was expelled. With due respect to the Bishop's arguments and authorities, it is not in our book of Discipline, and we know that another of our Bishops has decided that it is not a requirement of our law. A majority of the Bishops has sanctioned that decision, and says Bishop Keener erred in not using the language of our Discipline—"satisfactory evidence of repentance."

Whatever may be the teachings of great canonists, or the teachings of other Churches, this is the language of our Discipline, and the decision of our Bishops is with our book.

Only a few more words in justification of myself, and then I pass on briefly to review, in part, the decision.

It is to be regretted that our Bishop deals in irony in reference to

the anxiety of Dameron to regain membership in the Church, and his remarks in reference to a soul's longing after Church communion, seem to me to be exceedingly ill-timed, and not in accordance with the dignity of the episcopal office. Surely Dameron had proved his devotion to Methodism. How many would have remained and worked as he has done under the treatment received. He was unjustly arraigned and expelled. He accepted the treatment, but would not leave the communion of the Church, hence sought refuge in another society. He showed no disposition to force himself on St. John's Church.

Afterward, when he was quietly at work in our fold, he was followed by the pastor of St. John's Church, who endeavored to create dissatisfaction with our members; and when I reported the name of Dameron as a member of the District Conference at Manchester, by virtue of his office as Superintendent of the Chouteau Avenue Church Sabbath School, he was arrested by episcopal prerogative on an objection raised by Rev. J. W. Lewis, and decided out of the Church by Bishop Keener, the president, presiding over said District Conference. I, his pastor, was tried for maladministration in receiving him. The same Bishop again, but in an Annual Conference, decided against his membership. The case went to the highest court; his pastor was sustained by his Conference and by the College of Bishops. Still Dameron was pursued, and another Bishop (Bishop Marvin) decided him out of the Church in a District Conference; and the Presiding Elder, in a Quarterly Conference, walking in the footsteps of the two Bishops, decided him out of the Church.

The Church appealed in his behalf, and the pastor and his Church, in the face of all this, have been presented to the world as contravening and interrupting the administration of Discipline. If Chouteau Avenue Church was willing to have Dameron, and he was willing to remain and work in that quiet Society, why not let him alone? Why follow him in this cruel and unchristian way? But my defense is before the world, and my justification is the action of my Conference and the decision of the College of Bishops. Now, only a few words on the decision itself.

On the first question, to-wit: "Is it the right of the Presiding Elder to decide on the legal qualifications of a person who desires a seat in a Quarterly Conference over which he presides?" We do not think (with due respect to the Bishop) there was any such

question as this presented to him. Here is the question that was presented: "Is it the duty of the Presiding Elder to inquire into the regularity of the membership of the members of the Quarterly Conference where he presides?"

Of course, the Bishop could not misunderstand that this applied to Church membership, because that was the only question involved. The Presiding Elder had decided that Dameron was not a member of the Quarterly Conference, because he had been illegally received into the Church. The question was: Is it the duty of the Presiding Elder to review the action of a preacher in charge, and decide on the validity of the Church members received by him?

The Bishop brings up two illustrations—one of a man, not a member of our Church, asking admission as a Sabbath School Superintendent. This is irrelevant, because the question here turns upon the fact that the man did not claim to be a member of our Church at all, and could not hold the office he claimed.

Secondly: He ruled a man out of Conference as a delegate, because he had been only four years a member of the Church. Of course he was right, for the Discipline says six. But he did not undertake to decide whether a man was a member of our Church, regularly received by a regular pastor whose duty it is to receive members. That is another and a different question.

Well may the Bishop give a word of warning on this question. Only let it be proclaimed abroad that presiding elders and bishops, upon the mere prerogative of office, can determine who are members of our Church, or have their membership taken away upon mere decision without due trial and forms of law, then farewell to the stability of the Church.

It is to be regretted the Bishop did not fairly and squarely meet this question. The case demanded it. If, instead of so severely censuring the pastor and members of Chouteau Avenue Church for doing clearly what the law of the Church gave them the right to do, he had very kindly intimated to his colleagues that it was no part of their duty to review the work of a pastor, but that he was responsible to his Conference for his administration, he would have performed a better service for the Church and saved the Presiding Elder from an unfortunate position, the Church from future difficulties, and would have been a kindly warning to all pastors in time to come concerning their duty to try our members according to Discipline and by no other book.

We hope our chief pastors will review this decision carefully. If the doctrines therein set forth (we mean in the argument) are approved, then adieu to peace and tranquillity. We are confident it will not be done. Men will not be required to confess what they know themselves to be innocent of. Our Bishops will not tolerate the idea that men must be kept out of the Church for any given length of time to show repentance. They will not hold that a man cannot return to the Church except through the society which expelled him. They will not hold that any officer of the Church has the right to decide on the validity of the Church membership of our members after they have been received by a regular pastor.

They will, as they have done before, endorse my administration, and, by virtue of my acts as a regular pastor, recognize the Church membership of Logan D. Dameron. I leave this whole matter to their wisdom, praying that God's blessing may rest on them and give them wisdom to come to a proper decision.

Before I close, let me assure the Bishops that I hold all of them in high esteem personally. If in this matter I have seemed determined and plain, it is only because I was, and am now, thoroughly convinced of the integrity of my motives, and the justice and rectitude of my course. My sun of life is setting fast; my work is almost done. Over half a century I have gone in and out before God's Israel. My devotion to Methodism remains unabated, and my fidelity unchallenged. May God bless our Church. Let me assure the College of Bishops and the entire Church, that with my steps on the very brink of the river I do again most solemnly aver that I have done no wrong, nor have I violated any law of our Church. I leave the matter with them and my God.

*Nashville, Tennessee. November 2, 1876.* F. A. OWEN.

NOTE A.—I am well aware that the correctness of the published account of this trial has been denied, but as yet I have heard of no proof being offered to sustain that denial. I am also well aware that a resolution was introduced in the Annual Conference, at Salem, in 1875, asking that the official record of the proceedings of that trial should be published; and though the resolution was not passed, but laid on the table by a vote of one majority, during its pendency Logan D. Dameron, who was then in the Conference room, arose and stated to the whole Conference that he would stand or fall on the truthfulness of said publication; and in order to prove its correctness, if the copy were furnished he would publish said official record at his own expense, and be glad to do so; and he further said to divers persons he would pay for the privilege of publishing it, as its publication would convict those who denied the truthfulness of his report. Still the official records have not been published. Further, I am aware that reports prejudicial to Dameron's good name and to the business he has in charge have been circulated, and perhaps are still being circulated, referring to matters and charges other than those for which he was tried by the St. John's Committee, and am also aware that Dameron has denied and still denies the truth of these reports, and that he has offered, and still offers, if any one desire it, to go over the whole matter again before any intelligent and fair-minded body of men that may be selected for the purpose; and this not only in reference to the charges brought against him by W. M. Leftwich, but also in reference to any and all other charges that have been or may be brought by any person or persons whomsoever.

Now let his enemies accept that offer, else hold their peace. F. A. O.

[That the whole matter, from first to last, may be before the reader, the following report of the Trial of L. D. Dameron by a committee of St. John's Church is appended:]

## THE GREAT CHURCH TRIAL—HOW IT WAS MANAGED.

ST. JOHN'S M. E. CHURCH, SOUTH,

vs.

LOGAN D. DAMERON.

*A Plain Account Submitted to all Lovers of Justice and Fairness.*

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In justice to myself, to my friends, and to the cause of truth, I deem it expedient and proper to submit for the careful consideration of the public the following history of the charges and trial by which my connection with the M. E. Church, South, was officially severed. And, that the reader may fully understand the matter, I begin at the beginning, and give, first, "A Card," which appeared in the *St. Louis Christian Advocate* of September 16, present year:

### A CARD

On Monday morning, the 14th inst., about 10 o'clock, when at my desk at the Publishing House, Rev. Joseph W. Lewis, Pastor of St. John's M. E. Church, South, handed me the following communication:

"ST. LOUIS, MO., 2717 LUCAS AV., SEPT. 14, 1874.

"L. D. DAMERON, ESQ.:

"*Dear Brother*—The Rev. W. M. Leftwich has lodged in my hands, as Pastor of St. John's M. E. Church, South, complaint against you for *immorality*, with the request that I take such steps as the Discipline directs (see Sec. 5, Ques. 1, Ans. 1, p. 140) to ascertain whether 'a trial is necessary.'

"The Committee has been appointed, and will meet in the Pastor's office, St. John's Church, corner Ewing avenue and Locust street, this evening, September 14, at 7 o'clock.

"The Committee desire me to inform you and the complainant of their meeting to-night, and to say that they would be pleased to have you both present at the opening of the session—7 o'clock.

"Very truly,

"J. W. LEWIS,

"Pastor St. John's M. E. Church, South, St. Louis."

Now, as regards the entire contents of my card of August 12th, above given, I affirm that I did and said what I firmly believed to be my Christian duty, based upon the action of Bishop Wightman by his presence and counsel at the breaking of ground for said St. James Church.

Upon all this I have but three or four brief words to say :

1. I deem it a matter of simple certainty that nine Methodist readers out of ten would have understood the Presiding Elder's letter substantially as I did.

2. Granting, however, that my understanding of it was a mistaken one, how could an error so natural constitute an immorality?

3. Is it not evident to every impartial mind that this prosecution is both malicious and frivolous, and designed to accomplish ulterior and hidden ends?

4. I shall feel it my duty to keep the readers of the *Advocate* apprised of the facts of this interesting case as fast as they shall be developed in the prosecution.

Before closing, I must remark that the General Conference elected an editor for the *St. Louis Christian Advocate*, and I shall retain him as such until I have *the best of evidence* from *good sources* that he is not suited to the place; and if my management is not satisfactory to the Church, I am ready to give place to some one else.

Respectfully,

LOGAN D. DAMERON.

Next after this I received, on the 22d of September, a letter from Rev. Jos. W. Lewis, pastor of St. John's Church, informing me that the Committee of Investigation had deemed a trial necessary, and had accordingly drawn up charges and specifications which were enclosed; also, citing me to appear before the Committee of Trial on September 29, 1874, but the time was subsequently changed to October 6, 1874, when the committee met in the form of a Church Court, and the following proceedings were had :

#### MEETING OF THE COURT.

*October 6th, 1874.*

At the appointed time and place the court was organized, after prayer by Rev. J. W. Lewis.

Rev. Jos. W. Lewis, presiding; R. M. Scruggs was appointed secretary. R. T. Bond was announced as the prosecutor on the part of the Church.

The president asked the accused if he had any counsel, whereupon he, the accused, submitted the following inquiry :

"Do I understand that you adhere to the opinion given Gov. Polk, that he could not appear for me?"

"(Signed)

L. D. DAMERON."

The president announced as follows :

Gov. Polk not being a member of St. John's Church, and proposing to appear professionally as the counsel of the accused, is incompetent to represent the case.

Excepted to by the accused.

QUESTION BY THE PRESIDENT.

Who will you have for counsel ?

The accused submits the following question : If the accused decides not to leave his case in the hands of counsel, can he have a member of this society to assist him ?

ANSWER.

If the accused pleads incapacity to manage his own cause, he is entitled to assistance in conducting the case before the court. This assistance he may procure himself, or, upon his request, a capable and honest member should be employed for that purpose.

(Signed) J. W. LEWIS.

Accused excepts to the above answer as irrelevant.

Austin R. Moore was then selected to assist the accused.

The president then announced the Committee of Trial, composed of the following: Bros. R. M. Jennings, S. A. Grantham, F. B. Davidson, Chas. E. Ware, Chas. R. Lewis, A. A. Wallace and W. E. Fallon.

The president then asked all persons to retire from the room who were not connected with this trial, either as members of the committee or assistants to counsel.

The accused here asked that the trial be with open doors.

The president objected, and said it could not be so.

The accused then asked that the ministers of the city be permitted to be present.

This proposition was objected to by the president.

The president then proceeded to read the charges and specifications :





Church, South, and being of good name, fame and credit as such Presiding Elder, and so held and esteemed by the preachers and members of said Methodist Episcopal Church, South, residing and worshiping in said district, he, the said Logan D. Dameron, intending to injure and defame the said William M. Leftwich, and bring him into disrepute among said preachers and members, and to lessen his authority and usefulness among them in his said office of Presiding Elder, did cause to be printed and published, in a weekly newspaper called the St. Louis *Christian Advocate*, of date August 12th, 1874, an article signed with the name of the said Logan D. Dameron, part whereof is of the tenor following :

“The Presiding Elder, W. M. Leftwich, published and held his third round of quarterly meetings, then published his fourth round, and in neither of said notices was the new church mentioned; and within the past few days I have seen a letter from said Presiding Elder to Dr. Campbell, in which he said that he would not hold a quarterly meeting, or quarterly conference, until after the property shall have been deeded to Trustees of the M. E. Church, South.

“Now, how is it possible for the new congregation to get into the Church under such rulings or doings? It is known to everybody who knows anything about our church law, that quarterly conference can only make trustees, and here the Presiding Elder refuses to give them the opportunity of doing so. Bro. Arnot and myself are ready to deed the property to trustees, but every one knows, who knows anything about church law, that we have no right or power to appoint or elect trustees, and unless a quarterly conference is held there will never be any trustees.

“Of course, I understand why this is, and hereafter I will (as I have been forced to commence explaining) give a full history and satisfactory explanation of my connection with this, and its bearing on the action of some of those officially connected with St. John’s Church.

“I make this statement as a matter due to myself, because an effort has been made to put me in a false position in regard to the whole matter.”

Which said part of said printed article was and is false, libelous and defamatory of the said William M. Leftwich, Presiding Elder as aforesaid.

This at the city of St. Louis, on or about the 12th day of August, 1874.

SPECIFICATION 2.—In this, that William M. Leftwich being Presiding Elder of the St. Louis District of the Methodist Episcopal Church, South, and being of good name, fame, and credit as such Presiding Elder, and so held and esteemed by the preachers and members residing and worshiping in said District, he, the said Logan D. Dameron, intending to injure and defame the said William M. Leftwich, and to bring him into disrepute among said preachers and members, and to lessen his authority and usefulness among them in his said office of Presiding Elder, did cause to be printed and published in a weekly newspaper called the St. Louis *Christian Advocate*, of date September 16th, 1874, of and concerning the said Wm. M. Leftwich, and of and concerning a complaint which the said William M. Leftwich had then previously made against the said Logan D. Dameron, an article signed with the name of him, the said Logan D. Dameron, part of which article is of the tenor following:

Is it not evident to every impartial mind that this prosecution is both malicious and frivolous and designed to accomplish ulterior and hidden ends?"

Which said part of said printed article was and is false, libelous and defamatory of the said William M. Leftwich, Presiding Elder as aforesaid.

This at the city of St. Louis, on or about the 16th day of September, 1874.

The case will be tried under the rules found in the Book of Discipline of the Methodist Episcopal Church, South, Chapter VI, Sec. V, Ques. 1, Ans. 1, page 140.

THOS. C. READY,  
H. W. PFLAGER,  
R. T. BOND,

St. Louis, Mo., Sept. 21, 1874. Committee.

The President then asked: What response does the accused make to the charges and specifications?

The accused pleaded "Not Guilty," and filed the following answer:

St. JOHN'S M. E. CHURCH, SOUTH, Prosecuting,

vs,

LOGAN D. DAMERON, Respondent.

The respondent, Logan D. Dameron, makes the following answer to the charges and specifications in this case:

## I. CHARGE.—GROSS IMMORALITY.

In answer to this charge he denies that he is guilty of Gross Immorality.

SPECIFICATION 1.—In answer to the Specification he also denies that he is guilty in manher and form as therein alleged.

But he admits that on the 10th day of August last he wrote a card which was published in the St. Louis *Christian Advocate* of date of the 12th of said August, which contained a passage of which the extract copied in this first Specification is a substantial copy. But he says that in so doing he had no intention to misquote or make a false statement of the contents of any letter of the said Wm. M. Leftwich; but he stated what at the time, according to his best recollection, he believed to be the true meaning of a letter of said Leftwich to the Rev. C. D. N. Campbell, dated the seventh day of July, 1874, which was the letter therein referred to by him. At the time Respondent did not have the said letter before him, and he had seen it but once, and then only for a minute, and in stating its contents he was compelled to rely solely on his recollection of them; and if, in said extract, there is any misrepresentation or untrue statements of the contents of the aforesaid letter, it is to be attributed to the fault of Respondent's memory and not to an intent to commit a Gross Immorality. Nevertheless, this Respondent is of the opinion that the construction which he put upon the said letter of the Presiding Elder, W. M. Leftwich, to Rev. C. D. N. Campbell, is fully warranted by the meaning and tenor of the words used in said letter.

## II. CHARGE.—PUBLISHING LIBELS.

Respondent answers this charge also by denying that he is guilty.

SPECIFICATION 1.—In causing to be printed and published in the St. Louis *Christian Advocate* of the 12th day of August, 1874, an article containing the extract copied in this Specification with the intent to injure, defame, and bring into disrepute Rev. W. M. Leftwich, Presiding Elder of the St. Louis District, and that said part copied into said Specification is false, libelous and defamatory of said W. M. Leftwich.

To this first Specification this Respondent also pleads that he is not guilty. He denies that in writing on the 10th and publishing on the 12th of August, 1874, the matter copied in this Specification, he did so intending to injure or defame the said W. M. Leftwich,

or to bring him into disrepute among said preachers and members, or to lessen his authority or usefulness among them in his office of Presiding Elder, or to misquote or misrepresent said W. M. Leftwich or any letter of his. On the contrary, he avers that he was actuated by the best of motives, and intended to do only what he at the time believed to be just and right and proper. And Respondent also denies that said matter quoted in this Specification is false or libelous or defamatory of said W. M. Leftwich.

SPECIFICATION 2.—That Respondent, intending to injure and defame the said W. M. Leftwich, and bring him into disrepute, etc., and to lessen his authority and usefulness, etc., did cause to be printed and published in said St. Louis *Christian Advocate* of September 16th, 1874, of and concerning the said W. M. Leftwich, and of and concerning a complaint which the said W. M. Leftwich had then previously made against the said Logan D. Dameron, an article signed, etc., a part of said article is of the tenor following:

“Is it not evident to every impartial mind that this prosecution is both malicious and frivolous, and designed to accomplish ulterior and hidden ends?” which said part is false, libelous and defamatory of the said W. M. Leftwich, Presiding Elder as aforesaid.

To this second Specification this Respondent also pleads that he is not guilty.

He denies that in publishing said article he intended either to injure or defame said Leftwich, or to bring him into disrepute, or to lessen his authority or usefulness. But he states that on the evening of the 14th of September just passed, in obedience to the request, he appeared before the committee of inquiry, at St. John M. E. Church, South, where and when the publication of said case in the St. Louis *Christian Advocate* of August 12th, 1874, was the matter of investigation, and stated in the presence and hearing of the said committee, and of Rev. W. M. Leftwich, in substance, not pretending to give the exact words, for his memory of words is never good, that in making that publication it was not his intention to injure Dr. Leftwich, and if he had misrepresented or misquoted him or in any way damaged him, he was sorry for it, and was ready and willing to make any proper reparation. To this the said Respondent W. M. Leftwich made no reply, but in a short time left the room after having called the attention of the committee specially to the wording of his letter referred to. This Respondent considered, perhaps hastily, but certainly honestly, this conduct to be a deter-

tion on the part of said W. M. Leftwich to accept no explanation or reparation from him, but to pursue Respondent uncompromisingly and to the utmost; and under these circumstances, and the feelings naturally engendered by what had occurred, Respondent published the articles in the *Advocate* of the 16th of September, 1874, from which is made the quotation complained of in the second Specification. But in doing so he avers that he was moved by no desire to injure or defame W. M. Leftwich, or to bring him into disrepute, or to lessen his authority or usefulness.

But Respondent felt that justice to himself and to the interests and persons that he represents as the manager of the Southwestern Book and Publishing Company, required that he should make the publication; that the important interests entrusted to him required that he should at least make an effort to protect them, and that to effect this end he could not justly incur censure, or indeed do less or different than he had done. And now it is submitted to this Committee to say whether he said anything in the matter *criminal in itself*.

This Respondent also denies that the matter quoted in the second Specification is false, libelous or defamatory of said W. M. Leftwich. It is not the assertion of any fact, it is not even an averment, but an interrogatory which suggests what the writer suspected was the real truth and motives in the case, and then propounds the inquiry whether his supposition be correct.

Respondent respectfully submits to the Committee to say if, when any person has pursued a certain course of conduct toward another, and that others suspect that he has been actuated in his course by bad motives, whether such suspicion can be legitimately denounced and punished as libelous?

All of which is respectfully submitted.

LOGAN D. DAMERON.

The accused then moved to dismiss the case on the following grounds:

1st. That there was no disciplinary ground for the assembling of a Committee of Investigation. (See Discipline. chap. vi. sec. v, ques. 1, ans. 1.) Dameron was not under report of being guilty of some crime expressly forbidden in the word of God.

2d. That there is a total lack of correspondence between the charges and their alleged ground.

3d. No moral offense is alleged, and Dameron cannot be put

*Ans.*—I have.

*Ques.*—Did you say in that correspondence that you would not hold a Quarterly Conference until after certain property had been deeded to the M. E. Church, South?

*Ans.*—I did not. On the contrary, I affirmed my readiness at any time to organize a Quarterly Conference for the purpose of electing trustees to receive the property.

*Ques.*—Were the copies of the letters placed by you in the hands of Rev. J. W. Lewis correct copies?

*Ans.*—Correct in substance. I think the letter of July 7th is almost, if not perfectly, correct in language. The letter of August 9th may be changed somewhat in the closing paragraph, but the substance is the same.

*Ques.*—Following up the letter of August 9th, did you organize a Quarterly Conference for St. James Church to elect trustees?

*Ans.*—I did.

*Ques.*—Were trustees elected to receive the church property?

*Ans.*—Trustees were elected.

*Ques.*—Did Mr. Dameron know of this election of trustees?

*Ans.*—He was present at the adjourned session, August 14th.

*Ques.*—Has that property been deeded to the trustees of St. James Church, to your knowledge?

*Ans.*—It has not, to my knowledge.

*Ques.*—Are these two letters mentioned all the correspondence you have had with Dr. Campbell on this subject?

*Ans.*—They are.

*Ques.*—Was there any intention on your part to deceive Dr. Campbell by an ambiguous use of the terms, quarterly meeting and quarterly conference?

*Ans.*—It did not occur to me at all.

*Ques.*—Have you ever made any attempt to put Mr. Dameron in a false position with reference to the St. James matter?

Objected to by accused and withdrawn.

*Ans.*—Did Mr. Dameron come to you before the publication of his card with a view to having any difficulties between you, real or supposed, explained?

Objected to by accused, because it implies that there were difficulties in existence, which made it Mr. Dameron's duty to go to Dr. Leftwich, when Mr. Dameron has never stated that such diffi

culties existed. It is calculated to create a false impression upon the minds of the Court.

The President took the above objections under advisement until next meeting.

*Ques.*—Did you make complaint against Logan D. Dameron on account of any reflections in his articles of a personal character against yourself?

*Ans.*—My personal character was implicated in the arraignment of my official administration before the Church. Had the cards been solely personal, I should have pursued some other course. The character of the Church is involved in my administration, hence I lodged the complaint.

*Ques.*—Do you know of any damage that you have suffered in your reputation as P. E. of St. Louis District on account of these publications?

Objected to by accused, because damages, even if relevant, must be positive, and not constructive or supposed.

Objection overruled by the President.

Exceptions taken to this ruling by the accused.

*Ans.*—These publications have furnished occasion for various articles in the secular papers, the nature and tenor of which reflect seriously upon my character. The St. Louis *Democrat* of September 16th contains an article styled "Methodist Muddle," which I submit as proof, as follows:

[From the ST. LOUIS DEMOCRAT, September 16th.]

### "METHODIST MUDDLE.

"LOGAN D. DAMERON, OF ST. JOHN'S CHURCH,  
CHARGED WITH 'IMMORALITY'—WHAT HE SAYS  
ABOUT THE MATTER.

"The Methodist Church, South, is about to investigate certain charges of so-called immorality against a prominent member of St. John's. Mr. Logan D. Dameron contributed last spring to the erection of St. James' Chapel, on Leffingwell avenue and Chesnut street, but the new church was not conveyed to trustees for the general Church, as the Book of Discipline requires, and therefore the Presiding Elder, Rev. W. M. Leftwich, refused to place it on the list of quarterly meetings. Mr. Dameron thereupon published in the *Advocate* a card, explaining that the property was owned by



Mr. Jesse Arnot and himself, who were willing to deed it to the Church, but had no right to appoint the trustees.

"A day or two ago Mr. Dameron received the following notice:

" ' ST. LOUIS, MO., 2717 LUCAS AV., Sept. 14, 1874.

*L. D. Dameron, Esq.*

" ' DEAR BROTHER—The Rev. W. M. Leftwich has lodged in my hands, as pastor of St. John's M. E. Church, South, complaints against you for *immorality*, with the request that I take such steps as the Discipline directs (See Sec. 5, Ques. 1, Ans. 1, page 140) to ascertain whether a trial is necessary.'

" ' The committee has been appointed, and will meet in the pastor's office, St. John's Church, corner Ewing avenue and Locust street, this evening, September 14, at 7 o'clock.

" ' The committee desire me to inform you and the complainant of their meeting to-night, and to say that they would be pleased to have you both present at the opening of the session—7 o'clock.

Very truly,

J. W. LEWIS,

Pastor of St. John's M. E. Church, South, St. Louis.

"A meeting of the committee was held on Monday night, and the charges were read, based on the card of Mr. Dameron. Mr. D. prepared a reply, as follows:

" ' Now, as regards the entire contents of my card of August 12 above given, I affirm that I did and said what I firmly believe to be my Christian duty, based upon the action of Bishop Wightman by his presence and counsel at the breaking of ground for said St. James Church. Upon all this I have but three or four brief words to say:

" ' 1. I deem it a matter of simple certainty that nine Methodist readers out of ten would have understood the Presiding Elder's letter substantially as I did.

" ' 2. Granting, however, that my understanding of it was a mistaken one, how could an error so natural constitute an immorality?

" ' 3. Is it not evident to every impartial mind that this prosecution is both malicious and frivolous, and designed to accomplish ulterior and hidden ends?

" ' I shall feel it my duty to keep the readers of the *Advocate* apprised of the facts of this interesting case as fast as they shall be developed in the prosecution.

" ' Before closing, I must remark that the General Conference elected an editor of the *St. Louis Christian Advocate*, and I shall retain him as such until I have *the best of evidence* from good sources that he is not suited to the place; and if my management is not satisfactory to the Church, I am ready to give place to some one else.'

" ' The exact language of the charges is kept back, and there is some mystery about the whole affair. It is difficult as yet to see where the alleged "immorality" comes in, but further developments may be expected in a few days.'

The St. Louis *Dispatch*, September 17th, contains an article styled "Immorality," and which I submit as evidence. [A copy of the paper containing the article I have been unable to obtain.—L. D. D.]

The *Commonwealth*, a paper published at Ironton, Mo., of August 21st, contains a paragraph which I submit in evidence. It reads, thus :

Mr. Dameron, President of the Southwestern Book and Publishing Company, published a card in the *Advocate* of last week, in which he makes to appear some very small proceedings on the part of Dr. Leftwich. The law is clearly on Mr. Dameron's side. Unless Dr. Leftwich can make a better showing than we think he can, he has played the part of a contrary, ignorant man, who has permitted his prejudice to fill up that empty space in his brains where most men carry their judgment.

Ministers of the Gospel of our Church have said that I must be a fool if the statements in the cards are true. One of our Bishops said to me that if the statements in Mr. Dameron's Card were true, no Bishop of the Church could trust me with administrative responsibility.

NOTE.—During the examination of Rev. W. M. Leftwich for the prosecution, the President of the Court requested the Secretary not to include in the Minutes any explanation which he, the President, might make to the members of the Court, touching his rulings or objections, etc.; that is, whenever he might see proper to make explanations in a "conversational" way, and when the same were not required to be given in writing. He wished this same instruction to apply to the Secretary of the accused, and if he was taking any notes of such side explanations, he would certainly object to any minutes whatever being kept outside the regular Minutes of the Court.

The question pending at the time of adjournment, 6th instant, relating to granting accused opportunity to have deposition of Bishop Wightman taken, was now taken up.

*By resolution, all parties not members of the Court were asked to retire.*

When the accused and others were called in, the following answer was given by the Court :

WHEREAS, This Court has requested of Logan D. Dameron to make manifest to it, in writing, the reasons that impel him to apply for a commission to be appointed to take, by deposition, the testimony of Bishop W. M. Wightman; and,

WHEREAS, In the opinion of this Court, he has wholly evaded our request, and does decline to accede thereto; therefore,

*Resolved*, That he is hereby and herewith required by this Court

to make manifest to it, in writing, at the first ensuing meeting of this Court, the reasons that prompt him to require the appointment of said commissioner for the taking of said deposition.

J. W. LEWIS, President.

CHAS. R. LEWIS,  
F. B. DAVIDSON,  
S. A. GRANTHAM,  
W. E. FALLON,  
A. A. WALLACE,  
ROBERT M. JENNINGS,  
CHAS. E. WARE.

On motion, the Court adjourned to meet Saturday evening, 10th inst., at 7½ o'clock.

SATURDAY EVENING, October 10, 1874.

The Court met pursuant to adjournment.

Session opened with prayer by the President.

Minutes of the preceding meeting were read and approved.

The President presented his decision on the objection filed by the accused at the previous session, as follows:

“The President rules out the question submitted by the prosecution, and marked No. 11, and on page 11 of the minutes, because in his judgment, it is not admissible under the rule of the Discipline under which the case is being tried.

“(Signed)

J. W. LEWIS.”

The matter of the application by the accused for a commissioner to take the deposition of Bishop Wightman was now taken up.

Application renewed in writing, by the accused, as follows, to wit:

*To Rev. Jos. W. Lewis, Pastor St. John's M. E. Church, South and President of Church Court, in case of St. John's Church vs L. D. Dameron.*

“DEAR SIR AND BRO.—I made application to you on Thursday, October 1st, at Lexington, Mo., and Monday, October 5th, for a commissioner to take the deposition of an important witness in this case (Bishop W. M. Wightman), and you told me that you would refer the same to the Church Court, which would assemble Tuesday evening, the 6th inst., and on Wednesday evening, the 7th, I heard read a document signed by the members of the said Church Court requiring me to make manifest to it in writing, at the first ensuing meeting, the reasons that prompt me to require the appointment of said commissioner for taking of said deposition.

“To all of the above I except. I now state that the reasons that prompt me to require the appointment of a commissioner for the taking of Bishop W. M. Wightman's deposition are:

“1st. That he is an important, essential and valuable witness to me in this cause.

“2d. That he lives far away from this city, viz. : at Charleston, S.C., and therefore cannot be expected to appear in person before this Court.

“Among other things which I expect to prove by said witness are:

“1st. That the letter offered in evidence and referred to as written by Rev. W. M. Leftwich to Rev. C. D. N. Campbell was fairly and properly construed by me, and that the statements made by me in my card, wherein I referred to said letter, was fully justified by the same.

“2d. That Rev. W. M. Leftwich was not acting in compliance with instructions from him, the said W. M. Wightman, in withholding from the St. James Chapel a quarterly meeting.

“3d. That he (Wightman) had communicated by letter to W. M. Leftwich the fact that his action was in violation of his (Wightman's) instructions.

“4th. That he (Wightman) told Leftwich that his letter to Campbell, above referred to, would have misled him.

“5th. That he (Wightman) asked Rev. W. M. Leftwich, on or about the seventh day of September, 1874, if he, the said Leftwich, intended to deceive Dr. Campbell when writing said letter above referred to.

“LOGAN D. DAMERON.”

The President held his decision on the application over to the next ensuing meeting. (The application was considered in secret session, the members of the Court only being present.)

On motion, the Court adjourned, to meet Monday evening, October 12th inst. at 7½ o'clock.

MONDAY, October 12th, 1874.

The Court met pursuant to adjournment; opened with prayer by the President.

Roll called. Minutes of the previous session were read and approved.

The question on the application of the accused for a commission to take the deposition of Bishop Wightman was now taken up.

The Court-room was cleared of all who were not members of the Court for the consideration of this application and the preparation of its decision.

On the return of the accused and others to the Court, the President presented and read the following paper, stating that the permission of the Court had been granted him to do so, and that the same be placed on the records:

J. W. Lewis, President of this Court, respectfully asks permission to enter upon the minutes, and to have made a part of the records of this Court, his protest against the first part of Mr. Dameron's

answer to the requirements of this Court in the matter of Bishop Wightman's deposition, as follows:

"The notice of the indictment in the case, with charges and specifications, was served on Mr. Dameron on the 22d day of September, 1874. On the 1st day of October following, nine days thereafter, Mr. Dameron mentioned to me, in the city of Lexington, Mo., that he would want the deposition of Bishop Wightman; again, on the 5th day of October, the day previous to the assembling of this Court, he asked me: 'What about the deposition of Bishop Wightman?' I informed him that the Court would assemble the next day, and his application could be made to it, which was done on the night of the 6th of October, at the first session of the Court.

"From the above it will be seen that nine days elapsed after notice was served on Mr. Dameron, during which time I was in the place of my residence, before he mentioned to me that he wanted said deposition, and then the mention was made in the city of Lexington, Mo., two hundred miles distant from the parties of the other side.

"He next called my attention to the matter the day preceding the assembling of the Court, and on the first meeting thereof the application was made, according to the law in the case, which latter fact does not appear in his application, but is fully known to this Court, and appears upon the minutes of the 6th inst.

"Signed, J. W. LEWIS."

It was moved and seconded that the paper above be accepted and spread upon the minutes of this Court.

The Court, by their own appointed secretary, Charles R. Lewis, presented the following written answer to the application of the accused to take the deposition of Bishop Wightman:

"The Court having fully considered the application of the accused for a commission to take the deposition of Bishop Wightman, with the reasons therefor, as furnished by the accused, refuses to grant said application, or to order the issuing of said commission, for the reasons following:

'1st. It does not appear that the said Bishop Wightman is an important witness in this cause, or that there is any ground to suppose him such.

"2d. The facts proposed to be proved by Bishop Wightman, as set forth by the accused, are wholly irrelevant to the issues on trial and incompetent to be introduced in evidence. Their admission would violate Rule 2d, on page 172. of the 'Manual of Discipline.

“As to the first mentioned of said facts, the Court holds that the proper construction of the letter referred to is a matter to be determined by the Court itself, upon an inspection of the letter, and not by the opinion or understanding of any witness.

“As to the second of the said facts mentioned, the Rev. W. M. Leftwich not being on trial under the charges here being considered, the conformity or non-conformity of his action with the instructions of the Bishop is not a proper subject for this Court’s investigation.

“As to the third fact mentioned, it is inadmissible for the reasons above given as touching the second, and also because the proposed method of proving it would violate Rule Four (iv), page one hundred and seventy-five (175), of the Manual of the Discipline,

“As to the fourth and the fifth facts mentioned, being conversations between persons not here on trial, in which the accused was not present, nor in any sense party thereto, the same are wholly irrelevant and can have no possible bearing upon the issues under trial.

Signed,

‘ J. W. LEWIS, President.  
CHAS. R. LEWIS, Sec’y.  
F. B. DAVIDSON,  
W. E. FALLON,  
CHAS. E. WARE,  
S. A. GRANTHAM,  
ROBT. M. JENNINGS.  
A. A. WALLACE.”

To this the accused excepted.

The accused also filed his protest against the act of clearing the Court Room, as follows:

“I hereby enter my protest to the action of this Court, consisting of the President and Committee, in clearing the room of all persons, including the accused, during the session of the Court on the evenings of Wednesday, October 7th, and Saturday, October 10th, and on this evening, the 12th instant, and during the absence of the said persons and the accused, considering and discussing questions which the accused was entitled to hear, and ask that this protest be spread upon the minutes of this Court as exceptions to its proceedings.

LOGAN D. DAMERON.”

A motion was made, that when this Court adjourn it adjourn to meet on the 6th day of November. Carried.

At this stage of the proceedings the prosecuting attorney filed the following protest:

“The Church *Advocate* asks permission to state upon the records of this Court that as the representative of the Church he most respectfully excepts to the action of the Court in refusing to appoint a commissioner to take the deposition of Bishop Wightman, in view of the fact that this Court, immediately following such action.

*Resolved*, To adjourn its session for more than twenty days, during which time, were a commissioner appointed, the accused party could have the deposition taken and not thereby delay the proceedings.

.. Signed, R. T. BOND, Prosecutor."

The Court then made explanations of the adjournment, and gave reasons for secret sessions.

Court adjourned, with benediction.

FRIDAY EVENING, November 6, 1874.

The Court met pursuant to adjournment.

Session opened with prayer by Rev. Jos. W. Lewis, President.

Roll called. Minutes of the previous session read (having been approved at the close of the session).

Before proceeding with the cross examination of Rev. W. M. Leftwich, he, the witness, requested permission to correct a certain date given in his direct examination, as follows:

*Question*.—Did Mr. Dameron know of the election of Trustees?

*Answer*.—He was present at the adjourned session of the Quarterly Conference, August 14.

"In question 7—Answer: Mr. Dameron was present at the session of the Quarterly Conference held Aug. 18th, instead of Aug. 14, as stated before."

*Ques*.—In your examination you said you were Presiding Elder of the St. Louis District, of the M. E. Church, South; did you not?

*Ans*.—I did.

*Ques*.—By whom were you appointed?

Prosecution objects.

Objection overruled by the President.

*Ans*.—By Bishop Wightman.

*Ques*.—What are your duties as Presiding Elder of the St. Louis District, of the M. E. Church, South?

*Ans*.—My duties are defined by the Discipline of the Church, beginning with page 71, Section III.

*Ques*.—The duties of the P. E., as defined by the Discipline, are all that is imposed upon you as such; are they?

Prosecution objects.

Objection sustained by the President.

Accused excepts to the ruling.

*Ques*.—If you should see or know of any irregularities in management of Churches or Societies in your district, or see or know

of any injuries to, or damage done the Church, or the character or reputation of the Church, is it your duty to take notice of the same ?

Prosecution objects. Objection sustained. Accused excepts.

*Ques.*—If you should know that a Church member has committed an offense against the laws of the Church, is it a part of your duty to give attention to the matter ?

Prosecution objects, as having been before ruled out.

Objection sustained.

Accused excepts.

*Ques.*—Have you corresponded with Dr. Campbell about the St. James Church ?

Objected to by the prosecution.

Objection sustained.

Excepted to on the ground that the accused has a perfect right, should he choose to do so, to ask any question over which may have been asked in the direct examination.

*Ques* —How many letters passed between you and Dr. Campbell before you held your Quarterly Conference at St. James Church, and how many thereafter before the assembling of the St. Louis Conference ?

*Ans.*—I received one letter from Dr. Campbell, and wrote two letters to Dr. Campbell about the St. James Church. I referred to the St. James Church in a third letter. I received a second letter from Dr. Campbell, notifying me of his purpose to have my administration investigated at Conference.

“The President decides that all questions submitted to witness in direct and cross-examinations shall be read by the parties putting them, before they go to the record of the Court.”

*Ques.*—How many of these letters were received by you before your Quarterly Conference, and how many were written by you before your Quarterly Conference ?

*Ans.*—One received—two written.

Adjourned with benediction, to meet Saturday evening, 7th, at 7 o'clock.

SATURDAY, November 7.

Court met pursuant to adjournment.

Session opened with prayer by Rev. J. W. Lewis, President.

Roll called. Minutes of the previous session were read and approved.



Examination of Rev. W. M. Leftwich continued.

*Ques.*—Had you any personal interview with Dr. Campbell about the St. James Church prior to holding your Quarterly Conference?

*Ans.*—I did.

*Ques.*—State where and when this personal interview was had and if more than one, so state it.

*Ans.*—I talked with Dr. Campbell twice in the Publishing House prior to May 1st ult.

*Ques.*—State what was said at each interview about the St. James Church.

Prosecution objects to this question as irrelevant, and asks that the accused be required, by this Court, to state, in writing, *specifically*, what he proposes to prove by such question.

Objection sustained.

*Ques.*—You have stated that you held a Quarterly Conference of the St. James Church. Will you state what was done at the first Conference, and give the date of the session?

*Ans.*—Trustees were elected, and I think the date of its session was August 13, 1874.

*Ques.*—Did the trustees elected at said meeting accept the positions to which they were elected, and have they qualified as such?

*Ans.*—I do not know.

*Ques.*—Was the said first session of the Conference adjourned sine die, or to some specified time?

*Ans.*—According to the minutes it was to some time specified.

Court adjourned to meet Monday, 9th inst. at 7 p. m.

Dismissed with the benediction.

MONDAY, November 9.

Court met pursuant to adjournment.

Session opened with prayer by Rev. J. W. Lewis, President.

Roll called. Minutes of the previous session were read and approved.

The President notified the Court of the absence of a member, viz.: W. E. Fallon, and if there appeared no objection on the part of either the prosecution or defense, he would fill the vacancy by the appointment of R. M. Scruggs. Brother Scruggs having acted as Secretary of the Court up to the present session, being fully acquainted with all its proceedings.

The appointment was made.

Examination of Rev. W. M. Leftwich continued.

*Ques.*—Was the Quarterly Conference convened in accordance with the adjournment of the first session ?

*Ans.*—It was so convened, but afterwards reorganized.

*Ques.*—Was the Quarterly Conference there convened opened for business as a continuation of the first session, or did the reorganization spoken of constitute it a new and separate Conference ?

*Ans.*—By mutual consent it was constituted a new Conference.

*Ques.*—What business was transacted at this new Quarterly Conference ?

*Ans.*—A Board of Trustees was elected and a Sunday School Superintendent.

*Ques.*—You have said that Trustees were elected at the first Quarterly Conference, and now say that a Board of Trustees were elected at this new Quarterly Conference. Now please tell us if both Boards are considered Trustees to hold the property ?

☞ Prosecution objects.

Objection sustained.

Ruling excepted to by the accused.

*Ques.*—By what law of the Discipline was the adjourned session of the first Conference dissolved, and a new Conference convened, and a new election had for Trustees ?

Prosecution objects.

Objection sustained.

Excepted to by the accused.

*Ques.*—At whose suggestion was the first Conference dissolved and a new Conference organized ?

Prosecution objects.

Objection sustained.

Excepted to by the accused.

*Ques.*—How many Trustees were elected at the first Conference, and what are their names, and how many at the newly organized Conference, and their names ?

Prosecution objects.

Objection sustained.

Excepted to by the accused.

*Ques.*—Which set of Trustees are the legally elected Trustees of St. James Church ?

Prosecution objects.

Objection sustained.

Excepted to by the accused.

*Ques.*—During the session of the first Quarterly Conference held at St. James Church did you say that if you had seen Dameron's card before convening this Conference you would not have convened it?

Prosecution objects.

Objection sustained.

Excepted to by the accused.

*Ques.*—Did you ever approach the accused about the matter of personal differences, with a view of having them settled?

Objected to.

Objection sustained.

Excepted to by the accused.

*Ques.*—When the card of the accused was published in the *Advocate* of August 12, did you feel aggrieved and injured?

*Ans.*—I felt both aggrieved and injured.

*Ques.*—If you felt both aggrieved and injured, why did you not inform the accused, that he might have an opportunity of correcting any damage or injury done you?

*Ans.*—It was too late; the matter was then told to the Church, and more of the same sort threatened.

*Ques.*—Then you admit that what was told to the Church was all true, as the accused claims he thought was the case?

*Ans.*—I do not; a falsehood may be told to the Church as well as the truth.

*Ques.*—Then do we understand you to say that when an injury, real or supposed, has been done by a publication in a newspaper of a truth or a falsehood, that it is too late to correct the same?

*Ans.*—I do say so; but the publication referred to was a personal injury, only so far as my personal character was involved in my official administration. The injury was done to the Church.

*Ques.*—Then if the injury was done to the Church by the publication, whether true or false, could it not have been corrected by publishing an explanation?

*Ans.*—As a matter of fact, no explanation was published.

*Ques.*—Did you ever notify me or call my attention to the fact that in your judgment I had injured you or the Church, by publishing a card, the correctness of which you denied?

*Ans.*—I did not, for the reason that in cases of gross immorality no previous Church labor is necessary, and for the further reason that he had told the matter to the Church, and thus placed it be-

yond reach of any personal adjustment. (See Manual of Discipline, sec. iv, p. 297.)

*Ques.*—Then your desire was not to show justice to me or the Church, by giving me an opportunity of correcting an error, if error it be, but a desire to charge me with immorality, whether guilty or not. Is this so?

*Ans.*—It is not. I am incapable of such a thing.

*Ques.*—Had you any opportunity of calling my attention to the matter of the publication in the *Advocate* of August 12, as being unjust or incorrect in your judgment?

*Ans.*—Opportunity was not wanting. I have given the reasons why I did not embrace an opportunity.

Adjourned to meet 10th inst., at 8 p. m.

Dismissed with the benediction.

NOVEMBER 10, 1874.

Court met pursuant to adjournment. Session opened with prayer by Rev. Jos. W. Lewis, President.

Roll called.

Minutes of the previous session were read and approved.

Cross-examination of Rev. W. M. Leftwich continued.

*Ques.*—When before the investigating committee, did not the accused say that if he had wronged or damaged any one by the publication in the *St. Louis Christian Advocate*, that he was ready and willing to make suitable reparation for any injury done, and that he had no intention whatever to injure you?

*Ans.*—He said something to that effect.

[NOTE.—At this stage of the proceedings, and in view of the persistent objection to almost every question, the accused asked that the Court adjourn until the following evening, or until such a time as the Court might decide, to enable him to prepare a statement for the records of the Court, with a view to resting the case, so far as the defense was concerned, at this point of the trial. Prosecution objected to the adjournment of the Court for such purpose. The accused then announced his purpose, in view of this last objection, *to continue the case.*]

*Ques.*—You say you, as Presiding Elder, felt aggrieved. Did you tell your grievances to any one?

Prosecution objects.

Objection sustained.

Excepted to by the accused.

*Ques.*—Was it not your duty as a Christian and as a Church officer to tell me you felt aggrieved?

Prosecution objects.

Objection sustained.

Excepted to by the accused.

*Ques.*—After you saw the publication of my card in the *Advocate* of August 12th, and felt aggrieved at it, did you at the time consider that I had been guilty of gross immorality?

Prosecution objects.

Objection sustained.

Excepted to by the accused.

*Ques.*—Did you not know that there was no intention on my part to injure or damage the Church by the publication of my card of August 12th?

Witness declines to answer the question.

Sustained by the President.

*Ques.*—Why did you delay the time more than thirty days in making your complaint of immorality against me; namely, from date of publication, August 12th, to September 14th?

*Ans.*—For two reasons—first, the card threatened still further publications of the same character, which I could not anticipate; second, the St. Louis District Camp Meeting, of which I had charge, intervened.

*Ques.*—Of what character do you allude to in speaking of the publication?

*Ans.*—I allude to the character of the matter proposed to be continued, giving a history of Mr. Dameron's connection with the action of some of those officially connected with the St. John's Church.

*Ques.*—Had the proposed publication anything to do in regard to your coming to a conclusion as regards the guilt, on my part, of immorality?

*Ans.*—My mind did not hesitate a moment as to the character of the card—that it was both false and libelous.

*Ques.*—Don't you know that there was no falsehood or misrepresentation intended?

Witness declined to answer.

Sustained by the President.

Adjourned to meet Thursday, 12th inst., at 7 p. m.

Dismissed with the benediction.

NOVEMBER 12, 1874.

Court met pursuant to adjournment.

Session opened with prayer by Rev. Joseph W. Lewis, President.

Roll called.

Minutes of the previous session were read and approved.

Cross-examination of Rev. W. M. Leftwich continued.

*Ques.*—After the publication of card in the *Advocate* of August 12th, did you observe, when meeting me, any difference in my treatment of you from what it had formerly been?

*Ans.*—I do not remember that I observed his treatment at all.

*Ques.*—Did you make the complaint against me on your own judgment, or was it after advising with other persons?

*Ans.*—It is enough to answer that I made the complaint.

*Ques.*—Have you not told more than one person that you had been advised to lodge a complaint?

*Ans.*—It is enough to say that I lodged the complaint.

[NOTE.—In response to the above the witness took occasion to argue the case and refer to the charges and specifications, with his opinion as to the matter therein required to be brought into the questions which the accused might ask, and the President made no objection to it.]

*Ques.*—At the time of publication of card of August 12th in the *Advocate*, did you regard me then as an enemy of yours?

*Ans.*—I regarded you then as a very dangerous man to the Church.

*Ques.*—Did you base your opinion of me on facts known to yourself, or on what you had heard others say about me?

*Ans.*—On facts known to myself.

*Ques.*—Please state those facts.

*Ans.*—The uses he was making of the columns of the *Advocate*, and especially the cards of which I complain.

*Ques.*—Have you any better right, or are you better prepared, to judge how the columns of the *Advocate* should be used than I am?

Prosecution objects.

Objection sustained.

Excepted to by the accused.

[NOTE.—Beginning with question 43 of this evening's session, the witness has given an indirect or evasive response to almost every question put to him.]

*Ques.*—If I misrepresented or misquoted your letter in publica-

tion of August 12th, was not its publication in the *Advocate* of September 16th, with the statement that it was given for your benefit, all that could reasonably be asked under the circumstances ?

Prosecution objects.

Objection sustained.

Excepted to by accused.

[NOTE.—Witness announced he would not attend more than one night more.]

Adjourned to meet Friday, 13th inst., at 7 p. m.

Dismissed with the benediction.

NOVEMBER 13, 1874.

Court met pursuant to adjournment.

Session opened with prayer by Rev. Joseph W. Lewis, President.

Roll called.

Minutes of previous session read and approved.

Cross-examination of Rev. W. M. Leftwich continued.

*Ques.*—Why did you prefer, in your answering the questions last evening, to give evasive rather than direct answers ?

Prosecution objects.

Objection sustained.

*Ques.*—You have said that you held a Quarterly Conference at St. James Church and elected trustees ; that the Conference was adjourned to a specified time ; that it was convened in accordance with adjournment, but was by consent re-organized into a new Conference ; another Board of Trustees was elected, and also a Sunday School Superintendent : now I want to know if I was amongst the number elected ?

*Ans.*—The minutes of the Conference will answer the question ; that is the best evidence.

*Ques.*—Are there any legal minutes of said Conference from which I can get this information ?

*Ans.*—There are minutes to which he has access ; if not, I can furnish him a copy ; besides, he knows the fact already.

*Ques.*—Are there any legal minutes ?

*Ans.*—In my opinion, the action of Bishop Keener at the late session of the St. Louis Conference made all proceedings at the so-called St. James Church null and void.

*Ques.*—Do you know of any other use I have made of the

columns of the paper other than the publication of the cards to which you refer which were damaging to the Church, according to your opinion?

*Ans.*—The paper which Mr. Dameron publishes has been used to caricature revivals, injure ministers of the gospel and create dissensions in the Church.

*Ques.*—Do you not know that the columns containing the matter named was not under my control?

*Ans.*—The editor is kept there and paid by Mr. Dameron.

*Ques.*—Do you not know that I assumed a written contract made by and between D. R. M'Anally and the Southwestern Book and Publishing Company, by the terms of which said M'Anally had exclusive control of the columns of the *Advocate* except those denoted Publisher's Column and the advertising columns of said paper?

Witness declined to answer.

*Ques.*—As a matter of fact, do you not know that your answers leave a charge against me for which I am not responsible?

*Ans.*—Neither am I responsible for his questions.

*Ques.*—Is it not true that your objections to Dr. M'Anally's course as editor, and the articles appearing in the editorial columns of the paper, have influenced you in your malicious course toward me?

Prosecution objects.

Objection sustained.

Excepted to by the accused.

[NOTE.—The question, as above, was peremptorily ruled off the record and ordered to be filed with other questions previously objected to. The prosecution, thinking it might prove an unfortunate question to the accused, asked the President that it be made a matter of record, which was so ordered—a difference as to which side wants a question on record.]

*Ques.*—Did you cause to be published in the *Dispatch* of September 16, or at any other time, a card headed "Immorality," as given in evidence?

*Ans.*—I did not.

*Ques.*—Do you remember having seen a communication in the *Democrat* headed "The Methodist Muddle," and signed "Vindex."

*Ans.*—I did not see or know of it until after it was cut out of the *Democrat*.



The accused here stated his intention to withdraw from the further sittings of this Court, and placed in the hands of the Secretary the following protest, asking that it be spread upon the Minutes after which he retired from the room without having offered any evidence whatever in defense. His application for the deposition, of Bishop Wightman having been refused, he considered it useless to attempt to proceed further, as the whole proceedings show plainly that he was not to be allowed a chance of making a defense.

### P R O T E S T.

I desire most respectfully to submit, for record upon the Minutes of the Court, my exceptions and solemn protest, for the following reasons :

1st. Because the rulings of the President have been uniformly most unfriendly to me and injurious to my just rights of defense.

2d. Because the prosecution is frivolous and malicious, and unworthy of serious consideration or attention.

3d. Because the President refuses my application for the taking of the deposition of Bishop W. M. Wightman, whose testimony I have repeatedly assured him is material to my defense.

4th. Because the President, to whom is given the power of deciding all questions of law, and to whom is left the question of deciding upon all evidence, whether admissible or not, has referred such matter to the Committee of Trial, and has, together with them, allowed a decision to be made which precludes the admission of proper evidence by the accused, and has thus allowed the Committee to become judges of the law, instead of deciding on such points himself; and has further by such acts permitted them to become violators of the law of the Church, by and with his consent and approval, all for the purpose, as I believe, of procuring the conviction of the accused, whether guilty or not.

5th. Because two members of this Committee have manifested, according to my judgment, decided partiality, by condemning the course pursued by the accused in the cross-examination of witness.

6th. Because the witness under the cross-examination has been permitted by the Court to give evasive, indirect and insulting answers to questions asked by the accused, and, apparently to me, has been encouraged by the President in so doing, as he has not

even attempted to check the witness in his course of conduct. As a specimen of same, I refer to the last question propounded on Friday night session, which reads as follows:

Then, I presume, you are not a subscriber to it, are you?

*Ans.*—Witness declines to answer, except in the language of Solomon, “Answer not a fool according to his folly,” etc.

While the answer does not appear in full on the records, nevertheless that was his answer at first made, which, I presume, all present will remember, and to it the President made no objection.

7th. Because the President of this Court is my known and implacable enemy, and, as such, should never have sat in judgment on the trial; having, as he knows, the result of this prosecution in his own hands.

8th. For these and other reasons too numerous to mention, I therefore enter my solemn protest against the whole proceedings in my case as unjust, frivolous and malicious, and do hereby, because this Court is thus plainly organized and conducted for the express purpose of procuring my conviction in defiance of law and equity, withdraw from its sitting, and hereby give notice of appeal from any decision of the Court on a finding of guilty.

LOGAN D. DAMERON.

Next following this was a letter received by me on Sunday, 29th inst., which reads as follows:

“ST. LOUIS, MO., OFFICE OF ST. JOHN’S CHURCH, }  
Cor. Ewing av. and Locust st., Nov. 28, 1874. } ”

“MR. L. D. DAMERON—*Dear Sir*:

The committee in the case of

ST. JOHN’S M. E. CHURCH, SOUTH,

vs.

LOGAN D. DAMERON,

Have found a verdict of guilty, without mitigating circumstances to modify the penalty, and you have been pronounced expelled from said Church, under the law of the Book of Discipline, Chapter vi, Sec. v, Ques. 1, Ans. 1, pp. 140, 141.

“Respectfully,

J. W. LEWIS,  
President of Church Court.”

After receiving notice of finding of above verdict, I published in the *Advocate* of December 2 the following:

“The readers of the *Advocate* will remember that some weeks since—viz., in the issue of September 16th—I published a card stating the simple fact that I was arraigned in St. John’s Church on a charge of Immorality, made by Rev. W. M. Leftwich, and the grounds of that charge. In discharge of an obligation which I then voluntarily assumed, to apprise them of the result of the proceedings, and for the information of the Church at large, I have simply to add that I received on Sunday, the 29th ult., from Rev. J. W. Lewis, the pastor of said Church, notice of my expulsion, on the grounds already stated, from its membership.

“Without attempting to go into particulars, I ask the readers of the *Advocate*, and all honest and fair-minded people, to read carefully my card which was made the occasion of complaint by Rev. W. M. Leftwich, and particularly the letter therein referred to, written by the said Leftwich to Rev. C. D. N. Campbell, both of which will be found in the *Advocate* of date of September 16, 1874, (these being necessarily the whole evidence bearing upon the case), and see and judge for themselves whether or not this prosecution was for the glory of God and the good of the Church, or for the accomplishment of ulterior and hidden ends.

“Personally, I believe it to be the result of a long premeditated and combined purpose to get me out of the Church, because I would not suffer myself to be used by any party as such, and because of personal difficulties which occurred in this office more than two years ago between Rev. Thomas M. Finney and myself.

“I have now to add, this treatment does not shake my confidence in or alienate me from the Church of which I have been for over thirty years a member. On the contrary, I shall continue to love her and her respected members as heretofore.

“The head and front of my offending hath this extent, no more—that I said in my published card of date of August 12th, that Rev. W. M. Leftwich took and held a certain position with regard to St. James Church, which, as it appears from his published letter, he did take and hold.’ For thus stating a simple matter of fact I have been arraigned on charges of gross immorality, and expelled by Rev. Joseph W. Lewis.

“The relation I sustain to this paper, the responsibility I have assumed in order to carry it on for the benefit of the Church, make it proper I should give this plain statement of facts, that all may know exactly how the matter stands, as I would scorn ‘to sail under false colors.’

“It is proper I should state that the President and Committee of Trial refused me the privilege of offering in evidence the testimony of Bishop Wightman; hence, seeing that I could have no chance of making a defense, I soon retired from the sittings of the Court which was nothing but a farce and mockery of fairness.

“Full details and particulars are in course of preparation, to be given hereafter through another medium, as we wish to use these columns for other purposes.

LOGAN D. DAMERON.”

There the reader has a full and faithful account of the whole matter. An account of all things as they occurred. I ask that it be carefully read and well considered, and I submit to the judgment of intelligent, disinterested men, to say how much of justice, or of fairness, or of brotherly kindness, was manifested in the proceedings. Conscious of my own innocence, and of the purity of my intentions from first to last, I can but feel that I have not been dealt with equitably or fairly; yet I bring no "railing accusations" against any, but, for the present, leave them to their own reflections, to settle with their conscience and sense of justice and propriety, as best they can, feeling assured that an honest and intelligent public will judge fairly.

I now regret I did not withdraw from the sittings of the Court immediately after having filed my answer to the charges, and would have done so but for the fact that I supposed a more fair trial would have been granted me; so I continued to attend, until it became perfectly plain to my mind that, being denied the privilege of introducing the testimony desired, I had no longer any grounds for expecting justice or fairness, and retired, as stated above.

Now, I respectfully request the reader to note particularly what I said in the card on which the charge was founded; notice what I said in explanation of that card, that I intended no wrong to any one, and was ready and willing to correct mistakes, if any had been made. Then notice the strong language used in the charges. Notice particularly the rulings of the President of the Court, especially that by which I was denied the privilege of introducing the testimony of Bishop Wightman; and having been denied the privilege of taking his testimony, I felt it would be needless to attempt to offer the testimony of others, many of whom were ready to testify that they understood the letter of W. M. Leftwich precisely as I did. And yet my innocent and honest understanding of that letter was the groundwork of the whole complaint and charge, trial and expulsion. Notice also and particularly that the charges are "GROSS IMMORALITY" and "PUBLISHING LIBELS." But where, either in the specifications or the testimony, which was all introduced by the accusing party, does the "immorality" or the "libels" come in? Aye, where? Find them if you can.

Again, notice the fact that if offenses were committed they were of a personal character, and should have been dealt with accordingly.

Finally, do not overlook the secret sessions of the court, from which I, of course, was excluded; and do not forget to note that the refusal of the Court to allow me the testimony of Bishop Wightman was so glaringly improper that the Prosecutor himself entered a protest against it.

The reader may ask why this opposition on the part of Rev. Jos. W. Lewis and W. M. Leftwich to me, to which I can only reply, it is, in my opinion, for the reasons—first, growing out of a difficulty between one of their friends, Rev. T. M. Finney, and myself, thence running into what is known here in the city as the St. John's Church troubles, where Bro. Jesse Arnot and several others of the brethren were removed from their official relations to said Church without cause, as they believed, and in whose behalf I dared to speak, and ventured to help erect a chapel in order to keep them in the Church; and, further, because I have sustained Dr. M'Anally and retained him in the editorial chair of the St. Louis *Christian Advocate* greatly against their wishes.

Thus the matter stands at this date, December 7th. I have not, as yet, learned what were the proceedings of the Court from the time I withdrew to its final action. Should I see the records, and find that they contain anything important, the public will be informed.

And now be it known to all concerned, that I publish this account, and publish it in the manner I do, because of the relation I sustain to the Southwestern Publishing House. Having engaged to carry on its business at my own expense and risk, solely for the promotion of the interests of the M. E. Church, South, it is right that all the friends and patrons of the House should know exactly why and for what reasons the sentence of expulsion from the Church has been pronounced against me. Know, also, that I shall continue, in love of the Church to carry on said business.

All of which is respectfully submitted.

LOGAN D. DAMERON.

# CONCLUSION

OF THE

GREAT CHURCH TRIAL AT ST. JOHN'S M. E. CHURCH, SOUTH.

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SUPPLEMENT TO A SUPPLEMENT.

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Acting under what was to me a sense of duty, I sent out, under date December 9th, a supplementary sheet, containing a full and faithful account of the trial which preceded my expulsion from membership in St. John's M. E. Church, South, and regret there is a necessity for supplementing that supplement. But so it is. I must meet the emergencies as they arise, and assure the reader that no one regrets the necessities more deeply than they are regretted by me. My pecuniary interests are largely involved, the publishing interests of the Church are involved, my reputation is involved, and all candid men will agree that it is my duty to defend these to the best of my humble abilities

The sheet sent out under date of December 9th has been extensively read. The public has rendered its verdict, and of that verdict I have no reason or inclination to complain.

It will be remembered that the letter of Rev. J. W. Lewis, notifying me of my expulsion, bore date November 28th, and was received by me on 29th of same month. Under date December 1st I addressed the following:

“ ST. LOUIS, Dec. 1, 1874.

“ *Rev. Jos. W. Lewis, Pastor St. John's M. E. Church, South.*

“ DEAR SIR—Please inform me when and where I can have access to the papers and records of trial in the case of St. John's Church vs. L. D. Dameron, that I may prepare my statement of the case for the Quarterly Conference, in the appeal of which I gave notice.

“ Respectfully,

“ LOGAN D. DAMERON.”

upon his trial for a minor offense until the disciplinary course of private reproof, etc., has been first pursued.

4th. Dameron can only be put upon his trial for gross immorality or repeated refusal to listen to remonstrance, neither of which is substantially alleged.

5th. The complaint is both frivolous and malicious, and grows out of the intemperate resentment of the accuser, therefore should not have been entertained. (See Manual, chap. v, sec. 1, paragraph 3, page 111.)

6th. That the assistance of a well known and worthy member of our Church has been refused Dameron in the conduct of the trial. Gov. Polk had consented to assist Dameron with his counsel and advice, but was ruled out by the presiding officer.

The President decides that the motion of the accused, to dismiss the case for the reasons alleged and accompanying the said motion, is not granted.

Excepted to by accused.

The prosecution then offered in evidence the publication of card in St. Louis *Christian Advocate*, September 16th. (See first day's proceedings for this card.)

Also written letter from C. D. N. Campbell to W. M. Leftwich, P. E., dated June 30th ult.:

"ST. LOUIS, June 30, 1874.

"*Rev. W. M. Leftwich, D. D.,*

"DEAR BROTHER—I see that you have omitted from the published list of your last round of quarterly meetings St. James Church. This I cannot understand. I have twice signified to you our cordial readiness to receive a quarterly meeting. Is it possible you have not understood me, or do you design ignoring the St. James Church altogether? Please answer, and oblige your brother,

"(Signed) C. D. N. CAMPBELL."

Also written copy of letter from W. M. Leftwich to C. D. N. Campbell, dated August 9th ult.

Excepted to by accused, on the ground that the presentation of the letter in court is the first information he had of the existence of such letter.

Also written copy of letter from Bishop Wightman to L. D. Dameron, dated Charleston, S. C., August 10, 1874.

"CHARLESTON, S. C., August 10, 1874.

"*L. D. Dameron, Esq.,*

"MY DEAR BRO.—Yours of the 19th ult. came to this city during

my absence, and I find it, with a good many others, waiting my return. After an absence of more than a month. I got back yesterday.

“I regret to learn the facts you state. I had hoped that by the blessing of God the course things were taking in the St. James affair would tend to the quieting down of unpleasant excitements in St. Louis. I stated distinctly to Dr. Leftwich that the property would be made over to the M. E. Church, South, according to your pledge to me; and, moreover, I pledged that his official character would be held in due respect in all his intercourse with the St. James brethren. I regret to find that up to the time of your writing he has not organized the Church and held a quarterly conference.

“I have written to him expressing those regrets, and requesting him to hold a quarterly conference, even at the eleventh hour, and thus redeem the pledge I made to the St. James people, that the administration of the Presiding Elder should be conformed to my official action in the spring. I hope this will relieve the case.

“Let me earnestly beg you, my dear brother, not to let your patience become exhausted. No good can come of a general exposure of the private troubles which have afflicted the Church at St. Louis. Time will soften asperities and cool down excitement.

“I hope to see you at the session of the Illinois Conference, and that your report of the state of things may be better. Very affectionately,  
“W. M. WIGHTMAN.”

Accused applied for permission to take the deposition of Bishop W. M. Wightman, and respectfully asks that a commissioner be appointed for the taking of the same.

Pending this application, A. A. Wallace moved to adjourn, which, being duly seconded, was put and carried, and meeting adjourned to Wednesday evening, 7th inst., at 7. p.m., at same place.

OCTOBER 7TH, AT 8 P. M.

The Court met and was opened with prayer by Rev. J. W. Lewis.

Roll called. Minutes of previous session were read and approved.

EVIDENCE RESUMED.

Counsel for prosecution called Rev. W. M. Leftwich.

*Question.*—Are you the Presiding Elder of the St. Louis District?

*Answer.*—I am.

*Ques.*—Have you had any correspondence with Dr. Campbell about the St. James Church?



was ignored. Was it the opinion of Bishop Marvin? For, mark you, the Bishop, although recognizing it as imperative on him to protect the integrity of the constituency of our late District Conference, would not decide questions of law, but gave a ruling in the shape of an opinion as to the Church membership of Dameron; and this is only the third time he has been ruled out, and yet he is in. So say your appellants. It is their firm belief. Was it the decision of the College of Bishops? It could not be, for that decision was not then known. Your appellants object, because both our Bishop and our Presiding Elder ruled before the decision of the higher court was known.

Your appellants would not do our Presiding Elder an injustice. He refers to what he calls a statement of facts, as his justification in making this decision. We invite your attention to these facts, so-called :

Fact 1. That L. D. Dameron was regularly tried and expelled from the M. E. Church, South, by a committee of St. John's Church, according to the forms of law as laid down in our book of Discipline. Your appellants *deny* that there ever was such a trial or expulsion, and we refer you to a copy of the proceedings of this *most wonderful trial* to show you the truth of what we affirm. If you are not satisfied with this copy furnished you, you can demand the original. It will be seen, first, that these proceedings were illegal and improper, because there is no consistency between the charges and specifications. Make the very worst that possibly could be made out of all charged or attempted to be proven, and you have only a case of improper words or actions; and no part of the Discipline was complied with, as is made and provided for in the Discipline in the government of such cases.

Secondly. The right of appeal is one of the constitutional rights guaranteed to all our members. See Discipline, page 37, Chap. II, Sec. 1, paragraph 5. This was virtually taken from him by refusing him the minutes of the proceedings in the court below, and in not giving him notice of the time and place of the meeting of the higher court. Again, assistance was denied him in the preparation and in conducting his case. We are glad to find, Mr. President, in a book called a Manual of Discipline, though not having the sanction of law—yet it is recommended to our preachers and people, by the authorities of the Church, as a valuable assistant—endorses this view, and says, on page 114. that the accused shall not be denied assistance.

Your appellants aver that the reception of L. D. Dameron by our preacher in charge was in every way regular, authorized, and according to the law. We readily admit that, if all the proceedings in the Church court below had been disciplinary, it would not be consistent with the Manual of Discipline; but, then, with due respect to the Chair, the Manual is not consistent with itself. On page 77 it certainly gives the authority to the Preacher in Charge to receive members, and then, on the same page, says that a member expelled from one society cannot join another society till he has given satisfaction to the society that expelled him. Here is an abridgement of power and an inconsistency. Again, the Manual does not tell us what is meant by the word "society." No one acquainted with the law of the Church will question the fact that a preacher on a circuit has the right to select a committee from the entire circuit to try a member. Suppose the circuit, then, to be formed of ten societies, and a committeeman taken from each one, and they try and expel a member, to which one of these societies would he make his confession? The one, you answer, to which he belongs. But they did not expel him, and all of them may be his personal enemies. But the Discipline does not say confession, but "satisfactory evidence of repentance." Nor does it say to whom it is to be made; but, without doubt, it applies to the society to which he makes application—for the one expelling him has no more to do with him, only to restore him when convinced of his innocence. Then, we repeat, it must be the society to which he applies—for, in many cases, he could not go to the one expelling, as prejudice, either on the part of the pastor or the members, might prevent.

Your appellants aver that L. D. Dameron did give all evidences of repentance that we could require, and to the society of Chouteau Avenue Church they were perfectly satisfactory. But this act of our Pastor in the reception of Brother Dameron is viewed by our Presiding Elder and others as contumacious, and as casting discredit on St. John's Church. But, then, he must remember that this act of our Preacher in Charge was afterward indorsed by a written communication from Bishop Keener, as being in strict accordance with the laws of our Church. If the Bishop afterward changed his mind, our Preacher in Charge must not be held responsible for that; and if there be any contumacy or discredit toward St. John's Church, then the Presiding Elder and Bishop

Keener are equally guilty with our Pastor. It is true, however, that our Presiding Elder did request our Pastor to withhold the name of L. D. Dameron for a time, for the sake of peace, but that it could not and would not affect the membership of Dameron. The usual report on the state of the Church, required at the Quarterly Conference, was withheld, to be filled and handed in afterward to the Secretary. In the meantime, our Presiding Elder changed his mind and urged our Pastor not to report the name of Dameron, and finally read him a long protest against it. But our Pastor, understanding the law of the Church, made out his report as the Discipline requires, including the name of Dameron among the members received that quarter; and our Presiding Elder, knowing the fact, signed the minutes, and L. D. Dameron's name was enrolled as a full member of the M. E. Church, South. Afterward L. D. Dameron was elected Church Conference Secretary, and took his seat in the Quarterly Conference, and was by that body elected Sabbath-school Superintendent.

Thus matters stood till L. D. Dameron came to take his seat in the Manchester District Conference, when Bishop Keener decided he could not be a member, for want of proper Church membership. And *thus*, for the *first time* in Methodist history, a Bishop excluded a man from the Church who was regularly received by the society and recognized by a Quarterly Conference. But that decision has been ignored by the College of Bishops. Your appellants object to this action of our Presiding Elder, because it contravenes the action of the last session of this Annual Conference. Our Pastor was charged with maladministration in the reception of L. D. Dameron into the Church. Said charge was referred to a committee for investigation, and they examined and reported no trial necessary. Their report was adopted, and the character of our Pastor was passed. Thus the Annual Conference endorsed the action of Brother Owen. True, Bishop Keener decided against it, or, rather, repeated his Manchester decision in substance, but the Conference, by the law of Discipline, page 69, has the application of the law, and they said Brother Owen had done no wrong; and Dameron was left in the Church, and the validity of his membership fixed for all time.

Your appellants, having considered the decision of the College of Bishops, fully believe that it sustains the views here set forth; and the Manual of Discipline, page 150, says that even if a Pastor

were convicted of maladministration, it could not affect or invalidate the membership of any member received.

Your appellants, lastly, object to this decision of our Presiding Elder, because it is based upon an unauthorized ruling of Bishop Marvin, which, in connection with other decisions of a like character, are calculated to weaken the strong connectional ties of our membership.

And now, Mr. President, your appellants disclaim any intention to injure any one, or to be disrespectful toward our Bishops, or any one of our ministers. We have given you simply and plainly our reasons for appealing from this decision of our Presiding Elder, and we now ask your decisions of the following points of law growing out of this case :

1. Is it the duty of a Bishop or a Presiding Elder to inquire into the validity and regularity of the Church membership of the members of the Conference where they are called on to preside ?

2. Is it anywhere stated, in our Book of Discipline, that an expelled member must make confession to the society expelling him before he can be reinstated ?

3. If a member of our Church should be tried and expelled under charges of which he knows himself to be innocent, is it still required of him to make confession ?

4. If a member of our Church should be tried and expelled by a malicious prosecutor, and a malicious prosecution of a society, must he then go to that society and confess, in order to regain membership ? If not, how can he be restored ?

5. If a preacher in charge receive a member improperly, is the membership of the member forfeited, or must the preacher be tried for maladministration ?

6. If the preacher in charge of any society be convicted of maladministration in the reception of a member, would that invalidate the membership of the member received ?

7. If the Annual Conference acquit a brother charged with maladministration in the reception of an expelled member, what effect does that have on the membership of the member so received ?

8. Logan D. Dameron having been received into Chouteau Avenue Church by Rev. F. A. Owen, preacher in charge of said Church, by their full consent and approval; and said Rev. F. A. Owen having been charged with maladministration, by Rev. A. T. Scruggs, in so receiving L. D. Dameron, an expelled member of

stood and established among us; but of late, in some places, they have been doubted and even contradicted. They had their last emphatic announcement by the General Conference of 1840. About that time an attempt was made in New England to turn Annual and Quarterly Conferences into instruments of social and political reform. It was claimed that all questions of law arising in those bodies were of right to be settled by their vote, "either primarily by resolution, or finally by appeal from the decision of the president." The General Conference met these views, and the disorderly proceedings which had grown up under them, by inserting in the Discipline the two clauses making the presidents of both these subordinate judicatories responsible for decisions on questions of law arising in them. This practice had been pursued and this doctrine understood before—the genius of our connectional system demanded it; but in 1840 it was found necessary to restate it unequivocally. The power is conservative; it is for edification and unity. Like all power, it may be abused; but it is hedged about and guarded and limited in the exercise; it is held to strict accountability, and provision is made for correcting its errors by appeal.

The decision on the first point in the appeal from the Quarterly Conference of Chouteau Avenue Church against the ruling of the Presiding Elder, is—

That it was not only his official right but his duty to decide the question of the *legal* qualification of L. D. Dameron for membership in that body.

The second point in the appeal remains to be considered.

Allowing the right of the Presiding Elder to make a decision, was his decision in this case right? Was L. D. Dameron a member of the Church at the time or not?

On account of the necessities of our Sunday school work and the scarcity of laborers, the services of some persons are accepted, not only as teachers but even as superintendents, who are not members of the Church. Hence, in the composition of a Quarterly Conference, the book of Discipline, after enumerating those who in order to be officers must be members of the Church, adds "together with the Superintendents of Sunday Schools who are members of the Church."

L. D. Dameron was Superintendent of the Sunday School of Chouteau Avenue; this is not questioned; but it is not evidence of

Church membership. The Presiding Elder might inquire into that as a *fact*. He could not deprive any one of Church membership; committees of indictment and trial and the formalities of Church courts are required to exclude the humblest member. But, seeing every Sunday School Superintendent is not a member of the Church, and such only as are members have a right to a seat in the Quarterly Conference, surely the Presiding Elder, in organizing that body, did not go out of his official path when he inquired into the *fact* of membership and considered what was well known in connection therewith. He was equally related to all the societies in his district, and it became him to guard the rights and peace of each one.

Fortunately for us, in reviewing his decision, the material dates are agreed on, and the history is plain.

After being duly indicted and tried before a committee, L. D. Dameron was convicted of immorality and expelled by the St. John's Society of St. Louis. He appealed from the sentence of the committee to the Quarterly Conference. The expulsion occurred November 27, 1874. The appellate court was to meet December 19th, following. Six days before this time (December 13th) he was received into the communion of the Church by the pastor of Chouteau Avenue Society in the same city.

His failure to prosecute his appeal did not make the matter better or worse. He was left in the same attitude as if the appellate court had formally reviewed and concurred in the sentence of the lower court.

The rule for regaining membership is laid down in the Discipline (p. 152): "No member, after such form of trial and expulsion, shall be restored to the communion of the Church without giving satisfactory evidence of repentance, unless the Quarterly Conference shall become convinced that he was innocent of the crime for which he was expelled, in which case he may be restored."

Some time—years, perhaps—after this extreme penalty has been inflicted, the Quarterly Conference (which is supposed to have reviewed the case in appeal), may find out that the excommunicated person was the victim of misapprehension or perjury, and is innocent of the crime for which he was expelled. He may be restored, and restoration is his vindication.

Otherwise, nothing having transpired to change the conviction

were not exempted from it." The case of an eminent penitent is cited "confessing his sin," in order to restoration: "Where we may observe it is said in the singular number, *his sin*, which intimates that the penitent's confession was not only general, or for all his sins in the gross, but it was particular, for that special sin for which he was censured" (p. 125). After application for restoration the time of trial fixed (one, two, five or more years, according to the nature of the offense), was called "the time of penance." Cyprian complains of the irregular and unadvised actions of certain presbyters "that they admitted some of the lapsed to communion before they had undergone a due penance and made a public confession of their sin." Tertullian encourages and reproves those who were desirous of being restored, but who, through shame deferred, from day to day, the publication of their sin "as more mindful of their shame-facedness than of their salvation.'

From many sources it is evident that the primitive Church made a marked difference between the induction of neophytes or those newly come to the faith, and the reinduction of lapsed persons.

At Corinth, a man who was called a brother, fell into a heinous sin. The Church not acting promptly, the Apostle Paul sent a short admonition. They were directed to purge out this evil. After showing it to be their right and duty to "judge" in such cases, he concludes: "Therefore put away from yourselves that wicked person." They did so. The expelled man *felt* this estimate of his conduct and character. He realized his condition out of the Church. Its discipline was a means of grace to him. He repented.

In the next epistle, written a year or two afterward, Paul pleads for his restoration:

"Sufficient to such a man is this punishment (or censure) which was inflicted of many; so that, contrariwise, ye ought rather to forgive and comfort him, lest perhaps such a one should be swallowed up with over-much sorrow. Therefore, I beseech you that ye would confirm your love toward him." (2 Cor. ii: 6, 7, 8.)

This man did not go over to the little neighboring society at Cenchræa and get in on his own story, that he had been foully dealt with by the brethren at Corinth.

We have seen the practice of the Apostolic and Primitive Church; and coming down to the present times, have gone outside of our own to obtain the views of other leading denominations

—Episcopal, Congregational and Presbyterian—and we find them all sustaining our views of ecclesiastical jurisprudence touching excommunication and restoration. Excommunication is a dreadful censure of last resort, and is not to be inflicted for trifling things, nor after its infliction to be treated as a trifling thing. When this divine safeguard comes to be nothing accounted of, then immorality will rush in like a flood.

The idea has been developed lately that the mere *sentence* of expulsion pays the penalty and cancels the account; so that the expelled person is free thereafter to apply and be accepted any where else, *de novo*. According to this inadequate conception, which takes in only the *act* of excommunication and not the *state* of the excommunicated, one might prefer to be expelled rather than suspended; for while suspension (a comparatively mild censure) bars him the privileges and sacraments of the Church for three or twelve months, the expelled person might be put *out* to-day and be *in* to-morrow.

To all this it may be objected: This is hard. Committees and Conferences are fallible, and may condemn the innocent. Must he be kept out of the Church the rest of his life because he cannot repent of a crime he never committed? The appellants state the question thus: If a member of our Church should be tried and expelled, under charges of which he knows himself to be innocent, is it still required of him to make confession?

The reply is: The Church as well as the state after organizing courts of trial, and throwing around them all the guards necessary for securing justice, must respect the verdict of those courts. Men are found guilty by juries and hung, notwithstanding they may asseverate their innocence to the last.

Society would fall to pieces, and law become a dead letter, if, after tribunals for indictment, trial and review are provided, their judgment should be set aside, by a morbid charity, on the ground of human fallibility. The courts of the Church act under very high sanctions, and are entitled, in their sphere, to at least as much respect as civil tribunals.

Grant the possibility that half a dozen godly men, convened as a Court of the Lord Jesus, may, upon evidence, declare an innocent man guilty. It is not only possible, but more probable, that a guilty man will declare himself innocent. Which is to be believed? Condemned for libel in the primary court, he may say that the pros-



istration, that *refusal* does not give validity to the membership acquired; its only effect is to encourage the acquisition of membership in that irregular way. On the contrary, should the Annual Conference find mal-administration, the membership is not thereby made null, but pastors will beware of repeating the offence. The regulations touching church membership are the same in all the Conferences; but to this extent, no more, each has power over the subject. To each Conference is committed the trust of requiring its own members to keep the law, as officially expounded. When any member of Annual Conferences shall prove unfaithful to this trust it will be a sad day for the Church, and an ominous sign of a deep, if not general decline.

The decision on the second point in the appeal is :

It appears, as a matter of fact, that L. D. Dameron was received into the communion of the Church and re-admitted to its privileges and sacraments by the pastor of Chouteau Avenue Society.

For any irregularities or breach of rule that occurred, the pastor is accountable to the Annual Conference which has jurisdiction over his life and official administration; but by the transaction L. D. Dameron did acquire membership.

Therefore, the decision of the Presiding Elder, ruling him out of the Quarterly Conference, is not sustained.

On account of the extraordinary publication given to this case, and the views evolved in connection with it, Methodism in Missouri has been disturbed. I have therefore been at some pains to set forth the principles of our economy in the points at issue, and to show that our law is not new, but old and historical; not peculiar, but general; not arbitrary, but reasonable. Surely no apology ought to be needed when we consider that heresies in discipline are only less hurtful than heresies in doctrine.

I have endeavored to treat the matter of the Appeal with as much impersonality as possible, knowing that worthy brethren are involved in the several stages of it who have honestly differed from one another, and from the positions here taken.

And now, having discharged my official duty in rendering a decision, it is here rested, until a higher court of review shall either reverse or approve. It affords me pleasure to know that, for the better satisfying of all concerned and for the correction of any errors, such a tribunal has been provided by the Church.

# *Review of Bishop McTyeire's Decision.*

BY HON. J. P. STROTHER.

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The truth has nothing to lose, and its friends nothing to fear, from careful investigation. The truth cannot antagonize the right. If a theory or construction of the law is found to conflict with the right, the theory or construction should be re-examined. I have only this apology to offer for the following review: that I love the Church, and the rights of membership therein, and view with sorrow and alarm any infringement upon the true and established methods by which that membership may be questioned; and because I think the decision under review, and those decisions which preceded it in regard to the same general subject, are erroneous and of dangerous tendency. Our Bishops do not claim infallibility, and hence I am not called on to account for any supposed presumptuousness in questioning the correctness of episcopal deliverances. The questions involved are still open to discussion, and I invoke a careful scrutiny of what I shall have to say. Before proceeding further, I would have it distinctly understood that I do not write in vindication of any *man*, nor as the champion of any one. The questions involved are of grave import, affecting the whole Church, and hence every member is interested in arriving at just conclusions, and ascertaining the just boundaries of official authority and prerogative in such cases. I shall, therefore, in the following review, avoid, as much as conveniently may be, the names of individuals, and treat the case in the light of the facts that have important bearing on the general question. Those facts are briefly as follows:

Let it be understood, that when I say "Church," I mean the Southern Methodist Church. Mr. D., being a member of a Church in a city, was tried on a charge and expelled. During the progress of the trial, he claimed unfairness and withdrew from the trial, and afterwards gave notice of appeal to the next Quarterly Conference. This appeal he did not prosecute, but abandoned, and, before the session of the Quarterly Conference at which the appeal would have been triable, he applied for membership in another Church in

the local *status* of the party (D.) in the particular society in which he claimed membership, as we shall, in due time, see.

Having now seen what was decided, and the powers contended for, we proceed to state that it is the question of *lawful power* that we propose to discuss, and herein we propose to show that no such power as that exercised in the cases referred to rightfully or lawfully pertains to the presiding officer of a District or Quarterly Conference. It will be observed that Bishop Keener and Bishop Marvin asserted the power in the presiding officer of a District Conference, and Elder Scruggs and Bishop McTyeire asserted the power in the presiding officer of a Quarterly Conference; and in each case it is the *same* power that is asserted, in whatever different form the question may be stated by Bishop McTyeire or others—the power in the *presiding officer alone* to determine the legal qualifications, *not* of *classes* of persons, *but* of *individuals*, to membership in those official bodies of the Church; and, in determining those qualifications, to go back, and, for the purposes in hand, to determine whether or not *that person is a member of the Church*. True, those great Church functionaries do not all reach the same conclusion as to the *fact* of membership in the case in point; but they all agree in asserting the *power*. I say *fact* of membership, for we propose to show that the question of Church membership, so far as it could legally be decided in those cases, was a question of *fact*, and not of law. There is, primarily, no mere question of expediency, or of the good or bad character of the individual involved in this matter, but a question of lawful power. So far, we agree with Bishop McTyeire, when he says of the Elder (p. 9): “He may not object to this or that member on *moral* grounds.” To sustain his position in the assertion of the power of the Presiding Elder, Bishop McTyeire first calls attention to the responsibility of that officer, and says: “Let it be borne in mind that the Quarterly Conference is an organic body. The functions it performs are vital to our Church system.” Further on he says it “is an executive, and not a legislative body. It never was elective or delegated, but its members are such *ex-officio*.” He calls attention to the important work it has to perform—“elects trustees and stewards, and controls them”—and so, directly or indirectly, controls Church property and finances. As a court of last appeal for accused members, the rights of the laity are concerned in the preservation of its integrity. No other ecclesiastical body can license a man to preach, and none other

can recommend a preacher for admission, which supplies pastors to the Church and local preachers." "It has oversight of Synods." Bishop further says: "As might be supposed, with so many and so great interests is carefully managed and described." After quoting from the Discipline, showing how to compose this body, the Bishop says: "For this judicatory, composed of the safest elements—men of experience, who have been tried in various official stations—an *ex-officio* President is provided." And yet, after all this complimentary notice of these "tried" men, these "safest elements," "charged with so many and so great interests," the Bishop is *unwilling* to trust these men to pass on their own qualifications for membership in those bodies! A man who may be a stranger to them must do this for them! But more of this anon.

The Discipline, in answering the question, "Who shall compose a Quarterly Conference?" says: "All the traveling and local preachers, including superannuated preachers, residing within the circuit or station (whether without or within the limits of the Annual Conferences to which they belong), with the exhorters, stewards, trustees and class-leaders of the respective circuits, stations and missions, together with the superintendents of Sunday-schools who are members of the Church, and secretaries of Church Conferences, and none others."

We agree with the Bishop that these are the "safest elements," for whom "an *ex-officio* presiding officer is provided" by the Discipline. The same authority that constitutes the Quarterly Conference designates who shall preside. The Bishop well said that the members of this body are not "elective or delegated"—it is an "organic body;" and we say further, that, being such, its members are no more bound to exhibit credentials to the presiding officer than he is bound to exhibit credentials to them; *both* parties derive authority from the same organic law. Thus we turn the Bishop's argument against his own position.

But the Bishop proceeds to say: "The Discipline defines the duties of the Presiding Elder.—Pages 71-3. He is 'to travel through his appointed district in order to preach, and to oversee the spiritual and temporal affairs of the Church.' \* \* \* To be present, as far as practicable, at all the quarterly meetings, and call together the members of the Quarterly Conference, over which he shall also preside. To decide all questions of law which may come up in the

perintendents of Sabbath-schools who are members of the Church, and secretaries of Church Conferences, and none others." The Elder should then say, "Brethren, this is the *law*—it deals with *classes of persons*, not with individuals; and now its *application* to the case in hand is with you—the Quarterly Conference. Whether all present belong to one or another of these classes of persons, is a question of *fact* for you to determine." "Is it a *fact* that A. is a trustee? Is it a *fact* that B. is a steward? Is it a fact that D. is a superintendent of a Sunday-school and a member of our Church?" The law does not say that A., B., C. or D., *as individuals*, shall be members of a Quarterly Conference; but it tells *what officers* shall be such; and whether A., or B., or C., or D., *are* such officers or not, are questions of *fact*, not of law. No man familiar with jurisprudence will question this position. In law, whether a man is dead or alive at a certain time, is held to be a question of fact. So, whether a man is single or married; so, whether a person has been baptized or not, is a question of fact; so, whether a man is a member of the Church or not; so, whether a person is an officer or not. In jurisprudence these are all held to be questions of fact, in proof or disproof of which evidence is offered. No Judge would ever undertake to decide such questions as *law* questions. On a question of marriage, the fact is proved in various ways—by an eye-witness, by the fact of cohabitation, by the registry, or a copy thereof. So, a baptism is proved in England by the register of baptism. These things are mentioned in the books as *facts*. Greenleaf says: "In regard to official registers \* \* where the books possess all the requisites \* \* mentioned, they are admissible as competent evidence of *the facts* they contain." Again he says. "A parish register is evidence only of the time of the marriage and of its celebration *de facto*, for these are the only *facts* necessarily within the knowledge of the party making the entry. So, a register of baptism, taken by itself, is evidence only of that *fact*."—Greenleaf on Evidence, vol. 1, §§ 493, 494. In Coode vs. Coode, 1 Curtis' Ecclesiastical Reports, page 755, it was decided that an examined copy of a register of marriages, in Barbadoes, was competent evidence of that *fact*. The books of the Fleet and of a Wesleyan chapel were rejected, in a *court* of law, *not* because it was not a question of *fact* to be proved, but because the law of England did not *require* such books to be kept, and hence they were not the *best* evidence of the *facts*. See Reed vs. Passer,

1 Esp. 213, and Whittack vs. Waters, 4 C. & P., 375. Where a *foreign law* is relied on, it is matter of *fact* for proof; but never a domestic law, for the law officer must take judicial notice of all law governing his country and himself.

There can be nothing plainer than that the questions, whether a particular person is a Sunday-school superintendent, and a member of the Church, are questions of *fact*; and, as such, the Presiding Elder has no right to determine them, his province being to decide questions of law. All they had to do to ascertain that question was to ask his Pastor, who received him into the Church, or the Steward, who kept the Church records, whether his name was in the list of members; and, receiving an affirmative answer, the Discipline declares that such a one is entitled to a seat in the Quarterly Conference—it being admitted to be the *fact* that he was a superintendent of a Sabbath-school. If the Elder were to do otherwise, he would not obey that other injunction of the Discipline which requires the Presiding Elder to “take care that every part of the Discipline be enforced in his district.” He cannot obey that injunction by a violation of his own duty—by trenching upon the powers and prerogatives of others.

The Constitution of the United States expressly makes it the duty of the President to “take care that the laws be faithfully executed;” and yet, no sane man ever supposed that it was any part of his duty or right to usurp the place of judges of the courts, or the juries therein. On the contrary, when the present President undertook to and did thrust the sword into the Louisiana Legislature, and assumed to determine who were and who were not qualified members thereof, and turned out several at the point of the bayonet, it sent a thrill of alarm into the remotest parts of this country, and received a merited condemnation from the best minds of his own party. In like manner, the Constitution of Missouri, and, we presume, of most of the States, provides that the Governor “shall take care that the laws are distributed and faithfully executed;” and yet no one supposes that he has the right to invade the temples of justice and decide questions of fact for juries.

So, the Discipline makes it a part of the regular business of a Quarterly Conference to elect superintendents of Sunday-schools, and license proper persons to preach and exhort; and yet the Elder, although required to “take care that every part of the Discip-

In accordance with said notice, I, with my friend, Rev. L. M. Lewis, went to the place designated at the hour therein named, and very soon thereafter the Pastor read to the committee, T. C. Ready, R. T. Bond and H. W. Pflager, the charges which had been placed in his hands by Rev. W. M. Leftwich, and of which I had no previous notice as to their character, except that they were for immorality, and here I found that said charges were based on a card I had published in the *Advocate* August 12th, which card reads as follows:

[ CARD OF AUGUST 12. ]

It seems eminently proper under existing circumstances that I should give to the Church a brief history of my connection with the enterprise of the building of St. James' Church, corner of Leffingwell avenue and Chestnut street.

In March last, when Bishop Wightman was here, and after he had appointed the Rev. C. D. N. Campbell to the work of building up a new Church and congregation, I, at the solicitation of some of the persons who were interested in the enterprise, and in accordance with my views of justice and the good of the general interests of the Church, I determined to *advance them the money* with which to erect a building on a lot which had previously been purchased, and the title to which was vested in Bro. Jesse Arnot and myself jointly, subject to a debt, however, on same, and within eight weeks a building (a nice church 32x60 feet) was finished and occupied by Dr. Campbell and his congregation.

It is proper here to say that whatever opposition there may have been to this enterprise, I had good reason for supposing that it would then be dropped, inasmuch as it met with the approval of the presiding Bishop, who was present at the breaking of the ground for said new church building; and the part I took in the matter was for the Church at large, as I was not connected with said movement, my membership being at St. John's Church.

Now to the point. The Presiding Elder, W. M. Leftwich, published and held his third round of quarterly meetings, then published his fourth round, and in neither of said notices was the new Church mentioned; and within the past few days I have seen a letter from said Presiding Elder to Dr. Campbell, in which he said he would not hold a quarterly meeting or Quarterly Conference until after the property shall have been deeded to the trustees of the M. E. Church, South.

Now, how is it possible for this new congregation to get into the Church under such rulings or doings? It is known to everybody, who knows anything about our Church law, that the Quarterly Conference can only make trustees, and here the Presiding Elder refuses to give them an opportunity of doing so.

Brother Arnot and myself are ready to deed the property to trustees, but every one knows, who knows anything about Church law, that we have no right or power to appoint or elect trustees, and unless a Quarterly Conference is held there will never be any trustees.

Of course, I understand why this is, and hereafter I will (as I have been forced to commence explaining) give a full history and satisfactory explanation of my connection with this, and its bearing on the action of some of those officially connected with St. John's Church.

I make this statement as a matter due to myself, because an effort has been made to put me in a false position in regard to the whole matter. I am not, and never have been, connected with that congregation, and what I did there was done for the promotion of the general interest of Methodism in the city, and done with the advice and approval of very many of the best and most prominent members of our Church in the city. I have nothing to regret for having helped my brethren of the St. James Church.

LOGAN D. DAMERON.

[On September 16, after receiving notice of charges, I republished the above card, with the following explanations, which constitute the "Card" of September 16.]

The quotation in said card from a letter written by said Leftwich to Campbell was from memory, as I had only seen the letter once, and that more than a month prior to the date of said card. In order that full justice may be done Dr. Leftwich, whom I had no desire to injure, or in any way misrepresent, I give herewith the letter in full:

"ST. LOUIS, July 7, 1874.

REV. C. D. N. CAMPBELL, St. Louis:

"*Dear Brother*—Your note of June 30th, inquiring why I omitted St. James Chapel from my published list of Quarterly Meetings, etc., was handed to me yesterday by Bro. L. D. Dameron. In reply, I have to say that I will be glad to give the St. James Chapel a Quarterly Meeting whenever the said St. James Chapel is put under the control of the M. E. Church, South, by formal deed of conveyance to a Board of Trustees, to be held in trust for the use and benefit of the Church, according to our Book of Discipline. See sec. 3. ques 1, ans. 1, pp. 176-7. I have left out a Sunday before Conference for that purpose, and hold myself in readiness at any time to organize a Quarterly Conference for the purpose of electing a Board of Trustees to receive the property.

"I am not disposed to ignore the St. James Church, as you seem to think, but would be glad to add it to the active agencies of the Church in my district. Truly and fraternally,

"W. M. LEFTWICH, P. E., St. Louis District."



upon his trial for a minor offense until the disciplinary course of private reproof, etc., has been first pursued.

4th. Dameron can only be put upon his trial for gross immorality or repeated refusal to listen to remonstrance, neither of which is substantially alleged.

5th. The complaint is both frivolous and malicious, and grows out of the intemperate resentment of the accuser, therefore should not have been entertained. (See Manual, chap. v, sec. 1, paragraph 3, page III.)

6th. That the assistance of a well known and worthy member of our Church has been refused Dameron in the conduct of the trial. Gov. Polk had consented to assist Dameron with his counsel and advice, but was ruled out by the presiding officer.

The President decides that the motion of the accused, to dismiss the case for the reasons alleged and accompanying the said motion, is not granted.

Excepted to by accused.

The prosecution then offered in evidence the publication of card in St. Louis *Christian Advocate*, September 16th. (See first day's proceedings for this card.)

Also written letter from C. D. N. Campbell to W. M. Leftwich P. E., dated June 30th ult. :

.. ST. LOUIS, June 30, 1874.

“*Rev. W. M. Leftwich, D. D.,*

DEAR BROTHER—I see that you have omitted from the published list of your last round of quarterly meetings St. James Church. This I cannot understand. I have twice signified to you our cordial readiness to receive a quarterly meeting. Is it possible you have not understood me, or do you design ignoring the St. James Church altogether? Please answer, and oblige your brother,

“ (Signed) C. D. N. CAMPBELL.”

Also written copy of letter from W. M. Leftwich to C. D. N. Campbell, dated August 9th ult.

Excepted to by accused, on the ground that the presentation of the letter in court is the first information he had of the existence of such letter.

Also written copy of letter from Bishop Wightman to L. D. Dameron, dated Charleston, S. C., August 10, 1874.

“ CHARLESTON, S. C., August 10, 1874.

“*L. D. Dameron, Esq.,*

“ MY DEAR BRO.—Yours of the 19th ult. came to this city durin

my absence, and I find it, with a good many others, waiting my return. After an absence of more than a month, I got back yesterday.

“I regret to learn the facts you state. I had hoped that by the blessing of God the course things were taking in the St. James affair would tend to the quieting down of unpleasant excitements in St. Louis. I stated distinctly to Dr. Leftwich that the property would be made over to the M. E. Church, South, according to your pledge to me; and, moreover, I pledged that his official character would be held in due respect in all his intercourse with the St. James brethren. I regret to find that up to the time of your writing he has not organized the Church and held a quarterly conference.

“I have written to him expressing those regrets, and requesting him to hold a quarterly conference, even at the eleventh hour, and thus redeem the pledge I made to the St. James people, that the administration of the Presiding Elder should be conformed to my official action in the spring. I hope this will relieve the case.

“Let me earnestly beg you, my dear brother, not to let your patience become exhausted. No good can come of a general exposure of the private troubles which have afflicted the Church at St. Louis. Time will soften asperities and cool down excitement.

“I hope to see you at the session of the Illinois Conference, and that your report of the state of things may be better. Very affectionately,  
“W. M. WIGHTMAN.”

Accused applied for permission to take the deposition of Bishop W. M. Wightman, and respectfully asks that a commissioner be appointed for the taking of the same.

Pending this application, A. A. Wallace moved to adjourn, which, being duly seconded, was put and carried, and meeting adjourned to Wednesday evening, 7th inst, at 7. p.m., at same place.

OCTOBER 7TH, AT 8 P. M.

The Court met and was opened with prayer by Rev. J. W. Lewis.

Roll called. Minutes of previous session were read and approved.

EVIDENCE RESUMED.

Counsel for prosecution called Rev. W. M. Leftwich.

*Question.*—Are you the Presiding Elder of the St. Louis District?

*Answer.*—I am.

*Ques.*—Have you had any correspondence with Dr. Campbell about the St. James Church?

*Ques.*—Had you any knowledge of an article which appeared in the *Times*, headed “Church Trouble,” prior to its appearance in the paper?

*Ans.*—I had not.

*Ques.*—In the *Democrat* appeared a local notice, in which is mentioned that charges have been made against Mr. Dameron, and will be made against Rev. Mr. Lewis, growing out of his lawsuit with Mr. Boogher. Have you any knowledge as to who caused it to be inserted, or as to the author of it?

*Ans.*—I have not.

*Ques.*—Have you any knowledge as to who caused to be published in the *Times* a local notice in which is said Mr. L. D. Dameron has been reinforced by Mr. Boogher, etc., etc.?

*Ans.*—I have had nothing to do with any publication in any paper about this matter.

*Ques.*—Have you observed, in reading my card of August 12th, published in the St. Louis *Christian Advocate* of August 12th, wherein I attempt to quote your letter to Dr. Campbell, that I say Quarterly Meeting or Quarterly Conference, showing that I intended it as one or the other, and not both?

*Ans.*—I read said card carefully.

*Ques.*—When Bishop Wightman was in St. Louis in September last did he not say that the peculiar wording of your letter of July 7th, 1874, to Dr. Campbell, would have misled him, or words to that effect?

Prosecution objects.

Objection sustained.

*Ques.*—When Bishop Wightman was in St. Louis in September last did he not ask you if you intended, by the wording of your letter of July 7th to Dr. Campbell, to deceive him or his people?

Prosecution objects.

Objection sustained.

Excepted to by the accused.

*Ques.*—Do you believe I intended to misrepresent your letter when publishing my card of August 12th in the St. Louis *Christian Advocate*?

Prosecution objects.

Objection sustained.

Excepted to by the accused.

*Ques.*—After the first meeting of the Committee of Investigation

in this case had you any conversation with members, or any of them, in which an agreement was made that the case should be dismissed?

*Ans.*—I had not.

*Ques.*—Had you any information as to the decision of the Committee prior to furnishing them or the Rev. Jos. W. Lewis with your second complaint?

*Ans.*—I had not.

*Ques.*—Have you a letter from Bishop Wightman giving instructions about the new church inaugurated here and afterwards known as the St. James Chapel? If so, will you please produce it or permit the Court to have a copy?

*Ans.*—If the Court thinks that said letter is important to the case I will forward a copy cheerfully.

*Ques.*—Is it known to you that the *Advocate* is issued from two to three days prior to the date it bears each week?

*Ans.*—I know so little of the paper, and think so much less of it, that I care not to give any testimony concerning it.

*Ques.*—Then I presume you are not a subscriber to it, are you?

*Ans.*—Witness declines to answer, except in the language of Solomon, “Answer not a fool according to his folly,” etc.

[NOTE.—The witness stated his decision to withdraw from any further cross-examination, so far as the accused was concerned, and would only consent to answer questions which might be put to him by the Committee.]

Court adjourned to meet Saturday evening, 14th inst., at 7 p. m.  
Dismissed with the benediction.

NOVEMBER 14, 1874.

Court met pursuant to adjournment.

Session opened with prayer by Rev. Jos. W. Lewis, President.

Roll called, and a member of the Court, Chas. R. Lewis, being absent, the Court adjourned to meet Monday, November 16, at 7 p. m.

NOVEMBER 16, 1874.

Court met pursuant to adjournment.

Session opened with prayer by Rev. Jos. W. Lewis, President.

Roll called.

Minutes of the sessions of November 13th and 14th were read and approved.

To this note I received the following answer :

“ST. LOUIS, Dec. 3, 1874.

“*Mr. L. D. Dameron.*

“DEAR SIR—Your note of the 1st inst. came to hand on yesterday.

“You can have access to the Minutes of the Church Court, to which you allude, for the purpose designated in note, on Tuesday afternoon, Dec. 8th, at 2 o'clock, in the office of St. John's Church.

“Respectfully,

“J. W. LEWIS.”

It will be perceived this note of Mr. Lewis states that I could have access to the Minutes of the Church Court for the purpose designated in my note, which purpose was to prepare a statement of the case for the Quarterly Conference in the appeal of which I had given notice.

Well, at the time designated, December 8th, I went to the office of St. John's Church, in company with a stenographer, for the purpose of copying, or taking down from the reading, such part or parts of the Minutes as I might deem important to my case. We met there Rev. J. W. Lewis and Mr. R. M. Scruggs, when the following conversation (a verbatim report of which is here given) took place, and in it the reader can determine what prospects I had for preparing a statement of the case for the Quarterly Conference :

*Mr. Lewis.*—Do you wish a copy of these Minutes ?

*Mr. Dameron.*—We came up to copy them, and if you will read them we will take a copy of them.

*Mr. Lewis.*—Do you desire them for the purpose of making your appeal ?

*Mr. Dameron.*—Certainly.

*Mr. Lewis.*—I will read a decision of the law on the question. [*Reads*]: “All exceptions filed become parts of the records. All exceptions to the evidence and rulings ought to be taken at the time. It is too late after the verdict has been rendered.” I do not feel authorized to give you a copy of the Minutes, as they are in my custody for the Appellate Court. [To the Stenographer]: I do not wish you to take notes of what I am saying. [To Mr. Dameron]: My proposition is that you can have the Minutes read for your information, but under my interpretation of the law I do not feel authorized to furnish you with a copy. The Appellate Court has the disposition of the Minutes after the adjournment of the

lower one, when they pass from my hands. No appeal can be taken when the exception is not taken, and the law says it is too late to take exceptions after the verdict has been rendered, and after the appeal. The appeal, I understand, is based on the information you have stated in your paper. I propose to have the Minutes read, but do not feel authorized under the law to furnish you with a copy of what took place after you left, as it was placed in my hands to pass to the upper Court. They are not my Minutes. As far as I am personally concerned, it would give me great pleasure to do it. I do not feel that I can, as you have announced their publication through the columns of the paper. I have no right to furnish them for public use in that way. I would be glad to have the Minutes read if you desire it.

*Mr. Dameron.*—Then you decline to let me have a copy of the Minutes, and decline to allow me to have them taken down as you propose to read them to me?

*Mr. Lewis.*—Well, I do not feel that I am authorized to furnish you a copy of the Minutes from the time you left the sittings of the Court. The law says, “all exceptions to the evidence and rulings ought to be taken at the time. It is too late after the verdict has been rendered.” The exceptions must be made before the verdict is rendered, not after. The Minutes were left in my hands to be transported from the lower to the higher Court. The only notice I have had of your appeal was previous to your leaving the Court. I do not feel that I can furnish you with a copy of the Minutes. I should be pleased to read them.

*Mr. Dameron.*—Then I understand you decline to allow me to have a copy of the Minutes?

*Mr. Lewis.*—If you wish me to give you my reasons I can give you the whole thing in a few words.

[Takes a seat at the table and begins to write, but is interrupted by the entrance of Mr. Moore.]

How do you do, Brother Moore? I wish to state what I have already stated, that personally I should be pleased to furnish him with a copy of the Minutes, but that I do not feel authorized or justified, as the custodian of the Minutes, to furnish a copy to any one, but that it would be my pleasure to have the Minutes read in his hearing as a matter of courtesy. I refer to the Minutes made after his withdrawal from the Court. He notified me then of his intention to appeal. The law says, “all exceptions to the evidence

and rulings ought to be taken at the time. It is too late after the verdict has been rendered." Therefore, he cannot take an appeal or exception to the Minutes after the verdict has been rendered. In my judgment, therefore, the furnishing of the Minutes would not be necessary for him to make up his appeal; and as he has given notice of that appeal, and that notice is based on the proceedings of the Court previous to his withdrawal—his withdrawal was voluntary—and I do not think, therefore, that it is my duty, as custodian of the Minutes, to furnish him with a copy. My instructions were to hold them for the Appellate Court to which it will go.

*Mr. Dameron.*—I would now ask, if I did not, at the time of giving notice of the appeal and withdrawal from the sittings of the Court, ask that I be notified at the time the verdict was rendered and I would appeal before the Court?

*Mr. Lewis.*—You must go to the Minutes of the Court for anything that occurred in it, and the Minutes will appear in the Court to which the case goes. You are not denied the application, and it will go up in regular form before a Court which will have all the Minutes. If they see proper to furnish a copy of the Minutes, it is their business, not mine. I do not feel justified in doing it myself.

*Mr. Dameron.*—I would like to ask the Secretary, Brother Scruggs, if I did not give notice at the time of the deliberations and sittings of the Court that I desired to take an appeal, and desired to be present at the time the verdict was ready to be rendered.

*Mr. Scruggs.*—I do not recollect the exact language, but I recollect there was something that you said to that effect. It was not submitted to me as Recording Secretary at all, and I do not think there is anything on the Minutes.

*Mr. Dameron.*—Do you remember that I said I would be present to hear the verdict of the Committee, and to receive the sentence, if one was to be pronounced?

*Mr. Scruggs.*—I do not recollect the language exactly that was used, but I recollect of your stating something to that effect. I cannot recollect the language.

*Mr. Lewis.*—I would like to know if this conversation is to become a matter of record?

*Mr. Dameron.*—Most assuredly, on my part.

*Mr. Lewis.*—You ought to give Mr. Scruggs notice, it seems to me, of your intention to put on paper what he is saying.

*Mr. Dameron.*—Brother Lewis, I must demand of you, as a right that I have, to 'see the Minutes, in order that I may properly prepare my appeal for the Quarterly Conference.

*Mr. Lewis.*—Well, sir, you can see the Minutes in the presence of the gentlemen who acted as Secretary for you and as Secretary of the Quarterly Conference. I am willing to have the Minutes read to you, with a great deal of pleasure, in the presence of Bro. Moore and Bro. Scruggs.

*Mr. Dameron.*—Do you decline to allow me to have a copy?

*Mr. Lewis.*—Well, as for me to allow you to have access to the Minutes—having the Minutes read, and furnishing you with a written copy, is a different thing.

*Mr. Dameron.*—I simply ask you now, while present before these brethren and gentlemen, that the Minutes be read.

*Mr. Lewis.*—If that gentleman [pointing to the Stenographer] will retire I will read the Minutes. He has nothing to do with this Court, nor is he in any way connected with it.

*Mr. Dameron.*—He is here with me to take notes of the Minutes—such notes and such points of the Minutes as I may deem advisable to have copied.

*Mr. Lewis.*—Well, sir, the Minutes cannot be read in the presence of one who has not been heretofore connected with the case. I would as soon he would be here as anybody, but I cannot consent to have the Minutes read before any one who is not connected with the proceedings. I think I would be false to the trust imposed on me.

*Mr. Dameron.*—Then I must protest against such proceedings on your part, and retire without them [rising to go].

*Mr. Lewis.*—I am perfectly willing to have the Minutes read in the presence of these two gentlemen who have hitherto been connected with the case, but in the presence of a stranger—an outsider—I am not willing to do it.

*Mr. Scruggs.*—[To the Stenographer]—Don't put that down.

*Mr. Lewis.*—I mean one who has not been hitherto connected with the proceedings of the Court.

*Mr. Dameron.*—Then, will you allow them to be read, and give me the privilege of copying so much of them as I may want to copy for my own use?

*Mr. Lewis.*—Well, Mr. Dameron, if that gentleman [the Stenographer] will retire I will read you the Minutes—



*Mr. Dameron.*—Will you allow me to copy them?

*Mr. Lewis.*—And any question that may come up after that will be decided.

*Mr. Dameron.*—Then I will bid you good evening.

From this conversation, following the letter I had received from Mr. Lewis, as copied above, I inferred that I would certainly either be denied an appeal at all, or denied the opportunity of making out a fair case for presentation to the Conference. Whether this was or was not a fair and just inference, let the reader judge from the facts :

1. In his letter, Mr. Lewis had assured me, that I could “ have access to the minutes for the purpose designated ” in my note, which purpose was to prepare a statement of the case for the Quarterly Conference.

2. Every one will see that the pretended law which Mr. Lewis read had no bearing whatever upon my application for a copy of the Minutes; for how could either he or I tell whether or not I should take exception to any part of them before I had seen them.

3. Supposing the law read by Mr. Lewis was quite applicable to the case, does not every one see that it was fully met by my previous notice of appeal? Yet, when I reminded him of this, and even proved it in his presence by the evidence of Mr. Scruggs, Mr. Lewis first evades the point, and takes refuge in a stubborn refusal, without claiming that he is supported by either law or reason.

4. In this conversation there was evidently, as I thought, a disposition to avoid a direct answer to the main question, and a manifest disinclination to allow me any access to the Minutes except by hearing them read, and that, too, without the privilege of copying them as read, or taking note of such part or parts as I might desire; and the most that was promised me was to hear the reading of the Minutes in the presence of Messrs. Scruggs and Moore, and then any question that might come up after that would be decided! But can the reader be at any loss, after reading the report of the conversation, to determine in his own mind *how* those questions would have been decided? I was at no loss whatever. I had filed my exceptions, and given notice of my intention to appeal, before withdrawing from the Court. I had also signified my intention and willingness to be present and receive the decision of the Court whenever notified that decision was ready, and specially requested to be notified of the time, but such notification was never received.

All this Mr. Scruggs admitted, and all this will, *I presume*, be shown by the Minutes. And in view of it all, what had I to hope in regard to an appeal? Was not my inference just? Let the reader decide. The entire conversation is faithfully reported above, as taken down at the time by the stenographer.

In view of all the facts as here detailed, I deemed it best to make no further move in that direction, and, after an interview with Rev. Dr. F. A. Owen, Preacher in Charge of the Chouteau Avenue M. E. Church, South, I presented myself in that church on Sunday, the 13th inst., applied for membership, and he read the following statement:

“BRETHREN—I say now what I have said heretofore, that it was not my intention to injure Dr. Leftwich, and if I had misrepresented or misquoted him, or in any way damaged him, I was sorry for it, and was ready and willing to make any proper reparation.

“LOGAN D. DAMERON.”

He asked if there were any objections on the part of any one then present to my reception into the Church. No objections were made. Full time was given, but no one objected. On the contrary, some prominent brethren spoke earnestly in favor of the movement, and I was duly received by the pastor, with the unanimous consent, and, as I have been told, the hearty approbation of the entire church and congregation; and certainly my reception was most cordial, and to me most gratifying.

Now, let it be observed, the statement I made to the Chouteau Avenue church, on the 13th inst., is substantially and intended to be identically the same that I made more than once before the “Trial” was commenced. I repeated it in my answer to the charges. I have made it often, and have been ready to make it any time, or in any place where it might have been proper. If, then, I could be lawfully received with that statement, was I in reality ever out of the Church; especially when this statement was made, in all honesty, before charges were brought—made at the time they were brought, and made at the trial? Was I rightfully or lawfully out of the Church? Let impartial Methodists, preachers and people, answer that question. Many, by letter or otherwise, have answered already, and they have my most grateful and sincere thanks.

The reader can now understand why and how it was I was compelled to regard the whole proceedings as a matter of personal persecution, and designate them as I have done. I have borne it all

as patiently as I could, and borne it until compelled to make the defense I have made. I had much at stake, both pecuniarily and otherwise, and to defend was the only way to safety.

Sincerely do I hope there may be no occasion for making any further communication on the subject, and that henceforth I may be allowed to carry on the enterprises of the Church under my care without further molestation. At the same time I will not shrink from the task of defending myself and the business under my management against any and all attacks by whomsoever made.

The assaults made at the late sessions of the Missouri and South-west Missouri Conferences upon the official and christian character of the editor of the *Advocate*, based on his editorials concerning the Hammond Revival, I submit to all lovers of truth and fairness, were unkind, unjustifiable and cruel to an old and faithful servant of the Church, and exceedingly damaging to the financial interests for which I am responsible. They were thus publicly made without any previous personal or private admonitions, and necessarily caused dissensions in the Church.

LOGAN D. DAMERON.

[Subsequently, the following letters, etc., were published and somewhat extensively circulated.]

TO THE MEMBERS  
OF THE  
ST. LOUIS ANNUAL CONFERENCE.

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Most sincerely do I regret to be compelled to come again before the public with matters relating to my late Church trial at the St. John's M. E. Church, South, but the increasing misrepresentations with which my enemies pursue me, force me to this legitimate means of self-defense.

It will be remembered that at the time I withdrew from the court of trial, I gave notice of my intention to appeal; but this intention I relinquished because of the failure of my application to Rev. J. W. Lewis to obtain a copy of the records of the trial on which to make up the case for appeal.

It does seem to me, and I think it must appear to all fair-minded people, that after so complete and unscrupulous a success as my enemies had obtained in expelling me from the Church, they might have been content to let the matter rest, and leave me in the quiet and peaceful enjoyment of my new church relations at Chouteau Avenue Church, but in truth far more unjust and extravagant proceedings have been had against me since the judgment of the Court than before.

Finding, as I said before, that I could obtain from Rev. J. W. Lewis neither the courtesy nor justice of a copy of the proceedings on which to prepare my case for appeal, I renounced all thought of prosecuting it, and on the Sunday following joined the Chouteau Avenue Church, where I was cordially received by Rev. F. A. Owen, the preacher in charge.

On the Wednesday following this I met, by appointment, Rev. A. T. Scruggs, presiding elder of the district (not, as he informed me, in his official capacity), and the Rev. F. A. Owen, when I was informed by Dr. Scruggs, in effect, if not in words, that my mem-

bership in the Church was unquestionable; that I was as much a member now as ever before, and hence that there was no need of my appealing my case to the St. John's Quarterly Conference, as the appeal, if taken, would only be for membership, which I now had; and he further said, that he wanted all further agitation of the matter stopped, and no more said about it; and that if I would not make any further publications the other party would drop the matter just where it was. To all this I assented, remarking that it all depended upon the other party. So I supposed the whole matter was here dropped finally, and I made no further effort to appeal the case.

Imagine my great surprise when, after the adjournment of the St. John's Quarterly Conference, I learned that the matter of my appeal had been before the Conference for action. Not being able to get any satisfactory information regarding what was done, and being desirous of getting at the facts, I addressed the following note to Sam'l Cupples:

"ST. LOUIS, January 8th, 1875.

"SAM'L CUPPLES, ESQ.—*Dear Sir*: I have been informed that you were the Chairman of a Committee of the late session of the Quarterly Conference of the St. John's M. E. Church, South, appointed for the purpose of comparing the record of the late trial with the minutes as published by me December 9, 1874.

Will you do me the favor to say to me what errors or differences were found, if any, and give me a copy of your report to said Quarterly Conference, and greatly oblige

"LOGAN D. DAMERON."

To this I received the following reply:

"ST. LOUIS, January 11th, 1875.

LOGAN D. DAMERON, ESQ.—*Dear Sir*: Yours 8th, I have just read (not being in town last Saturday I did not receive it before, else should have replied to it Saturday).

I do not think that any member of a Quarterly Conference has the right to make known any matters pertaining to the Conference without the consent of the Conference first being had. That being granted, it will give me personally great pleasure to comply with your request.

"I am, yours most respectfully, SAM'L CUPPLES."

The following note I sent to Rev. J. W. Lewis:

“ ST. LOUIS, January 7th, 1875.

“ REV. J. W. LEWIS, PASTOR ST. JOHN'S CHURCH, ST. LOUIS.—  
*Dear Sir and Bro.* : I have been informed that some action was taken at the late session of your Quarterly Conference in reference to my late trial and expulsion from your Church, and I ask respectfully for the privilege of examining the records of said Conference, to see what was done affecting me.

“ Very truly,

LOGAN D. DAMERON.”

And this is his reply :

“ ST. LOUIS, January 11th, 1875.

“ MR. LOGAN D. DAMERON.—*Dear Sir* : Your note of the 8th inst. has been received.

“ In reply, permit me to respectfully refer you to the Presiding Elder of the District—the President of the Quarterly Conference—who can furnish you all necessary information on the subject to which you allude.

“ Respectfully,

J. W. LEWIS.”

And this to Rev. A. T. Scruggs :

“ ST. LOUIS, January 8th, 1875.

“ REV. A. T. SCRUGGS, P. E. ST. LOUIS DISTRICT, M. E. CHURCH, SOUTH, ST. LOUIS.—*Dear Sir and Bro.* : I desire to see the record of the late session of the Quarterly Conference of St. John's Church, in order that I may see what was done affecting me, or touching the matter of my late trial and expulsion from said Church, as I have learned that the matter was brought before said body. Please inform me to whom I ought to apply for this privilege.

“ Yours truly,

LOGAN D. DAMERON.”

The reply :

“ 2810 N. TWELFTH ST., ST. LOUIS, Jan. 9th, 1875.

“ LOGAN D. DAMERON, ESQ.—*Dear Sir and Bro.* : Your note of the 8th inst. has been received.

“ In answer to your inquiry, I reply that any application for the use of the Journal of a Quarterly Conference should be made to the Conference when in session.

“ Yours truly,

A. T. SCRUGGS.”

I then waited until the next session of the St John's Quarterly Conference, when I sent them the following communication :

“ ST. LOUIS, April 1, 1875.

“ *To the President and Members of the Quarterly Conference of St. John's M. E. Church, South.*

“ BRETHREN: About two weeks, or nearly so, after the date of your first Quarterly Conference for the present Conference year, I

learned for the first time that the matter of my Church trial was brought before said Quarterly Conference by Rev. Jos. W. Lewis. It is true, at a certain stage of the trial I did give notice of my intention to appeal, and it is also true that I did call on the pastor, Rev. J. W. Lewis, by agreement, to get a copy of the records from which to make up an appeal, but this was refused me, hence I made no appeal, and yet I have been informed that the matter was brought before you by said Jos. W. Lewis, as stated.

“ I was also informed that Rev. Jos. W. Lewis did ask for and obtain the appointment of a committee whose duty it was to be to compare my printed report of said trial with the official records of the same, and report any discrepancies which they might find ; I had never pretended to give a copy of said records, but did claim, and do still claim, that I gave a correct report of said trial.

“ I was still further informed that this special committee did make a report, but refused to embody in said report the discrepancies which they claimed to have found ; and further, that the same was called for, and a slip of paper was produced containing the notations of difference between my report and the records, as discovered by said committee, which was read for the information of the Conference ; and further, I was informed that a request was then made that said slip or piece of paper containing said notations be filed with the reports of said Committee, and that this was agreed to, but that afterwards a vote of reconsideration was had, and that the Conference then refused even to allow said paper to be attached to said report ; and finally I was informed that the report, claiming to give the mere opinion of the committee, was ordered to be placed on record. Now, if my information is correct, there has been some very strange proceedings had in this remarkable case. In order that I might, from a personal examination into the matter, know the exact nature of the proceedings, I applied immediately on learning what I have above referred to, to Samuel Cupples, whom I had heard was Chairman of said special committee, for information as to what was done. He declined to inform me. I applied to Rev. Jos. W. Lewis for the privilege of examining the records, to see what was done. He informed me that the Presiding Elder was the proper person for me to apply to. I then applied to Rev. A. T. Scruggs, the Presiding Elder, and he informed me that the proper place to apply for the information I desired was the Quarterly Conference in session, and hence it is that I now apply to you to allow me to have access to your records and papers, for the purpose of ascertaining exactly what has been done touching the matter of my late Church trial, and especially to get a copy of the special report above referred to, and so much of the Minutes as I may deem necessary to enable me to fully understand the case, and act accordingly.

“ Very respectfully,

LOGAN D. DAMERON.”

To which I received the following reply :

“ST. LOUIS, April 3, 1875.

“LOGAN D. DAMERON, Esq.—*Dear Sir* Your communication of date 1st inst., addressed to the President and Members of the Quarterly Conference of St. John’s M. E. Church, South, was presented to the meeting, and, by vote, your request therein contained was declined.

Very respectfully,

“R. M. SCRUGGS,

“Secretary 2d Quarterly Conference, etc.”

Thus it will be seen that I was kept in the dark, so far as the authorities were concerned, and was compelled to rely upon such information as reached me through private channels.

Rev. J. W. Lewis, pastor of St. John’s Church, brought the matter of my trial before the Quarterly Conference as an appeal, when, in fact, I had not appealed, and he knew that I had not appealed; and the Presiding Elder, Rev. A. T. Scruggs, entertained it, when he knew that I had, on his (unofficial) advice, decided not to take it before the Quarterly Conference, as I had already obtained my church membership; and after asking if there was any person present to represent me (of course there was not, and could not be), the appeal was pronounced lost by default, and the verdict of expulsion confirmed. All this was done without notifying me of the meeting of the Conference, and I should not have known of it but for the private information of Brother Moore. Does this not look as if they were determined to follow me up and disgrace me if they possibly could?

But, not satisfied yet, the Rev. J. W. Lewis asked for the appointment of a committee of the members of the Quarterly Conference, to compare my report with the official records of the trial. His committee was appointed. The Conference adjourned for a week to give them ample time for investigation, and at the expiration of that time they make their report, saying, in effect, that they find, *according to their opinion*, grave discrepancies between the two reports. And this vague statement, casting the strongest imputation upon the veracity of my account of the trial, is scattered broadcast over the country by private letters! For what purpose? Evidently to discredit my statement. Why not, then, in common fairness, have named the discrepancies, that the public might have judged of the substantial accuracy of my report?

Now this they were asked to do, and declined. A member of the Quarterly Conference challenged them to say what the discrepancies were, and they refused to specify them. Why? Is it not



plain that the committee was manipulated by the Preacher in Charge, and induced to make a report filled with blank denunciations in order to injure me.

Now, I have never pretended to say that my report of the trial was a *verbatim* copy of the official records of the trial, for such copy I tried in vain to obtain; but I do say, that I gave a correct account of the trial, from minutes kept by Austin R. Moore, a member of St. John's Church, than whom a more honorable Christian gentleman cannot be found. I have repeatedly challenged the naming, and offer the correction of any errors which my report could be shown to contain, and this will be seen from the following card, which I republish from the daily *Globe*, of January 6th.

### “TO A CANDID PUBLIC.

“I have been informed, through sources which I regard as altogether reliable, that reports are being circulated to the effect that in my published account of the ‘Great Church Trial—St. John's M. E. Church, South, vs. Logan D. Dameron’—important testimony was omitted, and that the reasons assigned for certain rulings were not given, etc., etc.

“As I deem this a serious charge, I feel obliged to notice it, and I assert that in my account of the proceedings reference is made to every item of testimony offered. And this assertion I am prepared to sustain by testimony undisputed and indisputable. I did not give a copy of a letter introduced by the prosecution as having been written by W. M. Leftwich, and directed to C. D. N. Campbell, and did not give it because, and only because, I had no copy. Reference was made to that letter, and my exceptions, with the reasons therefor, were given.

“Nor did I publish an extract from the St. Louis *Dispatch* offered in evidence, because, as I then stated, I had been unable to obtain a copy of the paper containing the article from which the extract was made.

“I did not give the *reasons* for the rulings of the President of the Court, because every well-informed man knows that *decisions* determine the results, and the rights of the accused, and not the *reasons* for such decisions. Whatever the reasons may or may not have been, it was the decisions, and the decisions only, that affected me, and these decisions or rulings I faithfully gave. So of the ‘reasons,’ whatever they may have been, for the secret sessions of the Court. I was concerned with what the Court *did*, and not with its *reasons* for doing this or that; and what it *did* I faithfully recorded and published. Complaint has been made that in my publication I said ‘I had been expelled by Rev. J. W. Lewis.’ I did say so, and said so

because it was true. In his letter, which I published, he said the Committee had 'found a verdict of guilty, without mitigating circumstances, and you [I] have been pronounced expelled from the Church.' Who pronounced me expelled? Who except J. W. Lewis had any right to pronounce such sentence? According to the law of the Church, the preacher has the fixing of the penalty, and it is optional with him whether it be expulsion or suspension.

"Now, be it known, if the prosecution will furnish me with a full and certified copy of their record of the trial, and if on examination it should appear that any evidence offered in said trial was omitted in my publication, or if there was an omission of any question asked, or of any answer given, or of any ruling made, or if any ruling or anything else was erroneously reported by me, then, and in that case, I will with pleasure and promptness correct all such errors or mistakes, and give to the correction the same publicity which I gave to the trial.

"If this be not fair, then I know not what fairness is. That my report contained no *intentional* error I know. That it contained no accidental error I firmly believe; but if such can be pointed out, then I am ready to act according to the declaration here made.

"This matter would not have been thus alluded to but for the fact that the impression is sought to be made that my report of the trial was imperfect and incorrect. Let the fullest and freest investigation be made. Elicit the truth, the *whole truth*, and God will defend the right.

"LOGAN D. DAMERON.

"*St. Louis, January 5, 1875.*"

And that I gave a plain and unvarnished account of the trial will appear from the following letter from Austin R. Moore, Esq.:

"ST. LOUIS, January 5, 1875.

"*Logan D. Dameron, Esq.*

"DEAR SIR—You have informed me that the publication sent out by you in connection with your recent trial at St John's Church has been made the subject of official action and investigation; that the publication in question had been placed in the hands of a committee to be compared with the certified minutes of said trial up to the date of your withdrawal; that said committee had returned to the Quarterly Conference, by which they were constituted, a report in general terms and to the effect, in substance, that they had noted omissions and discrepancies which, in their opinion, were of a grave character, etc., etc. You have called upon me as your clerk during all that portion of the trial at which you were present, to furnish you with a statement in connection therewith.

"Permit me to say, I regard this as a very delicate duty, and must enter upon a compliance thereto with great reluctance. It is true you have only requested, while I believe you might properly demand at my hands a statement, at least explanatory in its character, inasmuch as I had undertaken (for you) to keep a correct

copy of the proceedings of the trial; and furthermore, if in the discharge of that duty I committed any grave errors, or by neglect allowed omissions or discrepancies to occur for which you are to be again arraigned, it assuredly renders me amenable in the premises. This fact established, and I become a party to this, in my opinion, most unhappy controversy. Now then, with this much of preface, I submit the statement, as follows:

“Your published account of the trial was a true copy of the minutes of the trial as kept by me, with this exception—namely: In a great many instances where the *Church Advocate* objected to your questions put to Dr. Leftwich, under cross-examination, and the President sustained the objections, he (the President) gave his reasons for thus ruling, such as ‘on the grounds of irrelevancy’ and ‘inadmissibility,’ etc. The reasons were omitted in your published statement, and I leave you to furnish a reason therefor, while I pass to other discrepancies of which they complain, and which more directly concern me.

“1. Letter of Dr. Leftwich to Dr. Campbell of date, I believe, August 9th, is mentioned in my minutes as having been offered in evidence and objected to by the accused, on the ground that he had no previous knowledge of such a letter. Just here it may be proper to state that no documentary evidence was copied by either secretary at the time, but it was agreed that the court secretary should mark and file as a part of the record and furnish accused with a copy of the same, if desired. In my minutes I merely made a note to the effect that “copy would be furnished.” I am certain no blame can attach to the accommodating secretary, Mr. R. M. Scruggs.

“2. An article which appeared in the columns of the *Dispatch*, Mr. D. says he could not obtain a copy of (that is of the paper). He will probably explain why he did not call on the Court Secretary for a copy.

“3. The Court gave reasons for secret sessions, and to which I merely alluded in my minutes because I attached no importance to the paper. That paper was in response to a protest filed by the accused, touching the fact of Court holding secret sessions and therein discussing matters which he, the accused, was entitled to hear. The reply as entered upon the minutes of the Court was, in substance, as follows: ‘That the Court might be enabled the more speedily to arrive at a conclusion,’ etc.; and that no new matter was brought up or discussed that had not been previously fully discussed in open Court.

“4. The Court caused to be entered on its minutes an explanation of its long adjournment—first, on account of the session of the Annual Conference, then near at hand, and an additional 8 or 9 days to allow Mr. Dameron to visit his daughter in Madison, Wis., as per his request.

“ This I made no mention of in my minutes.

“ 5. The Court passed a resolution at, I believe, its first session, to the effect that ‘ none of the proceedings of the Court should be divulged, until the same should be brought to an issue.’

“ I made no mention of this in my minutes.

“ Court reasons, Court explanations, and Court resolutions, seem alike to have escaped my notice—attributable, no doubt, to the fact that they would form no part in the material which would be required by the accused in summing up his defense.

“ 6. The published statement, I believe, does not include the minutes of the Court on the evening of, and up to to the time of the withdrawal of the accused, and which only went so far as to embrace the routine exercises of opening and announcing that the Court was ready to proceed with the cross-examination of the witness, Rev. Dr. W. M. Leftwich, and which portion of the Court minutes could have no bearing upon the case, except it might be to set forth the fact that the witness was present again, notwithstanding his announcement that he would not attend another meeting

“ Here, according to the very best of my knowledge, are the discrepancies and omissions. They are furnished as matters of fact, and with friendly feeling toward all parties concerned.

“ Very respectfully,

AUSTIN R. MOORE.”

Could anything be clearer than this? Mr. Moore says explicitly that my published account was a true copy of the minutes of the trial, except the omission of the reasons of the president’s rulings, which were such as “ Irrelevancy,” “ Inadmissibility,” etc., and which had nothing whatever to do with the facts in the case. As to the secret session of the Court from which I was excluded, I said, in my report, that the Court gave reasons for them. Was not this enough? Should I have encumbered my report with J. W. Lewis’ apologies and self-justification for the outrages he was inflicting upon me, and through me upon the whole Church?

It is further said, that I omitted a letter from W. M. Leftwich to C. D. N. Campbell, but I did make mention of the introduction of that letter, though I did not have a copy of it, and it had no bearing upon the case. It was merely a letter appointing a Quarterly Meeting for St. John’s Church. It was not known to me, and had not even been seen by Dr. Campbell, when my original card was published in the *St. Louis Advocate*. I would gladly have published it in its place if I had possessed a copy of it, but it was of no earthly importance, and had no bearing upon the issue. And these are all the discrepancies that they have found or been able to allege between my published report and their own official records, except the

extracts from the *Evening Dispatch*, which did not touch the case at all! Now, is it not plain this report of "grave discrepancies" was ingeniously manufactured, and has since been industriously circulated by my unfriends in St. John's Church, for the double purpose of blinding the eyes of the Methodist public to the real facts in the case, and covering my personal reputation with a totally unmerited opprobrium!

It may be well to say here, that I am accused of a special misrepresentation in my published report, in saying, with regard to the above-named letter from Leftwich to Campbell, that I excepted to its introduction, on the ground that "the presentation of the letter in Court was the first *information* which I had of the existence of such a letter." The word "information," in that connection, was of course an error of haste, as I knew the fact that such a notice must have been given or sent from Leftwich to Campbell, in order to the convening of that Quarterly Conference of St. James Church, in which I myself actually sat. But my plain meaning was, as every one must see, that I had no knowledge previous to the meeting of the examining committee by personal inspection of the letter then and there introduced. And this transparent attempt to fasten upon my words a meaning which they were not intended to wear, is of a piece with the other interested and partial proceedings of my enemies.

In confirmation of the statement which I have made with regard to the letter in question, I herewith submit the statement of C. D. N. Campbell, showing that I never saw his copy of the letter:

"I cheerfully state that the letter of Rev. W. M. Leftwich, of August 9, 1874, appointing a Quarterly Conference for St. James Church, was written and sent to my city address during my absence from the city, and that I did not return or see that communication until the 13th or 14th of the same month. Also that I saw Dr. Leftwich during my absence, and he made no mention of having appointed a Quarterly Conference for St. James Church; and I further state that Bro. L. D. Dameron has never seen the copy of said letter, which is in my possession. C. D. N. CAMPBELL."

So much for that matter. And now, after all this, one would think that my St. John's friends might have been satisfied to let me alone. But this did not suffice. In Chouteau Avenue church, whither I had fled for refuge from persecution, I was kindly received by all parties. They even honored me with the office of S. S. Superintendent. Of what was to be the after-effect of this compliment

to me I had not the remotest thought. Time rolled round, and the District Conference convened at Manchester, Bishop J. C. Keener presiding. Now, by virtue of my office of S. S. Superintendent, it appears that, under the law of the St. Louis Annual Conference, I was an *ex-officio* delegate from Chouteau Avenue church to that body. I was not present at the Conference, and in fact was confined at home by illness and could not have attended.

Under these circumstances Rev. J. W. Lewis proposed and presented to that body a protest against my membership there, on the ground that I was not a member of the Southern Methodist Church. This protest the Conference, as a body, would undoubtedly have treated with merited contempt, but the presiding officer arrogated to himself the right to decide on the qualifications of the members of the Conference, and pronounced me ineligible to membership in a body which I had never seen and could not possibly attend. He even went so far as to declare me not a member of the church into which I had been formally and cordially received by the legally constituted authorities. Thus, perhaps, for the first time in Methodist history, through the powerful influence of Rev. J. W. Lewis and his abettors, has a bishop of our Church been induced to pronounce upon the validity of a lay membership in the body of the Church; and according to this precedent any lay member of the M. E. Church, South, may be deprived of all his rights in that communion by the mere word of a bishop.

But this astonishing history would not be complete without one crowning incident, of recent occurrence. On last Saturday night was held the fourth Quarterly Conference of Chouteau Avenue Church, Rev. A. T. Scruggs, Presiding Elder, in the chair. That meeting I attended, and the question being upon the nomination and election of stewards for the ensuing year, and after the nomination by the pastor and election by the Conference of Jno. C. Bull, Rev. F. A. Owen, the pastor, next presented the name of L. D. Dameron. Upon this nomination the P. E. halted and said he must enter his protest to this nomination, and declined to put the question, on the ground that, according to the decision of Bishop Keener, I was not a member of the Church! And this from the man who had personally assured me (though not officially) that I was as much a member of the Church as I ever was! And thereupon, the P. E. persisting in his refusal to entertain the nomination, the pastor declined to make any other nomination, and the Church

must run with one steward for the next quarter of a year. All this, then, it seems, is no joke, and I am to be hunted down again and again, and finally driven from the membership of the M. E. Church, South. Will the ministers and members of our communion stand silently and supinely, and raise no hand or voice in protest against the indulgence of a personal animosity so bitter and implacable as this?

Now, this persecution—for persecution it is, as any one can see—has been going on for three years against me, ever since J. W. Lewis has been pastor of St. John's Church, and is the result of personal pique on the part of certain persons who are working to obtain possession of that department of church industry with which I am connected. In this matter, Mr. Lewis is their tool. This is the whole matter; and for this he has followed me ever since, and seems resolved to persecute me to ecclesiastical death.

Through all this I have been quiet and patient. I have been no brawler. I have made no disturbance. I have fought no battle against any. I have simply defended myself, as best I could, where wantonly attacked, by a fair statement of the facts in the case. I have been working to build up the Church and advance the cause of our common Methodism. To do this work has been the pride and glory of my life. I have prosecuted it in the past at a heavy pecuniary sacrifice. I hope to live and die in it, and devote to it whatever of means, of energy and capacity has been given me by Almighty God, who is stronger than all my enemies, and better to me than all my earthly friends, and in whom I put all the hope and trust of my heart.

LOGAN D. DAMERON.

*St. Louis, September 20, 1875.*

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[The foregoing pages contain, so far as we know, all the publications respecting this remarkable case that are necessary to place the whole matter properly before the public.

The questions of law involved will come up for review before the College of Bishops at their annual meeting in May next, and will also be before the General Conference at its next session.

Mr. Dameron's membership in the Church is now undisturbed and officially recognized.]







